

Return of Capital Punishment Sought

Nine propositions, five proposed amendments to the state constitution and four proposed statutes, have been submitted by the special session of the legislature for approval or rejection by the voters of Oregon at the special election to be held May 21. For the information of the voters The Journal will present a brief and concise statement of the purpose and intent of these various propositions, one at a time until the entire list has been covered, taking them in the order in which they will appear upon the official ballot.

"Restoring Capital Punishment," is the ballot title of the third proposed amendment to the constitution to be found on the ballot at the coming special election of May 21. Its purpose is clear and well defined, namely that the amendment of 1914, which inhibited the infliction of the death penalty and fixed the maximum penalty for murder in the first degree at life imprisonment, shall be repealed and the death penalty restored in Oregon.

In addition to the provision that the crime of murder in the first degree may be punished by death, the proposed amendment provides, however, that it shall be optional with the jury to recommend life imprisonment, should it so desire, which recommendation must be followed by the trial judge.

AMENDMENT IS BROAD

In this particular the amendment is broader than the old law existing prior to 1914 when, under the statute, a conviction for first degree murder carried the death penalty, and that alone. The proposed amendment carries a further section which provides, in substance, that all laws governing the execution prior to the abolition of capital punishment shall be revived and considered in full force and effect.

Briefly stated, therefore, the adoption of the proposed amendment means that death, or life imprisonment, should be inflicted as the punishment for first degree murder at the option of the trial jury.

Prior to 1914 the state constitution carried no provision regarding the death penalty for murder. But it did not prohibit the infliction of such a punishment, and the legislature at the organization of the state government enacted statutes defining the crime, fixing its punishment, and specifying the method and form under which executions were to be conducted.

LEGAL TANGLE FEARED

For many years the sheriff of the county in which the murder was committed was made the legal executioner. Then the law was changed requiring all executions to be held at the state penitentiary, conducted by the superintendent of that institution. That was the law when the people adopted the constitutional amendment abolishing the death penalty in November, 1914.

Without entering into any discussion either for or against the proposed amendment to restore the death penalty, it might be proper to call attention nevertheless to a serious legal tangle which would undoubtedly exist should the amendment be adopted, at least until after the regular session of 1921 could

meet and correct it.

The proposed amendment was drafted and referred to the electorate by the special session of the legislature. Its framers attempted to revive the old statute prescribing the method of enforcing the death penalty by the section stating in so many words that these former laws should be in full force and effect subsequent to the adoption of the amendment by the electorate, should it be so adopted.

Fearful, however, that the courts might not recognize the attempted reenactment of statutes by general constitutional amendment, as against the specific provision of another section of the fundamental law providing the only procedure by which statutes may be enacted, the legislature reenacted the statutes by the passage of a new law.

This law provides, in substance, that when judgment of death is pronounced, the trial court must send its death warrant, attested by the clerk of the court and addressed to the "superintendent" of the penitentiary, who is to relieve the murderer for execution. The law also provides that the "superintendent" of the penitentiary "must be present at the execution," and that the execution must be conducted "by the superintendent or one of the wardens of the penitentiary."

OFFICE IS ABOLISHED

But the legislature of 1913 abolished the office of "superintendent" of the penitentiary and provided that the executive head of the Oregon state penitentiary shall be known "as the warden of said institution."

In other words, there is no "superintendent" of the penitentiary to whom the death warrant of the trial court could be addressed as required by the statute, nor is there a "superintendent" of that institution to receive the prisoner, conduct the execution or be present at it.

Competent lawyers contend that the trial court would be compelled to follow the statute, otherwise his commitment would be irregular and subject to attack. When he followed it, a writ of habeas corpus would immediately be available to the convicted murderer, on the ground that he was about to be deprived of his life "without due process of law," and the supreme court of the United States alone would be the final arbiter of the question.

WAY OF ESCAPE OPEN

What the final decision of that court might be is of course unknown, but many lawyers contend that the adoption of the proposed amendment might well mean an open door to freedom for any murderer who might commit murder subsequent to the approval of the proposed amendment on May 21 and prior to the effective date of definite supporting legislation enacted by the regular session of 1921. It is contended, in other words, that the adoption of the proposed amendment would cause a legal hiatus between May 21 and January or February of 1921, during which there would be a death penalty for first degree murder but no method of enforcing it, and no power to correct the condition as to murders committed during that period.

Rain Brings Pep

Ontario, May 11.—The farmers and stockmen are jubilant over a "million dollar" rain that was general in the several large valleys tributary to Ontario, which fell several hours Sunday.

Double Stamps Tomorrow With Cash Purchases in All Departments

Try Our Special Shoppers' Luncheon Served in the Basement from 11 to 2 Daily—Soda Fountain in the Basement Store



Best Butter
\$1.22
Fourth Floor—No deliveries except with other grocery purchases.
Glenwood Creamery
Butter, Special 2 lbs. **\$1.22**

The Standard Store of the Northwest

Olds, Wortman & King
Reliable Merchandise—Reliable Methods

Pongee Silk
\$1.19 Yd.
Basement—Imported Pongee Silk in good weight for dresses, waists, men's shirts, etc. 33 inches wide. The yard **\$1.19**

Great 4-Day Stock-Reducing Sale

Basement Underprice Store

Boudoir Caps

25c

Basement—Women's Boudoir Caps specially priced for the 4-Days Sale. Large number of dainty styles to select from. Trimmed with laces and ribbons. Shop early and get first 25c choice. While they last—only 25c

Handbags \$1

Basement—Assorted lot of Women's Handbags and Purses greatly underpriced for the 4-Days Sale. Several different styles. Some with inside fittings. Worth far more than \$1.00 sale price. Your choice at \$1.00

Toilet Paper

Special
10 Rolls **\$1**

Basement—Extra quality Toilet Paper—1000 sheets to the roll. Not more than 20 rolls sold to a customer, and no telephone, mail or C. O. D. orders. Special, 10 rolls **\$1.00**

—WEDNESDAY, THURSDAY, FRIDAY AND SATURDAY the Basement Store will have an extraordinary Stock Reducing Sale, offering thousands of dollars worth of dependable merchandise at the lowest prices of the year. Only a partial list of the items are here advertised—practically every department in the Basement has something very special to offer for these four days. Plan to take advantage of this opportunity to save. Double Trading Stamps given with all cash purchases.



Sale of Dresses and Coats

—Our Entire Basement stock of Women's Coats and Dresses included in the Great 4-Days Sale. Here is a splendid opportunity to choose from hundreds of desirable garments at notable savings on each purchase. This season's best styles and materials are represented in the lot.

- \$17.95 Wool Jersey Dresses priced special **\$12.95**
- \$18.50 Wool Jersey Dresses priced special **\$12.95**
- \$23.75 Silk Dresses priced special at only **\$12.95**
- \$22.50 Wool Jersey Dresses priced special **\$16.95**
- \$22.50 Wool Serge Dresses priced special **\$16.95**
- \$35.00 Silk Dresses priced special at only **\$24.75**
- \$52.50 Tricotee Dresses priced special at **\$38.75**
- Women's \$22.50 Spring Coats priced special **\$10.00**
- Women's \$25.00 Spring Coats priced special **\$15.95**
- Women's \$35.00 Spring Coats priced special **\$25.00**

House Dresses \$1.98

—Women's House Dresses of excellent quality percale in neat patterns. Pockets, sleeves and belts of contrasting materials. These are splendid styles and are well made in every particular. Some have embroidered fronts. Sizes up to 38 in the lot. Basement Special **\$1.98**

Odd Neckwear

19c

Basement—All broken lines and odds and ends of Women's Neckwear grouped into one lot and priced for quick clearance. Large assortment of different styles—mostly collars. Various materials. Very desirable for wash frocks. Special at 19c

Beads at 39c

Basement—You will pay 50c for such beads elsewhere. Shown in every wanted color and in various shapes. Small lot of 200 strands in 39c Basement Sale priced special at 39c

Sale of Silk Remnants

—Several hundred good useful lengths in Silk Remnants offered at low prices. Pieces suitable for dresses, waists, skirts, petticoats, linings, etc.—lengths ranging all the way from 3 to 10 yards.

Sale of Undermuslins \$1.19 and \$1.49

—ENVELOPE CHEMISE and SKIRTS in many pretty styles. The Skirts have lace and embroidery trimmed flounces. Chemise are also trimmed with laces and embroidery. V or round necks. All sizes. **\$1.19** Priced special tomorrow at **\$1.49**

—NIGHT GOWNS, SKIRTS and Envelope Chemise of splendid quality material, trimmed with laces, embroideries, etc. Hundreds of garments in this special offering. Full range of sizes. Extraordinary values. Basement special at **\$1.49**

Women's Brassieres at 55c
Women's Corsets Only 89c

Basement—Pink Mesh Brassieres in the popular bandeau style, with front or back fastenings and elastic insets. All sizes from 32 up to 44. **55c** Priced special in Basement at **55c**

Basement—Coutil Corsets with rust-proof boning. Several excellent models in this sale. Medium bust, long or short skirts. All sizes from 19 to 30. Specially priced at **89c** Women's Jersey Bloomers at only **69c**

Women's Shoes \$1.00 Pair

Basement—Clean Up Sale of about 200 pairs of Women's Shoes. Black patent with white kid or canvas tops—kid shoes with gray cloth tops—patent kid and gunmetal pumps. Samples slightly soiled and imperfect. While they last—pair **\$1.00**

Women's Shoes \$1.98

Basement—Odd lines Women's, Misses' and Children's Shoes at a sacrifice price. Black or tan laced and buttoned shoes, also a few pairs of oxfords. Broken sizes. Pair **\$1.98**

Women's Georgette Waists At \$2.98

Basement—No woman need be without a dainty Georgette Waist when it is to be had for so little money. Several pretty styles in this lot to choose from. Flesh color and white. Priced **\$2.98** very special on sale in the Basement at **\$2.98**



Voile Waists At \$1.48

Basement—Odd lines of Voile Waists at a sacrifice price to close them out quickly. Many dainty styles, but only a few of each. On sale in the Basement at—special **\$1.48**

Double Trading Stamps With Cash Purchases

Coverall Aprons Special \$1.29 Kitchen Aprons at 45c

Basement—Women's Coverall Aprons of good heavy quality percale. Front and side fastening styles with V or square necks. Attractive patterns. **\$1.29** Priced very special at only **\$1.29**

Basement—Women's Kitchen Aprons, with or without bib. Made up in good quality checked or striped percale in various colors. Extra good—**45c** values. Basement Sale special **45c**

Basement Sale of Home Needs

—Great Savings!

—BATH TOWELS in good large size. These are full bleached and are wonderful values. Priced special for Basement Sale at only **39c**

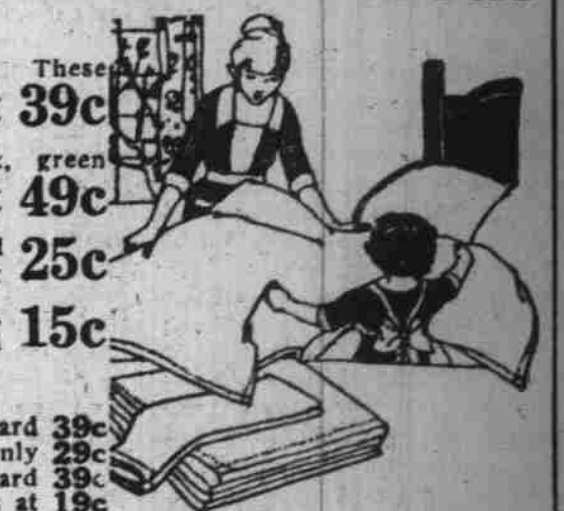
—FANCY ART TICKING in blue, pink, green and yellow mixtures. 32 inches in width. Priced very special for sale at yard only **49c**

—HUCK TOWELS—plain hemmed—good large size. Basement special—priced at **25c**

—TWILLED TOWELING with blue border. No phone orders accepted. Special, a yard **15c**

Wash Goods

—Fancy Batistes for dresses—special at yard **39c**
—Fancy Figured Lawns—special at yard only **29c**
—32-Inch Romper Cloth—special price yard **39c**
—27-Inch Percales for aprons and dresses at **19c**



\$2.50 and \$3 Shirts \$1.49

—Basement Sale!

—SIZE 14½ ONLY, but splendid \$2.50 and \$3.00 qualities. Made up in high-grade materials, cut full and nicely finished. Good assortment of striped patterns. Stiff cuff styles. **\$1.49** Priced special in the Basement at only **\$1.49**

Other Specials for Men

—MEN'S UNDERWEAR—Shirts and Drawers in all sizes. Priced special, the garment **\$1.49**
—MEN'S SUSPENDERS—good grade elastic webbing. Priced special at the pair **49c**
—MEN'S BANDANA Handkerchiefs in blue or red. 20-inch size. Special at 2 for **25c**
—MEN'S COTTON HOSE in black only. 12 pairs to customer. Priced 6 pairs **\$1.00**
—MEN'S WORK GLOVES—Leather with leatherette cuffs. Priced special at pair **49c**
—MEN'S Gauze Union Suits—special at **\$1.39**

Boys' Corduroy Suits \$5.00

—On Sale in the Basement

—Boys' Corduroy Suits of good quality material. Loose belt and straight pants. Sizes from 3 to 8. **\$5.00** Priced for Basement Special **\$5.00**

—Boys' Khaki Suits—coat, pants, hat and leggings. Fine for vacation wear. Sizes from 6 to 12 years. Priced special only **\$2.75**



Basement Sale of Knit Underwear and Hosiery

—WOMEN'S HOSE of mercerized cotton in black and white. Double heel, sole and toe. Special 3 pairs **\$1.39**
—WOMEN'S Black Cotton Hose with reinforced heel and toe. Special, pair **19c**
—CHILDREN'S HOSE in good weight for boys and girls. Black only. Double heel, sole and toe. Special, a pair **39c**
—WOMEN'S Cotton Union Suits with tight or loose knee and plain or bodice top. White and flesh color. Special, pair **98c**
—SLEEVELESS VESTS with plain yokes or dainty crochet edge. Ribbed white cotton. Priced special, 4 vests for **\$1.00**

Basement Millinery

200 Trimmed Hats **\$5**

—This group is composed of hats priced heretofore at \$5.98, \$6.98 and \$7.48. By all odds the best values the Basement Millinery has offered this season. Large assortment of beautiful models to select from. Jaunty turbans—sailors—large hats—Joan D'Arc and many other styles. No matter how many hats you have, you cannot afford to overlook this opportunity. Black, white, navy, brown, sand, red, blue and rose. \$5.98 to \$7.48 Hats priced special at **\$5.00**

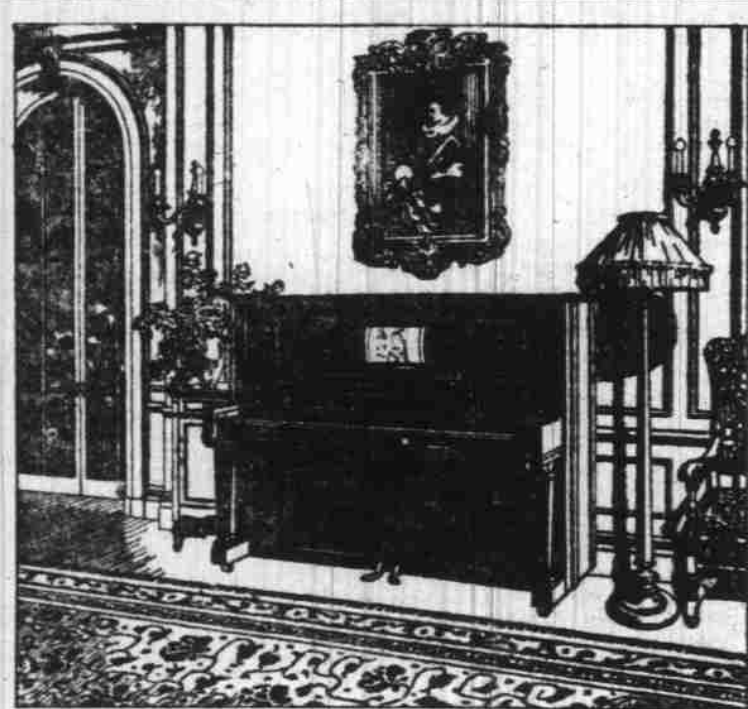


Special Sale of CHILDREN'S TRIMMED HATS in the Basement

Notion Day

Bargain Circle, Main Floor

—¼-inch Lisle Elastic, the yard **5c**
—Shoe Laces; black tubular; pair **4c**
—Pearl Buttons, ass't sizes; card **7c**
—Snap Fasteners—3-O, 4-O in black and O and OO in white—the card **2c**
—Spool Silk for hand or machine use in wanted colors—50-yard spools **10c**
—The "Only" Grand Skirt Gauge **19c**
—Melba All-Silk Binding Taffeta, in black only. On Special sale at **10c**
—Boned Belting, white and black—2, 2½ and 3-inch widths; the yard **17c**
—Whisk Brooms, assorted styles **39c**
—Tooth Brushes, good grade **18-25c**
—Itsoel Trousers Hangers, only **17c**
—Hair Pin Cabinets, assorted sizes **7c**
—Defender Safety Pins at, a card **4c**



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The Duo-Art is the most remarkable development of the pianoforte—it is the piano of today and the future.

Though the pathways of the keyboard are strange to your fingers—though you do not know one note from another, yet you may play the Duo-Art with consummate skill, with exquisite artistry. For the Duo-Art is the most marvelous player-piano—an instrument which provides you with wonderful "fingers of air" that will do your bidding faithfully.

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