

# Morning Enterprise

WEEKLY ENTERPRISE ESTABLISHED 1866.

**THE WEATHER**  
OREGON CITY—Saturday probably fair; winds becoming southerly.  
Oregon—Saturday fair; variable winds becoming southerly.  
Washington—Saturday fair, except rain northwest portion.

The value of the bulldog lies in his grit, not in his looks.

VOL. VI.—No. 116.

OREGON CITY, OREGON, SATURDAY, NOVEMBER 15, 1913.

PER WEEK, TEN CENTS.

## CITY COUNCIL OVERRULED BY COURT

### OUSTER SUIT IS NOW DISMISSED

DISOBEDIENCE TO ORDERS NOT CAUSE ENOUGH FOR REMOVAL FROM OFFICE

### INDEPENDENT IN WATER MATTERS

Charter Gives Commissioners Full Control—Only Remedy is an Application for a Writ of Mandate

Disobedience to orders is not sufficient cause for the removal of the water board.

The board is an independent part of the city government in all matters that relate to the water supply. Difference in judgment does not constitute a cause for removal nor can the city council discharge the members of the board without a more sufficient reason than it has given. The remedy at law is by a mandatory injunction, not an ouster suit.

These were some of the essentials of the decision in the circuit court of the county by Judge J. U. Campbell in which he Friday overruled the city council and declared that the former water board had not been discharged because the council exceeded its authority in entering the order for its removal.

Cannot Qualify.  
The newly elected board has not qualified for office. Under the decision of the circuit court, it cannot qualify. The decision held that the city council did not have the authority to remove the former water board as there had been no good cause presented to predicate such an action upon.

Reviewing the case, Judge Campbell held that the board is, under the city charter, an independent branch of the city government and as supreme in the discharge of the peculiar functions with which it is entrusted as is the city council itself in the other matters of municipal interest. The court decided that the council could remove the members of the board for cause only and did not believe that the cause that had been stated during the trial was any good or sufficient reason upon which to base the action that was taken.

Disobedience is No Cause.  
The mere fact that the water commission might at any time have a difference in judgment with the members of the city council over water matters is not a ground for the action that the council took, it was held, for the charter has given the board the same powers and functions with as perfect freedom from control as the city council is given in other matters of the welfare of the community.

During the progress of the hearing upon the stipulation of facts, it was contended that the legislature of the state had the right and power to give the city council complete and full authority over all branches of the city government or it could make it merely a figure-head with no way of control.

### DIVORCE COMPLAINTS AND DECREES FILED

Suit for divorce was filed in the circuit court of the county by Katherine Aronowsky against her husband, Solomon, on the grounds of cruelty and inhuman treatment.

She recites that they were married in Berlin, Germany, September 15, 1907, and asks for an allowance of \$25 monthly from his earnings and for the care of the minor children.

The following divorces were granted by Judge Campbell during the day: Victor O. Fly, against Jessie Fly; Annie Millar against William Millar; Anna M. Hate against Charles C. John E. Connolly against Marie; Ruby Albertson against John; Myrtle H. Hollisworth against Edley W.; and Ola B. Franz against Michael.

### TWO SACKS SPUDS TO ACRE IS RESULT

"Five acres of land planted in potatoes and ten sacks of spuds" is the message sent by George Kerns, a former resident of this section in a letter to an Oregon City friend in describing his eastern Oregon ranch at Powell Butte near Crook county.

This has a remarkable comparison with Clackamas county land which will produce around 200 sacks of potatoes to the acre. It means that soil in this county will produce about 100 times the crop than the Crook county land.

### ELECTRICITY WILL SOON LIGHT MOLALLA

Molalla will probably have electric lights in a short time if the plans of the new interests which have bought out the Aurora Electric company are carried out.

The final details of the transfer of the ownership of the Aurora Electric company from the Hurst family to a Portland syndicate, said to be controlled by the elder brother of Walter Moore, was arranged this last week.

It is said that the new concern has ample backing and will immediately enlarge its plant and extend the lines to several towns not now using electric currents. Molalla is one of the most likely points.

### "RELIEF CLOSETS" FOR EUGENE

The Christian endeavor societies of Eugene are planning a "relief closet" for destitute families, from which the department of public safety may draw supplies when needed, at once. A donation party will be held and all persons charitably inclined may contribute.

### DOCTOR ORDERED TO PAY AMOUNT

WIFE BELIEVES HE IS NOW READY TO SETTLE WITH HER ALIMONY

### GIVES TWENTY FOUR HOURS' NOTICE

Mandate From Court One Afternoon and Fund Must be Presented on the Next to County Clerk—Old Case

Dr. Andrew C. Pantan, one of the wealthiest and most prominent physicians of Portland, must turn over to W. L. Mulvey, county clerk, \$17,500 before 5 o'clock Saturday afternoon to be paid to Cornelia Eva Pantan, his wife.

When the circuit court of this county granted the decree of divorce on February 19, 1912, it instructed the doctor to pay \$20,000 alimony to his wife and set the time in which a portion of that amount was to be paid. The decree provides that \$2500 was to be given to her immediately after the instrument was filed and \$100 a month until such time as the remainder of the amount is settled. The order carries with it instruction that the \$17,500 was to be paid as "soon as his financial condition will permit."

The plaintiff in this instance believed that the time had come for a settlement of the decree and asked the court for an order instructing her former husband to pay the amount at once. The court issued the order Friday afternoon. As soon as the last part of the settlement is made, the \$100 a month maintenance fund will cease. They were married in San Francisco August 30, 1908, and the divorce was granted on the ground of cruelty and inhuman treatment.

### STEFANI SAWMILL ARISES FROM ASHES

Three weeks ago the Stefani sawmill at Canby was completely destroyed by fire. Today it will start sawing. The plant has not only been rebuilt, but it has been fitted up with new machinery and will have double the capacity former mill had.

Since buying the Canby Lumber company, Mr. Stefani's business has grown by leaps and bounds and the increased capacity of the mill is necessary to handle it. During the time that the mill was out of commission, it was found necessary to order lumber from Portland by the car-load.

### HEART INTEREST PANAMA STORIES

Of course you would like to take a trip to Panama and see the mighty wonders of the great canal, but it would require much time and money. The Enterprise offers a better way to make the trip. Clip the Panama certificates printed elsewhere in this issue and learn how you may come into immediate possession of "Panama and the Canal in Picture and Prose," a book that not only tells the complete story of the canal, but also sets forth the queer natives that eat lizards; of the dress and customs of the inhabitants of the zone; of the peculiar flowers of the jungle; of the fortifications, taxes, commerce, diplomacy and politics of the canal district.

This book is magnificently illustrated with more than six hundred rare pictures, many in beautiful colors and reproduced in full pages. The pictures themselves are equal to a trip to Panama. They gladden the eye and enrich the mind.

The Enterprise wants every one of its readers to have a copy of this beautiful new illustrated book, and with that end in view a certificate is printed daily in these columns, six of which enable the bearer to get it when accompanied by the small expense amount which covers the actual cost of the various expense items of distribution. Look for the certificate and clip it to-day.

### CREDITORS ELECT CONCERN'S TRUSTEE

Examination into the bankruptcy of the Takao Brothers was conducted before B. N. Hicks, referee, in the county court room Friday afternoon by the creditors of the defunct concern.

The brothers are Japanese and have been engaged in the wood business in the county. Their liabilities are given as \$35,000 and their assets, covered mostly by mortgages, around, \$20,000.

The creditors selected William Hammond as trustee and a further examination will be held November 23. The meeting Friday was the first gathering of the creditors of the company.

War is fun for some people—who don't get into it.

### FATHER MUST PAY ALIMONY

JUDGE REFUSES TO GIVE CHILDREN TO HIM AND ASSESSES COSTS

### DIVORCED AS MOTHER GOES BLIND

Brings Suit for Separation and Follows by an Action for the Custody of Minors—Request Not Allowed

Arthur Schneider was folled by Judge Campbell in his attempt to get his children and was assessed a monthly sum of \$12 which is to be sent to the county clerk and given by him to Anna L. Schneider for the support of the minors.

The plaintiff was divorced from his wife just as she was losing her eye sight and the decree was granted shortly after she had become almost totally blind. From that time, she has been growing worse, in spite of efforts, and her condition has several times aroused the people of the city to arrange benefit performances for her support.

Following closely on the heels of his divorce from the woman came his application for the custody of the children. After hearing the case, the court Friday refused to allow the application and gave the children to the blind mother and an order for \$12 a month for their maintenance.

Mrs. Schneider is well known through the city. Some time ago the Loyal Order of Moose and the Women's club gave her a benefit at the Bell Theater and another one is contemplated by the management for next Sunday.

### CANBY SCHOOLS ARE CLOSED BY SCARE

Canby schools have been closed all the past week on account of one of the teachers having diphtheria and several others being subject to contagion. The Riverside and Brown schools were also closed.

All danger of an epidemic is said to be passed, due to the precautions taken by local authorities. Miss Mabel Knight, the teacher who was ill, is reported much better.

### VAN BRAKLE WINS FIRST LEGAL POINT

The first step in the battle through the courts between Dr. J. A. Van Brakle, county health officer, and the Clackamas County Medical society broke Friday when Judge J. U. Campbell sustained the motion of the defendant and struck out certain sections of the complaint.

The defense had filed a motion which was argued before the court. It asked that the paragraph and section contending that Dr. Van Brakle was "for other reasons" disqualified from holding the office be eliminated from the complaint. During the argument, counsel also asked that the words "as contemplated by law" be stricken out, which was granted.

The latter expression related to the license held by the health officer and which the plaintiff claimed was not the one contemplated by the statutes.

### OREGON CITY MAN HONORED BY CHURCH

Word has been received here that a former Oregon City man, C. F. W. Stoeber, has been re-elected for the eighth time as president of the English conference of Pacific Synod of the Evangelical Lutheran church, which was held at The Dalles this week.

Mr. Stoeber was reared in this section and his parents and other relatives live in Oregon City and the surrounding country. On Tuesday, the first day of the conference, he delivered the conference sermon. His present home is in Tacoma.

### CLUB HOME HAS WEAK SUPPORTS

CITY ENGINEER SAYS PLANS ARE NOT RIGHT AND THE STRUCTURE FRAGILE

Charles Noble, city engineer, has washed his hands of the commercial club building, and says that he will no longer be responsible for its construction or the material that is put into it.

On an inspection trip, the city engineer discovered that the foundations of the building were in such a condition as to justify his condemnation of the plans, he says. He instructed the architect that the foundations would have to be strengthened or he would not permit further work upon it. Minor changes were made that somewhat improved conditions and a guarantee was given to the neighboring owners that whatever damage ensued from the erection of the building would be met.

The engineer does not believe that the walls are within the specifications required by city ordinances and declared that they are not fireproof in any way. He says the supports are wood with brick coatings and that the back wall is but eight instead of 12 inches of brick.

As any interference on the part of the city engineer would prevent the tenants from occupying the place when they expected to do so, the engineer promised that he would keep his hands off if the guarantee of protection is made and would not longer hold himself responsible for the work.

Every Oregon county is so rich in resources and opportunities that each one, while being inspected or considered, seems the best.

### LOST

Mink collar, satin lined, with name "G. P. Rummelin & Sons, Portland, on lining. Phone Main 99; liberal reward.

### HEALTH BOARD TESTS WATER

COMES BACK AT CHEMIST WITH COMPLETE STATEMENT OF ITS FINDINGS

### NO COLON BACCILLI ARE FOUND

Report Shows City Sources Free From Contamination of Any Kind When State Officials Make Test

Six samples of water analysed by Dr. B. L. Arms of the State Board of Health, during the last few days have been found to be absolutely free from contamination. Ten cubic centimeters were taken in each instance, and the absence of colon bacilli was noted in each case. All of the samples consisted of water from the city's filtered supply. Two plates were secured from each sample, and six organisms were found and no gas production.

Last Monday, W. M. Hedden, a chemist in the employ of the Willamette Pulp & Paper Co., reported the presence of colon bacilli in the city water, after making several tests. His findings were submitted to the board of water commissioners, who immediately started an investigation of their own by communicating with the state board of health and securing the presence of Dr. Arms, who took four samples of water in Oregon City for analysis. On the following day two samples were taken in West Oregon City and sent to Dr. Arms, as the colon bacilli alleged to have been found by Mr. Hedden was in water taken on the west side.

The members of the board of water commissioners and Superintendent Howell regard the report of Dr. Arms as conclusive that the city water is free from disease germs.

The report of Dr. Arms, follows: "Portland, Ore., Nov. 13, 1913. "Mr. W. H. Howell, "Oregon City, Oregon. "Dear Sir: The following is the report on the four samples of water taken by me last Monday afternoon and the two samples sent by you on Tuesday: "Monday samples—Sample from faucet in Dr. Meissner's office, 2 organisms per cc. negative for B. Coll. in 10 cc. "Faucet in Dr. Strickland office, no organisms developed on either plate, negative for B. Coll. in 10 cc. "Filter plant, one organism per cc., negative for B. Coll. in 10 cc. "Faucet in Mayor Jones drug store,

(Continued on Page 3.)

**WANTED!**  
Women and Girls  
Over 18 Years Old  
To operate sewing machines in garment factory  
Oregon City Woolen Mills

Home made bread is good but "ROYAL BREAD" is better. A trial will convince you.  
At HARRIS' Grocery  
\$2.00 Franco-German Ring  
CURES RHEUMATISM, NEURALGIA, SCIATICA, AND KINDRED DISEASES.  
MONEY REFUNDED IF IT FAILS.  
WHOLESALE AND GUARANTEED BY BURMEISTER & ANDRESEN

ALL WEEK COMMENCING **BELL** MONDAY NOVEMBER 17  
Come and ask this wonderful seeress any question. She will answer it free from the stage.  
Write your questions at home if you wish. Unlike anything you have ever seen.  
Friday, she will hold a special meeting for ladies only. No men will be allowed and personal questions will be answered.  
PRICES 10-20 CENTS  
...Pearl Tangley...

**YOUR FRIENDS PREFER JEWELRY To Any Other Gift in the World**

For thousands of years—as far back as historical records go—the universal token of love and friendship has been precious stones and jewels. To every race in every age and generation, gems and jewels have held a charm more alluring than money, land, merchandise or any other form of wealth.

And with each generation, the sentiment attached to the giving and owning of jewels grows.

Each achievement in life is associated with gifts of beautiful jewels—a diminutive ring for the baby; bracelets and neck chains for birthday remembrances; at graduation, perhaps a fine watch; a diamond ring announces the marriage engagement; and at the wedding, the crowning event of all, a multitude of precious gems and jewels.

Search the gamut of human wants and you will find no gift so acceptable as jewelry. Good jewelry is a heritage that is handed down from generation to generation and an enduring remembrance to the giver.

When you wish to select jewelry for your friends or relatives, come to this store. You can not find more dependable jewelry any place; you cannot find so large or so many novelties elsewhere in this city. Nor are the prices we ask in any case unreasonable. In many instances a comparison will demonstrate that to trade here means a considerable cash saving.

If you are unfamiliar with jewelry, we will be glad to help you make tasteful selections. On the other hand, if you are accustomed to buying rings, lockets, bracelets, watches, etc., so much the better. You will appreciate the more keenly the high quality of our goods and our up to date selections.

Needless to say, every article of merchandise we sell is warranted to be exactly as represented. There's no chance for deception at this store.

Our line is particularly interesting in rings, brooches, bracelets, necklaces, lockets, pins, watches and late novelties.

Come and visit our store, whether or not you are ready to purchase jewelry. Bring your friends along. We take pleasure in showing the many beautiful gems and jewels that we have.

WE WILL GLADLY SET ASIDE ANYTHING YOU MAY SELECT FOR XMAS.

**Burmeister & Andresen**  
ESTABLISHED 1880  
Oregon City Jewelers Suspension Bridge Corner

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**LOST**  
Mink collar, satin lined, with name "G. P. Rummelin & Sons, Portland, on lining. Phone Main 99; liberal reward.

**THE NETTLETON GENTLEMAN'S SHOE**

**Adams Department Store**  
Sole Agents for The Nettleton Shoes for Men

Nettleton's Lasts are Creations of Study and thorough Knowledge of the HUMAN FOOT

**BELL THEATRE TONIGHT**

**BUD ANDERSON** Will give an exhibition of Athletic Training, the same act that met with such success on the Pantages time. This will be a clean act showing just what he goes through while training.

4--REELS OF MOVIES--4