



Offbeat Oregon History: Martial law for three saloons



All Oregonians owe former Gov. Oswald West a debt of gratitude for saving Oregon's beaches from being locked away in private ownership.

But the progressive "father-knows-best" impulses that inspired West to take that action didn't always lead in such positive directions. There were other events during West's governorship when he came out looking positively fascistic — perfectly willing to disregard the rule of law when it conflicted with his own opinion of what was morally right.

And that is how progressive hero Os West came to be the only governor in state history (so far as I have been able to learn) to actually issue an Andrew Jackson-style command to the Oregon National Guard ignore a legally issued court order.

Here's how this happened:

In the first few years of the 20th century, the Baker County town of Copperfield was platted, near Baker City. It was originally a small copper-mining town; but by 1907 or so, Copperfield was more or less a construction camp: a pair of very long tunnels were under construction nearby, one by the predecessor of the Idaho Power Company and the other by a local railroad.

The town quickly developed a reputation for lawlessness. At its peak, it boasted 11 saloons, 11 brothels, two hotels, three stores, and a four-cell jailhouse/drunken tank with a dance hall on the second floor.

But then, starting early in 1910, the construction workers started leaving. The railroad tunnel was finished; the power plant soon was too. By late 1913 the town had dwindled from 1,000 or so residents to just 100 or so. But this left the town's saloons and bordellos all gasping for business.

The majority of them quietly closed their doors. But the owners of the others — three saloons, and possibly some of the brothels as

well — quickly realized that they could turn Copperfield's reputation to their advantage, drawing visitors from nearby Baker City for a good time, the way Los Vegas does with Los Angeles. And this is where things started to go badly for them.

It turned out that, out of the 100-odd residents of the town, at least half did not approve of the saloon and bordello owners' new "sin tourism" business model. Their complaints to Baker County Sheriff Ed Rand having gone unheeded, they sent a petition to Governor West with fifty signatures on it. They complained that the saloons were selling booze on Sundays and hosting illegal gambling. (They didn't mention the prostitution in the petition.)

West, a committed Prohibitionist who was at that very moment working to get booze outlawed in Oregon, was very sympathetic. He promptly issued an order to Rand to close the saloons by Dec. 26.

Rand, as an elected official, did not answer to the governor, so the order had no legal weight; but he tried to be diplomatic about it. What law should he invoke, he asked the governor? None of the residents were willing to be witnesses against the saloons in court, so he couldn't get a court order to close anyone. Without a court order, he couldn't legally close any business.

"That," writes historian Gary Diehlman dryly, "was not the answer that West wanted to hear."

So West announced his intention to send his secretary, Fern Hobbs, to impose martial law on the town.

Now, Fern Hobbs was 30 years old in 1913, but she looked about 22. She was a slender, petite woman, bespectacled, 5 feet 3 inches tall, with a classically beautiful, girlish face. She would have looked rather like a cute young schoolteacher or librarian — if it weren't for those steady, steely eyes. The fact was, she was no ordinary secretary. As most historians have over the years neglected to mention, she was a licensed and practicing attorney (Willamette University, Class of '13). She was also, incidentally, the highest-paid woman in public service in the United States.

Overall, Fern Hobbs, J.D., was the ultimate stealth package. When she stepped off the train car in Copperfield, the local businessmen had no idea what was about to hit them.

In what must have been intended as an attempt to charm the "secretary," the locals had decorated the town with copious amounts of bunting and pink and blue ribbons, and a small welcoming committee of city councilmen stood by to greet her, each holding a bouquet of flowers, as she stepped onto the platform.

Their first nasty shock must have been the five armed and grim-faced Oregon National Guard officers who stepped off the train after her.

Hobbs declined the proffered bouquets, but handed each City Council member a letter of resignation to sign. (Remember, these were elected officials, not gubernatorial appointees.) They all, of course refused to step down.

At that, Hobbs declared the town under martial law, ordered National Guard Col. B.K. Lawson to impose it, and took the 4 o'clock train to Baker City — where she checked into the Geiser Grand hotel and rebuffed all attempts to contact her.

Lawson and his troops then proceeded to padlock all the saloons and confiscate all the liquor, weapons and gambling supplies in Copperfield.

Saloon owners Henry Stewart and William Wiegand (the town's mayor and one of its city councilors, respectively) promptly filed a suit to stop the confiscations. A circuit court judge filed an injunction to stop the process while its legality could be probed.

That's when Oswald West issued his infamous order to Lawson to ignore the court and carry on.

Lawson, worried about getting arrested by Sheriff Rand for contempt of court, requested and got reinforcements. They stayed in Copperfield, enforcing martial law, for several weeks.

In Baker City, there was a distinct note of fear in the coverage of this unfolding affair. "MARTIAL LAW FOR BAKER NEXT," screamed a two-inch-tall headline on the front page of the Baker City Morning Democrat shortly after the raid.

"If the power and authority of our civil courts is to be thus tested," wrote the editor of the Morning Democrat, "then we certainly have a czar in the gubernatorial chair in Salem whose word and command is law, and we had just as well abolish our courts and turn over all affairs of state to the executive."

Newspapers in the Willamette Valley, though, were much more sanguine about the whole affair.

Meanwhile, having been told that Sheriff Rand was assembling a posse to enforce the court order, West tried to temporarily remove him from office. Nothing came of this, or of the rumored posse either. It seems rather unlikely such a posse was ever seriously considered. As Rand would have well known, the only way it could have enforced the order would have been to risk a firefight with the National Guard.

The whole affair finally made its way to court in Baker, where the judge ruled that courts could not forbid a governor from declaring martial law, but that the saloon owners could file a civil lawsuit and collect damages afterward if a governor did so inappropriately. Whether they pursued this or not, I have been unable to learn.

The saloons never reopened; in 1914, the voters of Oregon approved Prohibition, so there wouldn't have been much point. And the next year, a fire of suspicious origin swept through the business district, dealing the final coup de grace to the town of Copperfield. Today the old town site is a park operated by Idaho Power.

Dr. Fuhrman: Plant protein and diabetes

A recent study published in the British Journal of Nutrition reported that higher plant protein intake is associated with a reduced risk of type 2 diabetes. In their analysis, they estimated that replacing one percent of calories from animal protein with calories from plant protein would decrease the risk of type 2 diabetes by 18 percent.¹

At first glance, it may seem like the dietary effects on diabetes would be only relevant to carbohydrate-containing foods. The more low-carbohydrate, high-protein foods in your diet, the better; those foods don't directly raise blood glucose. However, that is a too simplistic view of the development of type 2 diabetes. Type 2 diabetes is not only driven by elevated glucose levels, but also by chronic inflammation, oxidative stress, and alterations in circulating lipids (fats).²⁻⁵

There has been considerable amount of evidence that red and processed meats are linked to a greater risk of type 2 diabetes, and many studies have compared plant and animal protein intake with respect to diabetes risk. A larger study published in 2016 found an increase in type 2 diabetes risk in those with the highest animal protein intake. They also performed a meta-analysis of 11 previous studies, which detected a 19 percent increase in risk with the highest animal protein intake.⁶

A 2010 meta-analysis of 12 prospective cohort studies concluded that high total meat intake increased type 2 diabetes risk 17 percent above low intake, high red meat intake by 21 percent, and high processed meat intake by 41 percent.⁷ Since these foods don't directly cause an increase in blood glucose, how might they raise diabetes risk?

AGEs are substances that cause oxidative stress and inflammation, damage body proteins and fats, and contribute to heart disease, type 2 diabetes, and complications of diabetes.

AGE production in the body is increased by elevated blood glucose.⁸⁻¹² Food is also a source of AGEs, in particular, fried foods, broiled meats, high-fat animal foods, and dry cooked starchy foods (cookies, muffins, cold cereals, fried potatoes).¹³⁻¹⁵ Compared to meats, plant protein sources like beans and raw nuts and seeds afford lower exposure to AGEs.

Too much iron increases the risk for type 2 diabetes. Heme iron, found only in animal products, is highly absorbable compared to nonheme iron in plant foods. A diet high in animal products over time results in excess body stores of iron. A major connection between high heme iron intake and diabetes is that iron in excess has pro-oxidant properties; this can contribute to oxidative damage to pancreatic beta cells and insulin resistance. High dietary heme iron and high body stores of iron are associated with increased risk of type 2 diabetes.¹⁶ Nonheme iron (from plant foods) does not carry the same risk of excess because of its lower absorbability.

The types of fats we eat also affect insulin signaling and therefore diabetes risk. Clinical trials have shown that altering dietary fatty acids can alter insulin sensitivity. In these trials, saturated fats decreased insulin sensitivity, and monounsaturated fats and omega-3 fats either improved or did not affect insulin sensitivity.¹⁷⁻²¹ Animal protein and plant protein are indicators of animal foods and plant foods. Some will be lower or higher in fat, but animal foods generally have a greater ratio of saturated to unsaturated fats, suggesting that high animal food intake could negatively affect insulin sensitivity.

There are many negatives to animal foods when it comes to diabetes risk. However, it's not simply an issue of avoiding meat; which plant foods you eat matters. A large analysis of the Nurses' Health Study and Health Professionals Follow-Up Study (including over 200,000 participants) scored the participants' diets based on a "healthful plant-based diet index," in which foods like vegetables, legumes, fruits, nuts, and whole grains increased the score and foods like fruit juices, sweetened

beverages, refined grains, potatoes, sweets, and animal foods decreased the score.

They also constructed an unhealthy plant-based diet index (uPDI), in which unhealthy plant foods increased the score, and healthful plant foods and animal foods decreased the score. The hPDI was strongly negatively associated with type 2 diabetes, meaning the healthful plant-based dieters had a lower incidence of type 2 diabetes. The uPDI was positively associated with type 2 diabetes, meaning that a diet with a lot of fruit juices, sweetened beverages, refined grains, potatoes, and sweets — even if low in animal foods — increased risk.²²

High fiber, micronutrient, and phytochemical intake helps prevent or reverse type 2 diabetes. A healthy diet must be composed mostly of whole, fiber-rich, high-nutrient plant foods. It's not enough to eat a vegan diet or eat only a small amount of animal products. My decades of experience caring for people with type 2 diabetes has enabled over 90 percent of them to become non-diabetic; this has been documented in medical publications. In a study of patients with type 2 diabetes following a NDPR (Nutritarian) diet, after one year 90 percent of participants were able to eliminate all of their diabetes medications, and the average HbA1c was lowered into the normal (non-diabetic) range.²³

Every physician caring for patients with diabetes and pre-diabetes, as well as patients themselves must be informed about this life-saving approach, as described in my book *The End of Diabetes*. Type 2 diabetes is reversible in the vast majority of cases, and those with type 1 diabetes can improve their life expectancy, health and quality of life.

Dr. Fuhrman is a #1 New York Times best-selling author and a board certified family physician specializing in lifestyle and nutritional medicine. The *Eat To Live Cookbook* offers over 200 unique disease-fighting delicious recipes. Visit his informative website at DrFuhrman.com. Submit your questions and comments about this column directly to newsquestions@drfuhrman.com.

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