

OREGON TEN-HOUR LAW TO BE ARGUED

Lakeview Case Scheduled for Early Hearing Before Federal Supreme Court.

BRIEFS DEFINE ISSUES

Statute Assailed as Violation of Fourteenth Amendment; Defended as Proper Exercise of Police Power of State.

OREGONIAN NEWS BUREAU, Washington, April 10.—Argument will be heard before the United States Supreme Court in a few days in the Oregon 10-hour law case, known as Franklin O. Bunting vs. the State of Oregon. Attorney-General Brown will submit the case for the state and W. Lair Thompson, of Portland, for the plaintiff. Briefs on both sides have been filed and indicate generally the lines of the argument.

The case arises from the decision of the Oregon Supreme Court affirming judgment of the state court in Lakeview, holding Bunting guilty of violating the 10-hour law, in that he required George H. Hammerly to work more than 10 hours a day in the Lakeview Flouring Mills and refused to pay him time and one-half for the time he worked in excess of 10 hours.

Mr. Thompson assails the Oregon law as being in violation of the 14th amendment; the state contends the 10-hour law is a proper application of the police power of the state.

Validity of Law Questioned.

Mr. Thompson's brief sets up six separate contentions, as follows:

"That the state cannot interfere with labor contracts between adult male persons of ordinary intelligence, which do not affect the public, by regulating hours of labor, unless there is a reasonable ground to believe such employment is of unusual danger to health.

"That the Oregon 10-hour law is a wage law—not a health law—and takes the property of the plaintiff without due process of law.

"That a division of employers of labor in mills, factories and manufacturing establishments into a class separate from other employers, is unreasonable classification.

"That the provision for time and one-half for overtime is not saved by the assertion that it might aid in detecting violations.

"That the Oregon act is both remedial and penal and as to the penal provisions must be strictly construed.

"That the Oregon act is so interdependent in its provisions that if it is found repugnant to the Federal Constitution in any respect the entire act must fall."

World's Experience Reviewed.

The State, in its brief, prepared under the direction of Louis D. Brandeis, reviews labor legislation, American and foreign, and recites the "world's experience on which the limitation of hours of labor is based."

"The sole question presented," says the state brief, "is whether this Oregon 10-hour law is unconstitutional because in conflict with the 14th amendment. The assertion by the state of its police power is challenged by the assertion of 'liberty' as safeguarded by the 14th amendment." The state's brief continues:

"The question, therefore, is no longer can the state regulate hours of labor in modern industry, but what evils are manifest, what tendencies are disclosed, the present and reasonable field for legislative repression, what remedies are available, that present a reasonable field for legislative encouragement. This field of reasonable action is the sphere of statesmanship of the 14th amendment offers no barriers."

PAROLE ACTION PENDING

Appeal of Mrs. Kersh Held Up for Month by Board.

SALEM, Or., April 10.—(Special.)—The State Parole Board deferred action for one month on the request for a parole of Mrs. Carrie Kersh, serving a

penitentiary sentence of from one to 15 years for her alleged connection with the slaying of William Johnson in Portland five years ago.

Mrs. Kersh presented an affidavit to the Board from Jesse Webb, sentenced to life imprisonment for killing Johnson, in which Webb absolves his alleged accomplices from blame. He declares she is innocent. Mrs. Kersh has always maintained her innocence. It is not unlikely that Mrs. Kersh will be recommended for parole when the Board meets next month. She has already served five times her minimum sentence. She is now 35 years of age, but prison life has turned her hair gray, and today, when she appeared before the Board to plead her case, she appeared a woman of 45 or 50.

Cases of Hazel Irwin and Willard Tanner, serving from one to 15 years for killing a man named Wallace in Portland four years ago, were continued for one year.

On recommendation of Governor Withycombe the Board adopted the new "merit system" of paroling convicts. By this plan prisoners who have been made trustees will be automatically paroled at the expiration of their minimum sentences.

Out of 98 cases considered, 45 were made trustees and 15 recommended to the Governor for parole.

YEAR'S RECORD IS GIVEN

MAYOR BELL COMMENTS ON RE-ELECTION OF OFFICIALS.

Expenses Less by \$551 Than for Preceding Period, and \$26,000 of Bonds Are Retired.

EUGENE, Or., April 10.—(Special.)—Mayor W. A. Bell, at the close of his first year in office, tonight read a report upon the work of his administration at a meeting of the City Council. As proof of confidence by the people in the city government, he called attention to the fact that every member of the Council whose term of office expired this spring, was re-elected. These Councilmen, who took the oath of office for the second time tonight, were C. P. Devereaux, E. Koppe, E. B. Parks and B. F. Goodpasture.

The Mayor's report reveals that during the year \$18,584.78 was expended from the general fund, \$531.76 less than the previous year.

In discussing street paving he recommends that the city arbitrarily limit the price for hard-surface paving to \$1.35 a yard. During the year 1.53 miles of paving have been added to the city's paved area, 3.87 miles of cement sidewalks have been constructed and 4074 yards of sewer have been installed.

April 1, 1915, the outstanding bonded debt of the city was \$82,340; April 1, 1916, this amounted to \$67,810.45.

He recommends a uniform system of permanent bridges over the mill race at all street crossings.

LYDA RE-TRIAL BEGINS

Man at Hillsboro Charged With Attack on Daughter.

HILLSBORO, Or., April 10.—(Special.)—The second trial of William H. Lyda on an indictment charging criminal attack upon his own daughter was begun this morning in the Circuit Court, and the day was devoted to the securing of the jury. The trial is expected to consume at least three days.

The indictment was returned in 1914 and the first trial held in March, 1915, the jury disagreeing. The defendant is an old resident of the city, and lives in the Thatcher district, near Forest Grove. Because of his prominence there was widespread interest in the case, which was intensified at its conclusion by the suicide of the wife of the defendant.

The date when the prosecuting witness is married.

ALFALFA WEEVIL FEARED

Utah Governor Calls Conference to Combat Pest in West.

SALT LAKE CITY, Utah, April 10.—Governor Spry issued a call today for a conference on control and eradication of the alfalfa weevil, to be held here April 20 and 21. The states of California, Washington, Oregon, Idaho, Nevada, New Mexico, Colorado, Montana, Wyoming, Arizona and Utah are expected to participate in the meeting. Alfalfa weevil exists in portions of Utah, Idaho and Montana, as a result of which other states have declared an embargo against agricultural products from the affected regions.

The weevil is slowly spreading to other regions by means not subject to human control, the call says.

QUEEN CANDIDATE NAMED

Klamath Girl Is Entered in Rose Festival Contest.

In a contest conducted by the Commercial Club of Klamath Falls, which closed yesterday, Miss Waive Jacobs was the choice for queen of the Portland Rose Festival. Miss Jacobs won out over a dozen other women. The result of the contest was telegraphed to headquarters of the Rose Festival Association last night.

With Miss Jacobs' entrance into the contest there are now 10 candidates, six of whom reside in cities outside of Portland.

CLUB TO HEAR WAR TALK

Dan J. Malarky to Speak Before Winged "M" Tonight.

Dan J. Malarky will be the speaker in the Multnomah Amateur Athletic Club gymnasium tonight. He has just recently returned from Europe, and he will discuss "Observations Taken From the War Zone and the Lessons I have Learned Therefrom."

The lecture is open to both men and women members of the winged "M" institution and their friends. Mr. Malarky will start his talk at 8:15 o'clock.

600 SUNDAY PAPERS SOLD

Willamette-Pacific Train Brings The Oregonian to Marshfield.

MARSHFIELD, Or., April 10.—(Special.)—Six hundred Sunday Oregonians were sold on the streets of Marshfield yesterday afternoon after the arrival of the Willamette-Pacific at 3:30.

Uno Richards, a 12-year-old newsboy, disposed of 64.

Rest Spelling Pupils Win New Togs.

KLAMATH FALLS, Or., April 10.—(Special.)—J. Frank Adams and his son, J. Frank, Jr., were so pleased that the champion speller of Klamath County was Harold Todd, of Dodd Hollow, in which the big Adams ranch is situated, and that the third prize was won by Audrey Howell, of Merrill, which is in their general neighborhood also, that they brought these young folks to this city and outfitted them completely with new clothes. The elder Mr. Adams bought the suit and other clothes for the boy and J. Frank, Jr., presented the girl with her additional prizes.

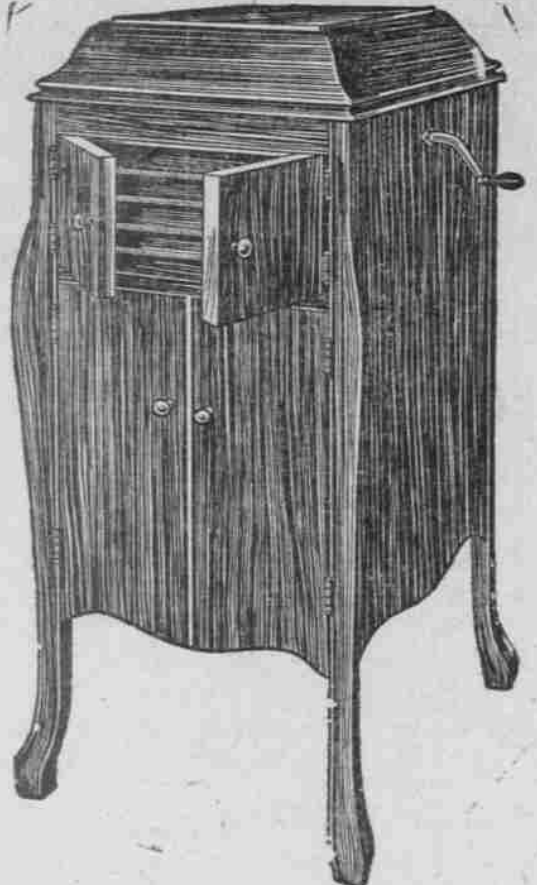
All for \$81.20

Today and Tomorrow

Now Only \$5 Down

All for \$81.20 On Sale Today and Wednesday

Confidential Terms for Balance as Best Suits Each Purchaser's Convenience



This New Victrola completely equipped all for \$81.20

Victor X-16 selections on eight 10-inch 75c double-faced latest Victor records and 700 best Victor needles, assorted, for all purposes.



Broadway at Alder

"all the makes and all the records always"

RIVERS BILL INTAGT

House Accepts Oregon and Washington Appropriations.

MODIFICATIONS ARE MADE

Measure Expected to Pass Tomorrow—Waters Between Mouth of Willamette and Vancouver Included in Provisions.

Willamette and Vancouver. The amendment was introduced by the committee and is designed to permit the use of a small amount for dredging off a hump in the channel.

The long debate in the house over the bill virtually was completed today and house leaders expect the measure to pass tomorrow.

All the items have been approved practically as framed in committee and only some minor points involving methods of survey and contract details remain to be thrashed out.

Most of today was occupied with discussion of the Mississippi River appropriations, which amount to \$8,000,000, and those for the Missouri, aggregating \$1,750,000.

Numerous unsuccessful efforts were made to cut down the totals. Republicans charging the majority with "pork barrel methods" and Chairman Sparkman of the river and harbor committee defending the measure. The bill carried a total of about \$40,000,000.

HOUSE BURNS; TWO HURT

Farmhouse Near Wasco Destroyed After Gasoline Explodes.

WASCO, Or., April 10.—(Special.)—The home of L. R. Walsh, four miles northeast of Wasco, was destroyed by fire last night. Bert Walsh and Mrs. L. R. Walsh were severely burned about the hands and arms while attempting to extinguish the flames. Dr.



Hats that are "head and shoulders" above any you've seen

For that "spring-y" feeling: "Vassar" Union Suits \$1 to \$4.50

Dunlaps \$5
Brewers \$3

Ben Selling Morrison at Fourth

METHODISTS TAKE OPTION

Rev. S. A. Danford to Be Pastor of New Irvington Church.

NORTH SIXTH MEN UNITE

Merchants Organize to Promote Mutual Interests.

The Methodists have secured an option on the property formerly occupied by the Westminster Presbyterian Church at East Tenth and Weilder streets, and will institute a new church to be known as the Irvington Methodist Episcopal Church. The property is located in a neighborhood

far from other churches of the denomination.

Rev. S. A. Danford, D. D., will take charge of the pulpit and begin his ministry next Sunday. Dr. Danford is now conducting revival meetings at Tacoma. He was district superintendent of Blomark, N. D., for six years; superintendent in the Fargo district, and prior to that pastor in Jameston, N. D., for six years.

Mrs. Danford also is a prominent worker.

BRANDIS ACTION DEFERRED.

WASHINGTON, April 10.—Action on the nomination of Louis D. Brandeis for Supreme Court justice today was deferred for a week by the Senate judiciary committee. Delay was agreed upon because of the desire of Senators to hear the debate on the free sugar repeal resolution.

Business Men on North Sixth Street, comprising that portion of the street

between Ankeny street and the Union Depot, met last night at the Barr Hotel and effected a temporary organization for the advancement of their mutual interests. They propose to take the steps necessary to improve the street extensively and to attract further business.

E. J. Rathbun was elected president and T. E. Ellinger secretary. Another meeting will be held next Monday evening.

Read The Oregonian classified ads.

LEWIS-WILEY HYDRAULIC CO.

OWNERS

"Things are getting better"

"There is absolutely no reason why the West shouldn't share in the prosperity now being enjoyed by the East. The condition is so general that nothing can stop it from reaching the Pacific Coast. In fact, my observations on my present trip and reports from our representatives out here indicate that Western business is healthy, and is becoming better every day."

This is the statement which Hugh Chalmers, the well-known Eastern manufacturer, made Sunday on his visit to Portland, after a tour of the country studying business conditions.

Far-sighted people realize the profit of immediate action in the buying of property before prices go up as the result of better business.

Westover Terraces

Prospective buyers of homes on Westover may now profit by most attractive terms in the buying of lots, the building of homes, or both.

Learn more about this financial aid plan.

F. N. Clark & Co.

SELLING REPRESENTATIVES
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PORTLAND, OREGON

THE BEST WAY ANY DAY

Lv. Chicago 12:40 noon
Lv. Englewood 12:56 p.m.
Ar. New York 9:40 a.m.
Westbound:
Lv. New York 2:45 p.m.
Ar. Englewood 9:22 a.m.
Ar. Chicago 9:45 a.m.

WHY HAIR FALLS OUT

Dandruff causes a feverish irritation of the scalp, the hair roots shrink, loosen and then the hair comes out fast. To stop falling hair at once and rid the scalp of every particle of dandruff, get a 25-cent bottle of Danderine at any drug store, pour a little in your hand and rub well into the scalp. After a few applications all dandruff disappears and the hair stops coming out.

A CHILD DOESN'T LAUGH AND PLAY IF CONSTIPATED

Look, Mother! Is Tongue Coated, Breath Feverish and Stomach Sour?

"California Syrup of Figs" Can't Harm Tender Stomach, Liver, Bowels.

Mother! Your child isn't naturally cross and peevish. See if tongue is coated; this is a sure sign its little stomach, liver and bowels need a cleansing at once.

When distaste, pale, feverish, full of cold, breath bad, throat sore, doesn't eat, sleep or act naturally, has stomach-ache, diarrhoea, remember, a little liver and bowel cleansing should always be the first treatment given.

Nothing equals "California Syrup of Figs" for children's ills; give a teaspoonful, and in a few hours all the foul waste, sour bile and fermenting food which is clogged in the bowels passes out of the system, and you have a well and playful child again. All children love this harmless, delicious "fruit laxative," and it never fails to effect a good "inside" cleansing. Directions for babies, children of all ages and grown-ups are plainly on the bottle.

Keep it handy in your home. A little given today saves a sick child tomorrow, but get the genuine. Ask your druggist for a 50-cent bottle of "California Syrup of Figs," then look and see that it is made by the "California S & S Syrup Company."—Adv.