

# Morning Enterprise

WEEKLY ENTERPRISE ESTABLISHED 1866.

**THE WEATHER**  
OREGON CITY—Fair; north-  
erly winds.  
Oregon and Washington and  
Idaho—Fair; north to east  
winds.  
EDWARD A. HEALS,  
District Forecaster.

But it isn't blind if it is self-  
love.

VOL. VI.—No. 77.

OREGON CITY, OREGON, WEDNESDAY, OCTOBER 1, 1913.

PER WEEK, TEN CENTS.

## LIVE WIRES TALK WATER SOURCE

BELIEVE CITY HAS HAD BAD AD-  
VERTISING ON ITS TYPHOID  
FEVER TROUBLE

## BULL RUN ONLY "BLACK-EYE" CURE

Regardless of Guilt of Germs, Town  
Must Have New Supply to Get  
Itself Straight, is Con-  
tention

Water—boiled, filtered, or chemi-  
cally injected—was the main subject  
of discussion by the Live Wires at  
the regular weekly meeting in the  
rooms of the Commercial club Tues-  
day noon. In spite of the assurances  
that no single disease-carrying  
germ had ever been found in the city  
water, test votes at the meeting  
showed that only a small percentage  
of the city's population there  
represented uses the water without boiling  
it, and a large percentage does not  
use it under any circumstances.  
Speakers threshed out the question  
of water from every angle. Most of  
them declared that, regardless of the  
chemical and other tests that the  
state board had made, the city had  
received adverse advertising as to its  
water supply and the only way that  
this effect could be met was by the  
securing of another water source.  
That water source ought to be Bull  
Run, according to the general senti-  
ment of the meeting. The Live Wires  
believed that the advertising the city  
would receive if it were generally  
known that the water supply came  
from that source would be such that  
the present black eye would be cured  
and the city put again on the health  
list.

Reports Offered.  
Reports from Councilman Toozee  
and Commissioner Joseph E. Hedges  
along the line of work done during  
the investigations of the water were  
made and the councilman promised  
further reports as soon as the nego-  
tiations with Portland are completed.  
F. A. Olmstead, a chemist, declared  
that Dr. Smith of the state board  
of health said that, in addition to  
the typhoid germs, the water may  
carry germs of six other disease and  
he assured the Live Wires that he  
was deathly afraid of the others re-  
gardless of the purity of the water  
from typhoid contamination.  
Mr. Hazel and B. T. McBain advo-  
cated a new water supply on the  
ground that the present system is  
giving the city a black-eye whether it  
deserves it or not and that the only  
way out of the muddle is a new source  
of supply.

(Continued on Page 4.)

## ROYAL BREAD

The quality and full loaf  
may be imitated, but  
never equaled  
Fresh every day at  
HARRIS' Grocery

## New Denver Meat Market

7th and Railroad. We Deliver  
We handle first class fresh,  
salt, and smoked meats.  
WE GIVE S. & H. GREEN  
TRADING STAMPS WITH EVERY  
10c PURCHASE.  
Highest market prices for stock  
and poultry.  
Phone Pacific 410 Home A133

## CLARK CHARGED WITH MURDER

SHERIFF FILES COMPLAINT HIM-  
SELF AND MAN IS  
ARRAIGNED

## PRELIMINARIES HAVE BEEN WAIVED

Does Not Insist Upon Right and Goes  
Calmly Back to Jail to Await  
Action of Grand Jury  
on His Case

Harry Clark is now held in the  
Clackamas county jail by Sheriff E.  
T. Mass under a commitment follow-  
ing the filing of a formal complaint  
charging him with murder. The  
complaint follows the finding of In-  
dian Henry Yelkiss dead in the road  
out of Molalla more than a week ago  
and the discovery that Clark was lost  
with the man before his death.

For nearly a week, the sheriff has  
held the man in jail pending the in-  
vestigations surrounding the death of  
the old Indian chief. Several trips  
have been made through the country  
and the sheriff has gathered evidence  
in connection with the case.

The complaint was sworn to by the  
sheriff before Justice John N. Seivers  
and Clark was immediately arraigned  
and waived the usual preliminary  
hearing. He has been committed to  
await the action of the grand jury.

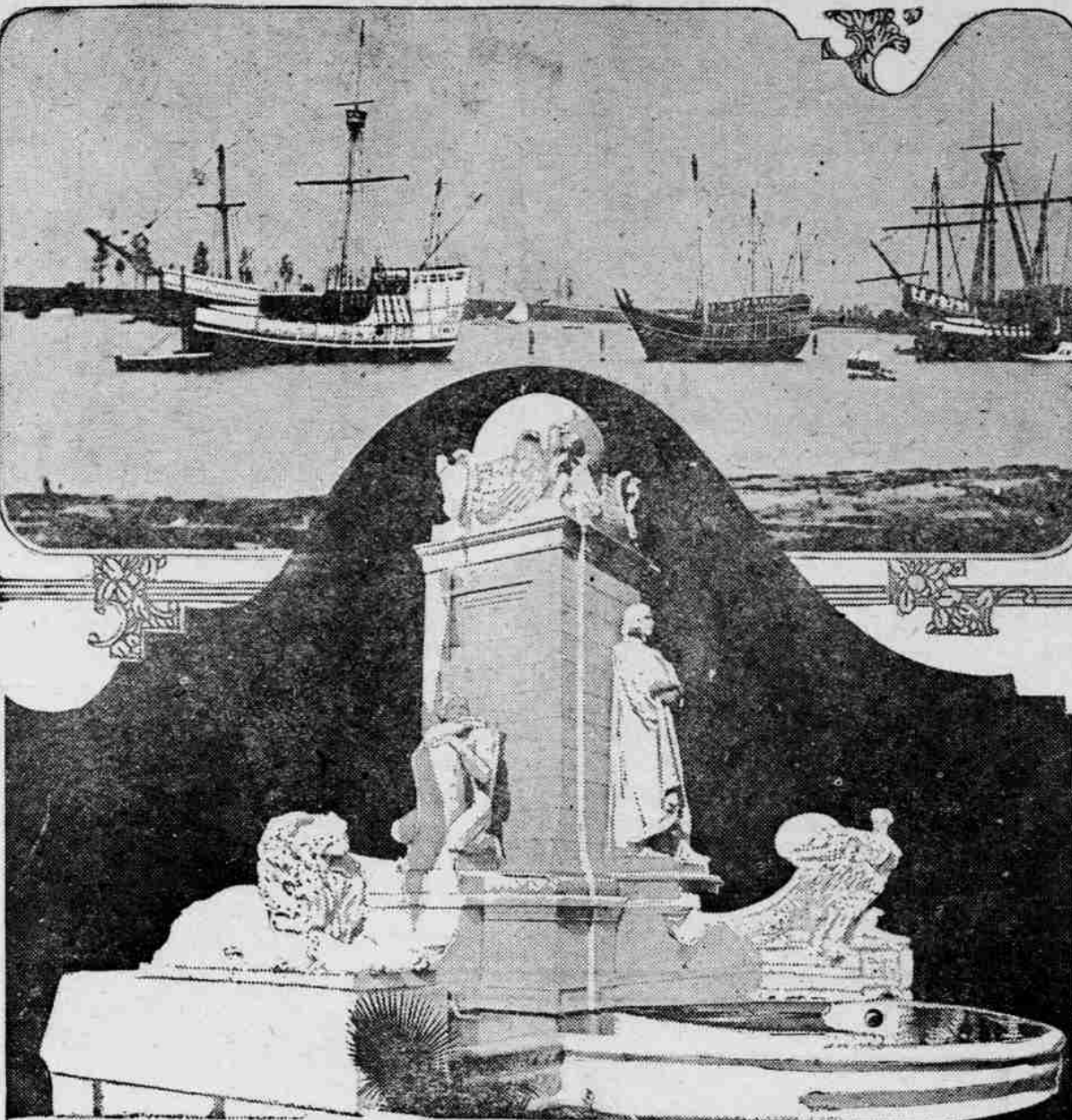
## COURT REFUSES TO GRANT INJUNCTION

The Clackamas Southern injunc-  
tion to restrain it from constructing  
a line across his land was refused  
George Lamers by Judge Campbell in  
the circuit court Tuesday on the  
theory that the agreement had been  
made in good faith for a right of way  
and that the railroad had already  
gone to considerable expense in the  
matter of improvement on the basis  
of that agreement.  
Though, under the law, the convey-  
ance of real estate by a verbal agree-  
ment is void, the court held that the  
owner of the property had given up  
his rights to assume that position be-  
cause he had permitted the company  
to use the land and to grade for the  
road bed. Nearly 200 feet of fill has  
been made on the property under the  
verbal agreement that was made be-  
tween the owner and the railroad.  
Lamers asked for the restraining  
order, but after hearing evidence for  
a short time, the court refused the  
application.

## SHERIFF RAKES IN COIN OVER COUNTER

Believing that October 1 was the  
last day on which taxes could be paid  
before they became delinquent, a  
mass of property owners swarmed  
through the sheriff's office a day  
ahead yesterday and met their assess-  
ments.  
The office was busy all day taking  
in the county money though the tax-  
payers still have until next Monday  
night on which to pay their taxes be-  
fore the time has expired. After that  
time, they will become delinquent and  
will be entered on the county records.  
The law reads the first Monday in  
October instead of October 1, as many  
of the property owners seemed to be-  
lieve.

## Columbus Caravels Now on Way From Chicago to San Francisco; National Columbus Monument.



The famous Columbus caravels are on their way again. Built twenty years ago in Spain, these replicas of the three ships in which Christopher Columbus and his voyagers crossed the Atlantic and discovered America were brought to this country and exhibited at the World's fair at Chicago. They have been anchored there ever since. Now they are manned by Harvard students and are on their second voyage, this time through the great lakes, down the St. Lawrence river, along the Atlantic coast through the Panama canal and up the Pacific to San Francisco, where they will be exhibited at the Panama-Pacific exposition. The three ships, the Nina, the Pinta and the Santa Maria, are here shown. The national Columbus monument at Washington, which is of interest as Columbus day, Oct. 12, approaches, is also shown.

## LAZY APPLICANTS APPEAR TOO LATE

Many applicants who failed to file  
their requests for final papers are  
now having to go through the process  
all over again and, for the second  
time, have declared their intention to  
become citizens of the United States.  
Several of them have lived in the  
state for a number of years but have  
never taken more than the first pa-  
pers. As they are, under the law, en-  
titled to vote and to exercise other  
rights of citizenship, they have not  
found it necessary to go any further  
with the process.  
The action of the government of-  
ficials is rounding up the greater num-  
ber of these delinquents has cleared  
the records of the county materially  
and many of those who have let the  
papers wait for them for several  
years will soon be full-fledged citi-  
zens of the country of their adoption.

## CANCER'S RAVAGES TAKE ANOTHER LIFE

Mrs. Maggie H. Davies, wife of  
David H. Davies, died at her resi-  
dence in Oregon City, 891 Madison  
street, Sunday evening at 9 o'clock.  
She had been ill for the last year, and  
for the last few months had been suf-  
fering severely from cancer. She was  
born in New York City, April 30, 1846,  
and in 1853 she went to Wisconsin,  
where she married D. H. Davies in  
1867, at Watoumar.  
The family came to Oregon City to  
reside in September, 1913. Besides  
her husband she leaves two daugh-  
ters, Mrs. Marian Shover, of Salem,  
and Miss Ethel E. Davies, of Oregon  
City, and a sister, Mrs. E. B. Evans,  
of Wild Rose, Wisconsin. The fun-  
eral will be held from the family  
residence Wednesday afternoon at  
1:30 o'clock, and the interment will  
be in Mountain View cemetery.

## Living By Serving

That is the motto of the mod-  
ern merchant.  
He knows his business will  
grow exactly in the proportion  
of his ability to make it useful  
to the public.  
The better he can make him-  
self known for character, for  
courtesy, for fairness in price,  
the larger will be the measure of  
his success.  
The modern merchant believes  
in taking the public into his con-  
fidence.  
He believes people are interest-  
ed in the sources of merchandise  
its purpose its character, as well  
as its fitness and price.  
He classes these things a legiti-  
mate news of his store.  
He tells this news through the  
advertising of live daily newspa-  
pers like THE ENTERPRISE.  
He feels it is part of his ser-  
vice to keep the public informed.  
And because of this intensely  
human purpose advertising is  
such very interesting reading—  
not only interesting but helpful  
and profitable reading.

## STOCKHOLDERS MUST PAY BILL

CANNOT CHANGE MINDS AFTER  
AGREEMENT HAS BEEN  
MADE WITH COMPANY

## DECISION PLEASES THE RAILROADS

Officials Consider it of Moral in Work  
of Extracting Funds From  
Other Holders of Stock  
Blocks

Subscribers to railroad stock must,  
hereafter, pay up.  
In a decision in the circuit court  
Tuesday, Judge Eakin held that John  
H. Vick would have to pay the Clack-  
amas Southern railroad \$473.36 as the  
balance due on the \$500 worth of  
stock that he bought some time ago.  
Since that time, the Portland, Eugene  
& Eastern has also passed close to  
the Vick property and he has deter-  
mined not to pay for the stock that  
he held in the other line.  
Promptly, suit was brought by the  
company for the remainder of the  
amount and the case carried into the  
circuit court when Judge Eakin heard  
the testimony and handed in his de-  
cisions in the case Tuesday morning.  
He also gave the defendant the usual  
30 days in which to file a motion for  
a new trial.  
The decision of the court is con-  
(Continued on Page 4.)

## COMMITTEE CALLED IN TO PORTLAND

The local committee and members  
of the Oregon State Hygienic society  
will have a dinner and conference at  
6 o'clock October 7, in the Portland  
hotel with the delegations from other  
sections of the state to talk over mat-  
ters of common interest and to dis-  
cuss plans and programs for addition-  
al work.

The organization has been formulat-  
ing plans for a furtherance of its  
policies and program for several  
weeks and a general call has been is-  
sued to the committees in different  
parts of the state to gather in Port-  
land for this conference. A. C. How-  
land has received a letter from E.  
J. Cummins of the general office ask-  
ing all of the committeemen, at least,  
to attend.

Following are the members of the  
local delegation: C. H. Canfield, Dr.  
L. A. Morris, E. K. Stanton, J. E.  
Hedges, Dr. H. S. Mount, Prof. A. O.  
Freel, John W. Loder, Prof. T. J.  
Gary, J. W. Moffatt, William Sheahan,  
Chis Schuebel, A. C. Howland, Harvey  
Cross, Dr. J. A. VanBrakle, W. A.  
Huntley, M. D. Latourette, F. J. Toozee,  
William Andresen, B. T. McBain, L.  
E. Jones.

## DEPUTY RETURNS

Miss Iva Harrington, one of the  
deputies in the office of County Clerk  
Will L. Mulvey, has returned from  
her vacation, part of which she spent  
at the Round-up in Pendleton.

The Fol de Rol club will give a  
dance on October 17th, in Busch's  
hall. Further plans will be announce-  
later.

## HOLMAN'S BOOMERANG RETURNS WITH STING

## AUTO PARTY RETURNS FROM LONG JAUNT

Three cars, belonging to E. J. Daul-  
ton, A. W. Cheney, and M. D. Latou-  
rette, filled with Oregon City per-  
sons—Mr. and Mrs. E. J. Daulton,  
Misses Helen and Bessie Daulton, Mr.  
and Mrs. M. D. Latourette, their son  
Edward, Mr. and Mrs. A. W. Cheney,  
and their son Orin, have returned  
from a trip to the Round-up and other  
points.

The party went by Mount Hood and  
through the towns of Shaniko, Fossil  
and Condon to Pendleton. About the  
only trouble experienced on the trip  
outside of punctures was at Fossil,  
where the gear of the car of M. D.  
Latourette was stripped. The injured  
car was towed by the others to Con-  
don, where they were delayed for  
seven hours for repairs.

They report good roads all the way  
except between Sandy and Govern-  
ment Camp.

## CARRIER AND SHIPPER MUST BE FAIR TO EACH OTHER

SALEM, Ore., Sept. 30.—"The carrier  
should be allowed fair compensa-  
tion, and the shipper should be charg-  
ed only what he can reasonably afford  
to pay for the services performed."

Because of the above instructions  
given to a jury by Circuit Judge Wil-  
liam Smith of Baker county in the  
case of Service & Wright Lumber Co.  
against the Sumpter Valley Railway  
company, appellant, the supreme  
court today reversed the lower court  
and laid down a rule for the relation  
of carrier to shipper.

From 1903 to 1906 the lumber com-  
pany shipped 897 cars of lumber and  
other timber products from a point  
on the railroad company's Whitney to  
Baker branch. The shipments aggre-  
gated 913½ tons and the number com-  
pany was charged \$2 a ton freight for  
a distance of 22½ miles. The lumber  
company alleged that it had been  
charged a discriminatory rate, which  
was unreasonable and excessive. It  
alleged that a just rate would have  
been 65.8 cents per ton. Suit was  
brought for \$12,255.90 rebate.

"If it were unjust for a carrier to  
demand special rates from an indi-  
vidual shipper higher than those  
awarded to his competitors, it would  
be equally unjust for an individual  
demand for himself lower rates than  
those demanded from his competi-  
tors," says the supreme court's opin-  
ion, written by Justice Burnett. "It  
is wrong for the carrier to charge as  
freight all the traffic will bear, and  
legislation has restrained such greed.  
It is quite as reprehensible for the  
shipper to demand of the carrier all  
its service will bear.

"The law wisely fixes reason and  
fair dealing as the standard govern-  
ing the demands of both parties.  
What the individual can afford to pay  
is not the standard by which the mat-  
ter of freight charges is to be judged.  
If that principle be admitted, discrim-  
inating would be canonized and uni-  
form treatment of shippers would  
automatically cease, yet the court  
virtually enunciated that principle  
and repeated it in the excerpt  
quoted."

Harry Young, a young man, from  
Portland, who attempted to paddle up  
the Willamette to Oregon City a week  
or so ago, will attempt to make the  
entire trip Saturday or Sunday if the  
weather permits.

## BEAVERS TAKE ONE

At Portland—Portland 3, Oakland 2.  
At San Francisco—San Francisco 3,  
Sacramento 1.  
At Venice—Los Angeles 3, Venice 1.

## Coast League Standings

Portland	W. L. P. C.
Venice	56 73 368
Sacramento	58 83 519
San Francisco	59 92 492
Los Angeles	56 94 478
Oakland	89 104 454

## DIMICK HAS HIS TIME AT BAT

FIRES BACK CHARGE THAT COUN-  
CILMAN MADE ON THE  
DAY BEFORE

## TWO MEN ARE CENTER OF INTEREST

Side Lights of Trial Focused on Them  
When Charges and Counter  
Charges Fly Thick and  
Fast

"All of the testimony that Holman  
gave here on the stand was a false-  
hood and he knew that he falsified  
when he gave it," declared Judge  
Grant B. Dimick, in the case against  
the city for the injunction restrain-  
ing the officers from paying E. L.  
Shaw his warrants as "keeper of the  
city jail" or chief of police, depend-  
ing on the side that one takes in the  
contention.

The declaration of the former may-  
or came as an answer to the same  
charge that Holman had made on the  
stand the day before. Dimick claimed  
that Holman's testimony on the resolu-  
tion creating the new officer of city  
jailer was false. Holman had, just  
the day before, declared that Dim-  
ick's charge that he and other mem-  
bers of the council had entered a con-  
spiracy to hold up all Dimick appoint-  
ments, was a falsehood.

## Trial Exciting

Intense feeling seems to prevail at  
the trial. The center of the excite-  
ment focused on the member of the  
council and the former mayor. Coun-  
cilmans Toozee and Albright were on  
the stand to tell about the passage  
of the resolution. Toozee claimed that  
it had passed on February 10, 1912,  
while the records showed that it had  
not been presented until February 13  
of that year. The counsel for the  
plaintiff claimed that as a ground for  
assuming that the council had passed  
so many resolutions at just that time  
that there was no record kept of this  
particular one and that it had never  
passed, though it was admitted to  
have been introduced.

## Shaw Befuddled.

Another feature of the trial was the  
testimony of Chief Shaw who, it is  
said, told that he had never been  
chief of police during that year and  
that his official title was keeper of the  
city jail. Counsel for the plain-  
tiff introduced his answer in which  
he is said to have claimed that he was  
performing all of the duties of that  
office. It was said that he was un-  
able to explain this difference be-  
tween his testimony on the stand  
during the trial and the answer that  
had been filed.

The case was before Judge Eakin  
all day and the testimony is now in.  
The court allowed each side 10 days  
in which to file written briefs and it  
will probably take 10 days more be-  
fore a decision is reached. In all a  
period of about one month. Both fac-  
tions have determined upon carrying  
the case to the supreme court of the  
state for final settlement and have  
been particular about the record as  
it is made from day to day in the cir-  
cuit court.

The attorneys involved are, for the  
plaintiff, B. N. Hicks; for the defend-  
ants, C. D. Latourette, Joseph E.  
Hedges and William Stone.

## MACCABEES PLAN TO HAVE MANY DANCES

The local order of Macabees gave  
their first dance of the season at the  
I. O. O. F. hall Tuesday evening. The  
K. O. T. M. orchestra furnished music.  
This is but the first of a series of  
dances and social functions to be given  
by the Macabees to extend through  
the winter. Plans are being complet-  
ed for a busy year by the order.

## TODAY -- AT THE -- GRAND

If you want to enjoy yourself, be  
sure to see

"The Suffragette Minstrels"  
Just a little spicy

"Father's Chicken Dinner"  
Is another jolly one

"The Line-Up"  
A swell Football picture in two parts

Absolutely a Good Show from Start  
to Finish

## THEY'RE HERE AT THE STAR THEATRE Starting Tonight for 4 Days THE FRANK RICH COMPANY (Eastern Original Company)

Tonight's Play "The Girl From Panama"  
PLENTY OF GOOD WHOLESOME COMEDY—CATCHY MUSIC—CLEVER DANCING  
TWO SHOWS NIGHTLY 7:00 P. M. 9:00 P. M.  
Don't Forget the Chorus Girls' Contest Friday Night MATINEE SATURDAY  
PRICES 25 CENTS ANY SEAT