

ROSEBURG NEWS-REVIEW

Issued Daily Except Sunday by The News-Review Co., Inc.

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Entered as second class matter May 17, 1920, at the post office at Roseburg, Oregon, under Act of March 2, 1879.

SUBSCRIPTION RATES

Daily, per year, by mail, \$4.00
Daily six months, by mail, 2.00
Daily, three months, by mail, 1.00
Daily, single month, by mail, .50
Daily, by carrier, per month, .50

ROSEBURG, OREGON, WEDNESDAY, APRIL 18, 1928.

ANOTHER DECISION FOR THE COUNTIES

By the decision of the state supreme court at Salem yesterday, affirming the dismissal of an alternative writ of mandamus in a test case brought in the Marion county circuit court, Douglas county, in common with seventeen other western Oregon counties, has escaped the injustice of having to pay to the state a share of the federal money received on the O. & C. land grant tax refund. It was a close call, however, three of the seven justices of the court dissenting from the other four in the latter's opinion that the state was not entitled to share in the distribution of the refund. And at that the counties are not free of further uncertainty in the matter, because the opinion prevails that the state will carry the case to the United States supreme court. Sifting the judicial phraseology of the majority of the state supreme court, one learns that Marion county was not obligated to pay to the state any portion of the refund because the congressional bill that authorized the refund does not specify such an obligation. To put this vital point in plainer English, the court holds, in effect, that if congress intended the state to share in the refund it would have said so in the bill. And because it did not say so, the treasurer of Marion county is perform prohibited from making any payment to the state. Here is an excerpt from the decision of the court:

"In order for a county officer to be warranted or authorized to pay out the funds of a county to a state official, or any one else, the law must so require and direct. The state has not shown a legal duty on the part of the defendants to pay it said sum, (\$24,059.41), or any part thereof."

This view of the state court majority warrants confidence that the state will be defeated in its next effort, in the United States supreme court. Until that final adjudication, however, felicitations should be withheld. The state was not relinquish its right to further battle, and lawsuits clouded with such technicalities as this one are never ended until the last possible word has been spoken from the judicial bench. With \$1,349,000—the involved aggregate total from all eighteen counties—at stake and facing a biennial deficit of nearly \$2,000,000, the state has been displaying in this lawsuit an abundance of energy that was conspicuously lacking when it was asked a few years ago to aid the counties in getting the refund from congress and when a huge deficit was not foreseen. Both ex-Senator Stanfield, whose name the refund bill bears, and Congressman Hawley, who sponsored the bill in the house, have publicly declared that it was not intended the state should share in the appropriation. If the highest court in the land shares in that opinion, which has just been endorsed at Salem, Douglas county will not be compelled to unjustly surrender \$340,000, nearly one-fourth of the entire amount sought by the state, and the principles of equity and justice will thereby have been upheld.

Those who think commercial airplane travel across the Atlantic ocean is near at hand should ponder the following statement of Colonel Fitzmaurice, the Irish aviator on the German plane Bremen, which was forced down off Labrador: "The public must be prepared for something entirely different in airplane and engine construction before the dream of ocean air service is ever realized. We know the secrets of flight, but the whole future of aviation depends upon the fuel and engines. Future generations will laugh at us for attempting to fly the Atlantic with fuel weighing seven to ten pounds a gallon." This means that any attempted flight across the Atlantic ocean with the present type of planes should be classed as a "stunt," without reflection on the courage of the aviators. The world must have the stunts, however, to point the way to future safety. It takes both brains and heroism to perform them. At present there is an abundance of both in the industry and profession of aviation, but there is still much for the human brain to do before there comes into existence such fuel and engines as Colonel Fitzmaurice says are necessary. Will the present generation see them?

In this day of ultra-cultured, gentlemanly prize fighters, it is a positive relief to find one who acts, when out of the ring, like a rather bewildered fish out of water. John Risko, the heavyweight who recently punched Jack Sharkey out of the famous "elimination tournament," was billed to address a rather tony club in Cleveland the other day. Blushing, perspiring and goose-pimpled, the big boxer got up, gulped, and said: "I—I'm glad—I'm glad I'm up here with all the gentlemen. I ain't much on speakin'. Sorry. But I can rattle anybody in the house—or fight." That was all. He sat down, amid thunderous applause. And, as far as we're concerned, his speech was a success. It's a relief to find a pug who speaks like a pug.

Inclusion of an item of \$375,000 in the federal rivers and harbors bill for further improvement of the harbor at the mouth of the Umpqua river will add considerably to commercial activities and greatly benefit labor conditions. It is money well merited by the imperative need of better accommodations for shipping, which in turn means a powerful stimulus to various contributing industries. Harbor work permitted by the generous appropriation, completion of another link in the Roosevelt highway and construction of a river bridge at Scottsburg, all this year, should combine to promote a very busy and highly profitable period in northwestern Douglas county.

MOVIE NIGHT AT ANTILERS TONIGHT; YOURSELF IN FILM

Tonight will be Hollywood night at the Antlers Theater when "Fatty" Lanning and Charles Dorey present their Roseburg-made motion picture comedy, "The Reporter." This two-reeler contains many scenes showing Roseburg folks and the taking of these films on the streets of the city has attracted large crowds. It is predicted that the Antlers will be packed to capacity tonight for Manager Gross is charging the nominal admission price of 40 cents for adults and 25 cents for kiddies.

In addition to the Roseburg movies, showing the legion men at work on the aviation field, the high school baseball team in action and "Fatty" eating a boxful of Douglas county prunes, the Hollywood company will present a big time vaudeville act entitled, "Making the Movies." In this act the audience will see the cameraman grinding away while real motion picture actors and actresses perform. The act is a scream and was presented over the Orpheum time at top notch prices.

"The Broadway Sap," co-starring William Collier, Jr., and Alberta Vaughn, will be shown as a feature production. This picture was produced by the H. L. L. Productions, the same company which will appear on the stage and who have been in charge of the local motion picture shows.

An evening of rare entertainment is promised and the show will be repeated on Thursday night.

Miss Nancy Cornwell, comedy star, will appear tonight in both "The Reporter" and the stage act. Miss Cornwell was at one time a Sennett bathing beauty and has appeared in many of the best comedy productions of the Mack Sennett company.

Dodge touring, run only 23,000 miles and in first class condition, for only \$175, for sale at Hansen Chevrolet Co. Used cars with an o. k. that counts.

FIGHTS LAST NIGHT

DEBOUT—Sammy Mandell, light weight champion, outpointed Eddie "Kid" Walker, Philadelphia, 10. Kid Francis, New York, beat Ward Sparks, Terre Haute.

INDIANAPOLIS—Bobby Williams, New York, knocked out Billy Peterson, Detroit, 4. Johnny Sherrod, Chicago, outpointed Eddie McGooty, St. Louis, 8.

LOS ANGELES—Jackie Field, Los Angeles, won from Vince Dundee, Baltimore, 10.

ST. LOUIS—Jack McAuliffe, Detroit, defeated Battling Levinsky, Philadelphia, 8. Eddie Goldberg, St. Louis, won from Dwight Fryer, Little Rock, 10.

JACKSONVILLE, Fla.—Young Strubling, Maceon, Gr., knocked out Italian Jack Herman, New York, 2.

OREGON WINTER WHEAT REPORTED DOING WELL

(Associated Press Local Wire)

RELAND, Ore., April 18.—Winter wheat in Oregon is doing well except in some western localities where it is suffering from excessive moisture, says the weather bureau's weekly crop report today. Seeding of spring grain has been delayed by rain in northwestern districts and in elevated localities in the eastern counties, and the same is true of preparation of the soil for corn.

Pears, peaches and cherries are setting well in the milder districts, and apples are beginning to bloom. Bloom is generally late in the eastern portion.

The extent of the damage done by the frosts of the preceding week, and the continued cloudy weather is somewhat uncertain.

JAP CITY FIRE SWEEP

(Associated Press Local Wire)

TOKYO, April 18.—More than one thousand buildings were destroyed in the city of Hiroaki in northern Japan by a fire which raged for seven hours before being placed under control today.

Among the destroyed buildings were four schools, two banks, six hospitals and one church. The damage was estimated at one million yen, (approximately \$500,000). No casualties were reported.

COMING EVENTS IN ROSEBURG

Cut out this list of dates of outstanding events for the year and keep it in your pocket for handy reference. Watch for changes and additional announcements as they may be arranged.

Group Meeting and Merchandise School of Winchester-Simmons Dealers	April 20
California Good Will Caravan	April 29
Kiwanis Governor's Conference	May 5
Christian Church Dedication	May 6
County Track and Field Meet	May 12
Primary Election	May 18
State Convention of Business and Professional Women's Clubs	May 18-19-20
I. O. O. F. Grand Lodge	May 21-22-23-24
Strawberry Carnival	May 24-25-26
Federal Land Bank Convention	June 23
State Convention of G. A. R. and W. R. C.	June 27-28-29
Epworth League Institute on Little River site	July 9-16
State P. T. A. Convention	October (no date set)
National Election	November 6
State Horticultural Meeting	Dec. 12-13-14

ARE 9% Bonds Safe

Any bond salesman will tell you that high yield bonds are highly speculative and to be left alone.

Yet some men are actually attracted by so-called high-yield in bargain clothing.

The profit depends on the integrity of the house and its ability to conduct business in a legitimate way.

This store does not mark up clothes only to mark them down.

For safety of principle and quality clothing look for Harth's Label in your next suit.

\$30 to \$45

Harth's
TOGGERY

What the County Nurses are Doing

(By Louis Albert Banks)

I wonder if the average man or woman appreciates how much blessing is coming into the homes of the people of Douglas county because of our county nurses. I have just been looking over the last quarter's report covering the January, February and March just past. We have two of these faithful women skilled for this service in this county. One is in charge north of Roseburg and one on the south. Do you realize that in these three months these nurses drove in their cars on missions of helpfulness 6814 miles? They sent over 800 letters, and made 228 visits to our schools. They answered 23 maternity calls. They went to look after 10 babies. They held 498 nurses' conferences. In addition they were constantly on the lookout for chances to be the watchful skillful mother to multitudes of defective children. They examined in this one quarter 382 such cases. Take this one case: a young girl was failing in school. She could not pass in her grade. Then the county nurse came on the scene. She took the girl to the physician and had a thorough examination made. The child was being poisoned by defective adenoids and tonsils. They were removed. Where did she get the money? The Douglas County Health Association furnished it. They got it from those little Christmas seals we bought last Christmas time. In a few weeks this girl was back in school an entirely different person. All the old dullness and lassitude was gone. Instead she was bright, alert, ambitious to learn. In a few weeks she became the best student in her class. And that is only one of many such cases. During this last three months these two nurses held 58 infant hygiene classes attended by 775 of the larger girls in the public schools of Douglas county. In these classes they taught these girls who are to be future wives and mothers how to feed and care for babies. No wonder that in the last six years Oregon infant mortality is decreasing at an amazing rate. These nurses are helping to save the precious lives of children through their teaching.

I do not know of anything in our modern Christian civilization that stirs my blood with hope for a better day, or that seems more perfectly Christian than this wonderful work of our county nurses.

In this brief story I am only making suggestion of a few things, but it seems to me these good faithful women are the executive agents of a growing Christian public spirit that we should rejoice in and help on with all the strength we have. Let us be glad "The morning cometh!"

DEMOCRATS OF CALIFORNIA IN 3 SIDED SPLIT

Party Adherents Divide in Support of Al Smith, Walsh and Reed

G. O. P. FOR HOOVER

Senator Phelan, Nominator of McAdoo in 1924, Now Backing Candidacy N. Y. Governor.

SAN FRANCISCO, April 18.—With the republican party in California united in support of the candidacy of a favored son, Secretary Herbert C. Hoover, voters are looking to the rival camp of the democrats to supply the political pyrotechnics for the May 1 presidential primary.

Only Hoover delegates appear on the republican ballot, and by agreement these were selected by the campaign committee so there would be no contest between the progressive and conservative wings as to whose followers would cast the party's 29 votes for the secretary of commerce at the Kansas City convention.

No such unanimity, however, obtains in the democratic ranks. Here the old fight between the McAdoo and Smith factions has been renewed and broadened into a three-way split through the active entry into the field of Senator James Reed of Missouri.

Other than for changes in the personnel of the field forces, the McAdoo-Smith alignment is much the same as four years ago. But former U. S. Senator James D. Phelan, who in 1924 placed McAdoo in nomination for the presidency, now leads the delegation pledged to Smith. McAdoo, instead of being the official choice of the state's democracy for the party's standard bearer, is a candidate for delegate to the convention. He is heading his own forces, however, in the campaign against Smith, supported by Senator Thomas J. Walsh of Montana as the choice for the democratic nomination.

The democrats have 30 delegates to choose for the Houston convention, but only 25 votes.

While there has never been a court ruling, it is generally understood that the candidate group elected under an expressed preference for a certain presidential aspirant is pledged to that nominee until he releases them.

McAdoo Anti-Tammany. The McAdoo-Walsh adherents have campaigned as "dry, Woodrow Wilson, anti-Tammany" democrats. Reed has been supported on the slogan, "Honest government," with prohibition termed "not an issue." The Smith support has developed little campaign oratory, but has been marked by quiet and extensive organization.

Among the prominent candidates for delegate are three women: Mrs. Gertrude Atherton, favoring Smith; Kathleen Norris, adhering to the McAdoo-Walsh camp, and Mrs. Mabel Walker Willebrandt, assistant attorney general, pledged to Hoover.

Governor C. C. Young, progressive republican, is among the outstanding supporters of the Hoover candidacy.

The socialists have no ticket for the first time in years. The prohibitionists have a complete set of delegates pledged to Daniel A. Peltier.

Ford two-door sedan in good running order, good tires and everything for \$65, total price. For sale by Hansen Chevrolet Co. Used cars with an o. k. that counts.

Heals Eczema in 7 Days or Less

Here is a surgeon's wonderful prescription now dispensed by pharmacists at trifling cost, that will do more towards helping you get rid of unsightly spots and skin diseases than anything you've ever used.

Not only does this great healing antiseptic oil promote rapid and healthy healing in open sores and wounds, but boils, abscesses and ulcers that are discharging are almost immediately relieved and cleanly healed.

In skin diseases its action is little less than magical. The itching of eczema is instantly stopped; the eruptions dry up and scale off in a very few days. The same is true of barbers' itch, salt rheum and other irritating and unsightly skin troubles.

You can obtain Moore's Emerald Oil in the original bottle at any modern drug store. It is safe to use, and failure in any of the ailments noted above is not to be impossible. Nathan Fullerton can supply you at any time.

For sale—John Deere 3-bottom, 10-inch orchard tractor plow, new, for \$125. Stearns & Chenoweth, Oakland, Oregon.

DR. NERBAS

DENTIST

Painless Extraction
Gas When Desired
Pyorrhea Treated

Phone 458 Masonic Bldg.

THE TINYMITES

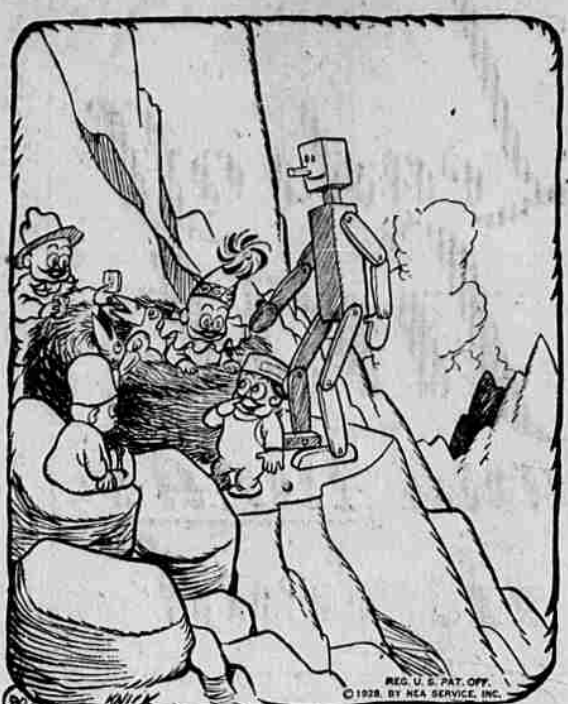
STORY BY HAL COCHRAN—PICTURES BY KNICK

The flying man and big black bird fought hard, and shrieks were plainly heard. The bird made such an awful sound, it scared the Tinymites. "I wish that we could help the man, but there is no way that we can," said Scouty. "Mercy me, just look how wonderful he fights." And, sure enough, the man was game. As up to him the big bird came, he struck out with his fists and hit the bird upon the beak. "Oh, look!" cried Coppy, "there he goes. The bird is leaving. See, he knows he's licked." The Tinymites were so thrilled they simply could not speak.

And then the man dropped to their side. "I won the fight," he loudly cried. "I feared that bird would peck me, but he didn't get a chance. I guess this is my lucky day. My blow just took his breath away, and now we're safe. I am so glad that I could almost dance." And then he said, "Come on, let's go. We must find Clowny now, you know, I'm sure that he is right close by, upon the mountain side. So, on his back they hopped again. One Tiny cried, "All set!" And then the flying man rose in the air upon another ride.

They circled 'round the mountain top and then the man began to drop. "Look just below," he shouted, "I can see a nest real plain. And someone's in it. Yes, I'm right! I'll bet it's Clowny Tiny-mite." "That's who it is," yelled Carpy. "Our long search is not in vain."

The flying man then quickly dropped, and right beside the nest he stopped. "Well, look who's here," yelled Clowny. "I am glad to see you all. Just gather close. Look out, don't slip. I'll tell you all about my trip. The black bird



READ THE STORY, THEN COLOR THE PICTURE

gave me quite a ride. I wasn't mites in the next story.)
scared at all." (Copyright, 1928, NEA Service, Inc.)
(The flying man leaves the Tiny-mite.)

Today

(Continued from page 1.)

does stir men's minds.

The League of Nations statistical department says countries engaged in the big war had a total population of 1,400,000,000 and that the war cost 37,000,000 human lives.

Ten million one hundred and thirty-five thousand were killed in the war. Births, on account of fathers being away, etc., diminished by 20,850,000. "Spanish flu" and other causes increased civilian mortality by 6,016,000.

These frightful figures should make peace permanent, but they won't. All that horror would be forgotten in the first flaming up of international hatred. The fighting dog doesn't remember the wounds of his last fight.

American travelers buying American cars of American make in Europe are compelled to pay duty when they bring those cars into the United States. President Coolidge is requested to stop that nonsense.

If traveling Americans have sense enough to buy good American cars abroad, instead of snobbishly buying cars of European make, for heaven's sake encourage them. American labor is in those cars. American manufacturers have made the profit. What more does the tariff want?

A British woman, Lady Heath, without saying much about it, casually files all by herself from Egypt to London. If Dido, queen of Carthage, had enjoyed such facilities, her story would have been told differently.

Chevrolet coupe, 1927 model, first floor, looks like new and carries new car guarantee. For sale on easy terms by Hansen Chevrolet Co. Used cars with an o. k. that counts.

OUT OUR WAY



HUH—SO WE GOT A CROOKED FIGHTER IN TH' FAMILY, TOO-HUH?

WORKS HIS EXPONENTS AROUND TILL THEY BACK UP AGIN' TH' GO CART, AN' NEN TH' BABY BOUNCES A BOTTLE OFFA THER HEAD. YOU START UM, AN' HE FINISHES UM, HUH?

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By Williams

Teacher in City—

Mrs. Bertha Blundell, teacher of the school in district number 71, was 71 visitor here yesterday for a brief time and was transacting business.

Visitor This Morning—

Mrs. Hans W. Loeff of Oakland and former Roseburg matron was in this city during the morning visiting. Mr. and Mrs. Loeff are leaving soon for eastern Oregon.

THE FINISHING TOUCH.

J. R. WILLIAMS