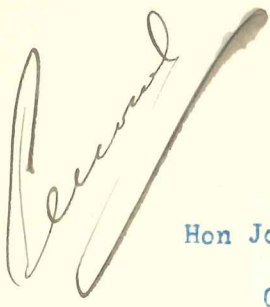


CHAS. J. SCHNABEL
W. P. LAROCHE
F. W. STADTER

SCHNABEL & LAROCHE
ATTORNEYS AT LAW
612-14 CHAMBER OF COMMERCE BUILDING
PORTLAND, OREGON

TELEPHONES } MAIN 827
 } A 1027
CABLE ADDRESS "SCHNABEL"
WESTERN UNION CODE



November Thirtieth, Nineteen Ten.

Hon Joseph Simon,

City Hall,

C I T Y .

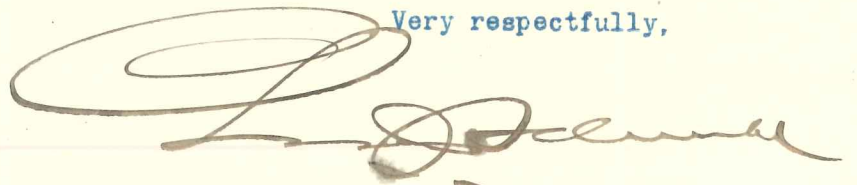
Dear Mr. Simon:

On the ninth day of November, 1910, an assault was committed by Mr. H. Napier, city superintendent of the City Crematory, upon a German by the name of John Miller. In the melee Miller received fifteen cuts on his head and face made by a revolver which Mr. Napier used. Thereafter Mr. Napier, who is also clothed with police powers, arrested Mr. Miller charging him with assault and battery. Mr. Miller was tried before a jury last Monday and was acquitted.

During the trial it became necessary for the defendant to call some of the employees of the Crematory to testify against Mr. Napier. They did this reluctantly, and from the attitude exhibited by Mr. Napier I am of the opinion that he will make it extremely uncomfortable for these witnesses, and use his office and authority out of a spirit of revenge. I know that you knowingly would not permit any such conduct on his part, and I am writing you this note in order that you may be informed of the facts, and of the threatening attitude of the superintendent of the Crematory.

Assuring you of my highest consideration, I remain

Very respectfully,



Attorney for J. Miller

CJS

December 1st, 1910.

Charles J. Schnabel, Esq.,
612 Chamber of Commerce Bldg.,
C I T Y .

Dear Sir:

Your valued letter of the 30th ult. is at hand with contents noted. Since receiving your letter, I saw Mr. Napier and asked him to detail to me the circumstances concerning the encounter between Miller and himself.

Mr. Napier claims that the difficulty was originated by Miller and that the injuries sustained by the latter were necessarily inflicted in order to protect himself from a vigorous assault that was being made upon him by Miller. Of course I know nothing about the circumstances other than as I get them from your letter and from Mr. Napier's statement. I shall look into the subject further and if I find it proper to take any action will of course do so.

Very truly yours,

JS

A

CHAS. J. SCHNABEL
W. P. LAROCHE
F. W. STADTER

SCHNABEL & LAROCHE
ATTORNEYS AT LAW
612-14 CHAMBER OF COMMERCE BUILDING
PORTLAND, OREGON

TELEPHONES } MAIN 827
 } A 1027
CABLE ADDRESS "SCHNABEL"
WESTERN UNION CODE

December, Second, Nineteen Hundred Ten


Hon. Joseph Simon,
Mayor, City Hall,
C I T Y .

Dear Mr. Simon:

I am in receipt of your favor of the First Instant with reference to the brutal assault made by Mr. Napier upon John Miller. I am afraid that Mr. Napier is endeavoring to perpetrate a joke on you; he certainly is when he states the fact to be that the difficulty originated by Miller, and that the injuries sustained by the latter were necessarily inflicted in order to protect himself from vigorous assault.

Mr. Napier admitted on the stand that Miller did not apply to him any vile language; that Miller did not strike him; that Miller did not attempt to strike him, and when narrowed down finally admitted that the assault was made upon Miller for his daring to come into his office when he (Napier) had promulgated orally a rule that nobody was permitted to call at his office. However, you need not take the statements of Mr. Miller, his counsel or Mr. Napier, but of Judge Tazwell himself. Mr. John E. Davis of the Diebold Safe Company, #66 Third St. was foreman of the Jury, and I am quite sure that these gentlemen will remove any shadow of doubt as to whose contention in this case is the correct one.

Respectfully yours,



CJS