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# The Oregon Statesman

Society, General News and Classified

### SEVENTY-FIRST YEAR

### SALEM, OREGON, FRIDAY MORNING, JUNE 17, 1921

Massachusetts was grafted into

the judicial history of Oregon.

Many able men have been on our

supreme court, but in my judg-

ment, as a member of the consti-

tutional convention and as a nisi

prius and supreme judge, no man

has left a more indelible record

on the pioneer judicial history of

the state for clear analytical reas-

oning, sound legal principles, ster-

ing integrity and learning in the

common law, than R. P. Bolse,

Oregon should sttyle him as the

'Blackstone" and "Kent" of its

McBride is Oregonian

early judiciary.

### OREGON PIONEERS ADDRESSED BY JUDGE CHARLES A. JOHNS OF SUPREME COURT

Justice Charles A. Johns of the represent something. They were ing purposes assisted in organiz-Oregon supreme court was orator written in the blood of our fath- ing the Auburn Canal company of the day at the reunion of the ers on the field of battle and it which constructed a ditch or canal Oregon Pioneer association in is in them that the world was first about 30 miles in length, along the Portland yesterday. Justice Johns taught the true meaning of lib- mouontain side from Pine Creek spoke as follows:

been born about four miles from brought the Oregon country under It is claimed that in 1866, there Oak Grove and 12 miles from In- the dominion of the American were 6000 people at Auburn. The dependence, in Jackson county, flag. I know not what may have only evidence now left of them are Missouri, and near Saint Joseph, been the personal motive which the old placer diggings, and the where the immigrants assembled induced the pioneer to sever the portions of one building which and outfitted for their trip across loving ties which bound father was constructed of placer stone the plains to the "Oregon Coun- and mother, sister and brother, It may be of interest to note that It is needless to say that I and make the long, dangerous and in Griffin Gulch near where gold try." was an infant in my mother's arms tedious journey to this country, was first discovered, that as a when my parents left there and but I do know that it was founded boy miner in a sluice box and with went to New York, and after a six upon the God-given right of lib- pick and shovel, Justice McBride ath's dreary voyage, they land- erty and freedom and that thosa in 1862 earned the money with at Salem, Oregon, on my moth- eternal principles were brought which he afterwards obtained his ars birthday, December 25, 1858. here by the ploneers and were education. A large portion of the

Barely Tot Across. I do not know anything of the its of that trip but she told me that at the last, I was very ick and if we had been out 24 a longer, it would have been stal. They first settled on the old Frasier place, at the mouth of Parish Gap in Marion county. there my father, James M. Johns. mught school and the following year moved to Scio, in Linn coun-

ty, where he was a miller and then came a merchant and was aditted to the bar in May, 1892 60 members met at Salem, August men 58 years of age. I am proud 17, 1857. Wasco county then embe a ploneer and to have been braced the whole of Eastern Orecontinuous resident of Oregon gon and was represented by ar since, and to be with you on Charles R. Meigs. It may be of occasion, so important in the interest to note that four of its fairs and history of the north- members were natives of Connec-From necessity I cannot ticut, one of Germany, four of Illiin reminiscences, and yet I nois, two of Maryland, four of seen this state grow and de- Massachusetts, four of Missouri from what it was then to seven of New York, two of North at it is now and I know some- Carolina, two of Ohio, five of g of the many and wondrous Pennsylvania, one of New Hampwhich have been made. shire, five of Tennessee, one of s life has been more or less de- Vermont, and five of Virginia. By ed to a study of the origin and occupation there was one editor. adamental principles which un- 30 farmers, 19 lawyers, three me le the provisional and consti- chanics, three miners, two physimal form of government of clans, one printer, and one surte state and I had an acquain- veyor. Its oldest member was Naand personal contact with thaniel Robbins, who was born in of its founders and upon all 1793 and represented Clackamas questions I save strong and county. One of the youngest and convictions. We are living the last survivor was William H. commercial age and some. Packwood who was born in Illinots a I fear that we are drifting in 1832 and represented Curry way from the teachings and prin- county and was by occupation a

erty and freedom.and it was those to Auburn, which tapped the inprinciples that gave us the im. tervening streams, the waters of It was my good fortune to have pulsive victory at Champoeg and which were sold to the miners.

planted in American soil and are bed of the old Auburn canal is

embodied in our state constitu- now used to supply Baker with its tion. It is true that its history gravity water system. was not written upon the field of In 1865, Packwood organized battle but when I study and read company and commenced the construction of the Eldorado ditch it, and see the names of the men by whom it was signed. I can hear the main line of which was 103 the voice and see and feel the si- miles in length. This was comlent influence of those immortal pleted some time in 1870, and principles which were sealed by was used to divert the head water

**Oregon Convention Recalled** 

Forge and Bunker Hill. to Malheur City for mining pur-A constitutional convention of

the blood of our fathers at Valley of Burnt river and its tributaries

poses. The main stream flows in. to Snake river and was crossed by many of the pioneers. The grade of this ditch was established by Mr. Packwood by the use of a triangle made out of lumber. This is yet the longest ditch in the state and is even now considered a fine piece of engineering work. Other Ditches Built

This was followed by the construction of the Sparta Ditch in 1870, in which Mr. Packwood played an important part. It is 90 miles in length and was built for mining purposes. He had what was then considered a good education, was a useful and energetic citizen, and in his prime was a leader among men, and possessed ar more than ordinary ability. As the last surgiving member of the constitution convention, he lived to a ripe old age and died loved and honored by his numerous personal friends. Very few, if any, of the numerous expensive ditches which were constructed in an' early day for mining purposes now used by the miners but

rounded in the common law and order. When your sons and daughlearned his profession. He came ters were marired their first to Oregon in 1850 and was a mem- thought was a home and a piece, ber of the constitutional conven. of land and they were willing to tion from Polk county. Through work and knew how to work in him much of the common law and the house, timber and the field. judicial learning of the state of

Tribute Paid Pioneer Mothers Much has been said and written about the "Oregon Trail," and the half has never been told, but it

"bravest of the brave." I have feeling, honor and respect for the men, but it was the pioneer moth- American legion are eligible to ers who hore the heaviest burden membership in the Women's Auxthat long six months voyage, 1 mittee which is working this her then and have little concep-

do know that it was a mother's alternoon. love and that is divine. The beau-It may be of interest to note liful tribute of Joaquin Miller in that ex-Chief Justice Thomas A. his classic poem. "To the Mothers McBride was born in Yamhill of Men." applies with especial and county, November 15, 1847, and peculiar force to the pioneer that he was recently re-elected to mothers. At one time he lived at

another six-year term; that Chief Canyon City and it may have been Justice Burnett, was also born in your lives that gave him the inspi-

that county on May 9, 1853, and ration. that at one time, those two, with With you marriage was looked ex-Justice Ramsey, as boys, lived upon as a sacred contract. It was versity of Oregon, will attend the within the area of one township seldom entered into without ma- alumni n Yamhill county. Here again ture thought and careful considerold Yamhill is true to its tradi- ation and when once made, was The 20 members of the class of fair grounds today is as follows: midnight closing, it was finally tions. These three boys also at never annulled without a grievous the same time, attended school at offense, a serious or just cause, McMinnville college. The teachers and with you a suit for divorce were President J. W. Johnson, was the exception. You were dewho afterwards became the first voted to your household and dopresident of the Oregon univer- mestic duties, the scrubbing of sity, John H. Hall, and Mrs. Nan floors, milking the cows, churning E. Morse, now Mrs. Nan E. Dol- the butter, knitting, sewing, and man, a sister of Justice McBride, the old spinning wheel, and at W. T. Newby was the founder of least doing your part to make a McMinnville and had dedicated a home. At the family fireside you tract of ground for the purpose taught your children obedience, of a county fair and the land how to live, what they should do was enclosed by a board fence. In and how they should act, and the those days there were no side. sacred duties of home life, and walks and the streets were very you had their confidence and re-

muddy. spect and they had yours. Your Inspired by the civic pride and joy rides were in dead axe wagons the energy of youth, one night 18 with your children and your own students of the college including husband, and you then had never Justice McBride, tore down the heard of wrist watches, manicures fence and with the aid of two or heauty parlors. Yet with all wagons which they appropriated of its skill, deceptive art has not of honor. She was a former memto their own use and by their own and never will improve on the strength, hauled the lumber to primitive beauty of the pioneer different portions of the town, maiden. Your wants were few and of the P. E. O. in Boston.

out of which they made a number simple, yet you were happy and of board walks leading to the col- content and had many of the real lege. As a reward for their genuine pleasures of life. youthful indiscretions, they were Fundamentals in Jeopardy Although this is an age of prog-

indicted by the grand jury. Although Justice McBride has al- ress. it is also a commercial age Mrs. O. E. Lewis was hostess ways been proud of his desire to and sometimes I fear that in our at a charming dinner party Wedinstill civic pride in the people of mad pursuit for the pleasures of nesday evening at her home, 1910 McMinnville, there is a doubt in life, our desire for money and to Trade street. Her guests includ-Miss Bernice Wolfe, Miss Eshis mind as to whether it was have something new, we overlook tella Batliner, Miss Pearl Ryse. worth the \$20 fine which he had those fundamentals which you Miss Laura Bernard, Miss Lucille to pay to obtain his freedom. As brought here as pioneers. You Lewis and Miss Marjory Lewis. Justice Ramsey has since been a gave to the state an economical A. E. McGillivery and family model man, he was then a model form of government, had a high boy and of course would not do regard for law and order and are guests at the home of Mr. and anything like that. Those who loved the country and its flag. Al-Mrs. O. E. Lewis. They are from though your administration of afknow the dynamic energy of Chief Vale, Oregon. Justice Burnett, claim that it is fairs may have been crude, plain, one of the regrets of his life that and simple, it was prudent, wise, Mrs. Ashley White on North on account of his youth he did efficient and economical and the Cottage street has as her guests not have the honor of being a official records show that with her son, C. A. White, of Palo Alto. modern progressive thoughts and and her grandson, Ralton White. party to the scheme, but the people then living at McMinnville did ideas, taxes have increased by They came by auto and will releaps and bounds. The plain, fruclaim that there were times when main for several days they were short on both eggs and gal pioneer mode of living is fast watermelons. Notwithstanding the Mrs. Frank Snedecor has just becoming a thing of the past: fact that these men were boys toapartment houses are supplanting returned from a trip east which included a visit to Birmingham. gether in that county, there are the home and too often there are many good people in old Yamhili no sweet, innocent children at the and it is one of the best in the fireside. We now have Bolsheviks. stitution. This country must not state. At the ripe old age of \$4 anarchists and I. W. W.'s, and become Europeanized under the years. Mrs. Dolman, the only sur- there are many who do not honor false pretense of liberty and freeviving teacher, is now living in or respect the flag or know what dom. It must and will remain Salem, where she enjoys the comit means. true to the traditions of its plopanionship of her brother and Everyone believes in develop. neers and the founders of the naformer pupils. ment and modern progress and tion, the people who come here that it should be the privilege of State Foundation Well Laid from foreign soil must honor and every person to have and enjoy I have spoken of the character respect the American flag. Our and class of men who drafted and such rights that make life worth the real pleasures of life. It is constitution, both state and fedsubmitted the state constitution living. This should not be at the eral, is founded upon the Declaraauad the large number of pioneers tion of Independence, is broad, libexpense or sacrifice of substance eral and elastic, but for the safety who have filled the legislative, or fundamental principles. There executive and judicial offices of is a law both human and divine and protection of American the state for the purpose of show- that home life should be honored thoughts and ideas and those fundamental principles upon which ing the nature and extent of the and respected. When you weaken influence which they wielded in our government is founded and or destroy the love and influence our own liberty and freedom, the its history and development. The of the home and those sacred ties foundation which they laid was time has dome when any foreigner which bind, you tear down and who will not stand for and who broad and deep. Although in destroy the fundamental princidoes not believe in law and order some respects, other citizens may ples upon which this state and nahave been more modern and proor respect the flag of this nation. tion are founded. you are not is not fit to be an American citigressive, there never was a better good citizens and you have struck zen and ought not to be permitted type, and in fundamentals you a severe blow at your own happito land upon American soil. It is have been of a superior class. ness. American institutions and a not for that class of people to say It is true that the Donation Republican form of government. what laws we shall have or how Land Claim Act may have been Therein the pioneers have been they should be enforced or conthe prime incentive which induced and now are a tower of strength. trued or to teach us the meaning many of you to come here. Under You were home builders and you of the constitution, or to defeat or conditions then existing, it took loved and respected your home mpair the underlying fundamencourage and physical strength to You were independent, self-relial principles of our form of govmake that long and arduous jour- ant, enjoyed your liberty and freernment. ney and many fell by the wayside dom, stood for law and order and **Pioneers** True to History and those who did come were were loyal to the flag, the state January 9, 1899, the first 14 sec- strong men and women who had and nation and their institutions. An eminent writer has said: "If energy, ambition, mental and he melting pot is allowed to boil Influence Permanent Twelve pioneers have been United moral courage. You came here to without control and we continue I know that sometimes you hav The first two live, to build homes, to raise fam- been styled "fossils" and "moss, to follow our national motto and were Delazon Smith and Joseph illes and be it said to your ever- backs" and some of you in some deliberately blind ourselves to all Lane, and the last, Harry Lane, lasting credit that among the very respects, may have deserved the distinctions of race, creed, or who was the son of N. H. Lane, a first things which you did was to name, yet in your home life and color' the type of native American brother of Joe Lane. Commencing erect churches and school houses. lof colonial descent will become as citizenship, you have set an ex-You did not live in ease or law, ample which never has been and extinct as the Athenian of the age 1849 and ending with ury but from necesity had to work of Pericles and the Viking of the never will be improved and which W. Nesmith. March 3. and you taught your children how days or Rollo." The same thought it would be well for many of your 1875, the first 12 congressmen of to work and with you, the latch critics to follow. Many of them applies to the pioneer, but may the state were pioneers. Since string was out, the rifle in the have never enjoyed and do not God grant that the time will never that time there were six others, rack, and the powder in the horn, know the genuine pleasures of come when the beauty, strength the last of whom was Malcolm A. You were friendly and sociable. and purity of your home life and home life or the meaning of do-Moody, whose term expired March knew and assisted one another. love of country will ever be formestic happiness or the duties gotten. So long as it shall last Although your food was plain and which they owe to their neighbors is tounded upon this nation ock. It is those ties which bind us to our colonial fathers and the Declaration of Independence and is an honor to which you can point to the teachings 100 per cent American and you have performed well your part ings and traditions. Although you That class of people have not felt ing days be- peacefully spent in



tween 3 and 5o'clock.

at St. Mary's academy.

\* \*

was the pioneer mothers who were THE mothers of members of Ala . and Washington, D. C. the American legion, or those will be with her sister. Mrs. 34. who were eligible for the P. Boise, for the summer,

Mrs. N. T. Bennett of Portland anad suffered hardships which illary of the American legion, ac- is visiting at the home of Mr. and only a mother can endure. On cording to the membership com- Mrs. P. A. Bennett.

nursed at my mother's breast. I week. The war mothers are esdid not know what it meant to pecially invited to the tea which is being given at the home of be held this afternoon at the tion of what it meant now but I

The committee in charge in clude Mrs. Milla McGilchrist, Mrs. Dan J. Fry, Miss Ruth olhns, Mrs. John J. Roberts ..... George A. White, Mrs. Walter Spaulding, and Mrs. Walter Kirk.

\* \* Miss Gene Helle is going to Cor-Mrs. Lawrence T. Harris and vallis this morning to be the guest Dr. W. Carlton Smith, both members of the class of '96 of the l'ni- the week end.

The program for the Iowa pig meeting which will be held during commencement week. nic which is to be held at the themselves as being in favor of '96 are endeavoring to be back for America. Invocation. commencement week and a dinner call. Talk by Mr. W. T. Rigdon She table. for the class will be held in the Reading, "Kate Shelley," Mrs. Ma-Talk by Mr. L. H. Hotel Osburn in the evening. The McAdams. alumni banquet will be held at Roberts. "The American Bog" Mr. Thompson. Son "lowa," innoon Saturday.

Mrs. Harris went to Eugene dience. Reading, Mrs. A. G. Fort yesterday to attend a meeting of Music, Audrey Jeffrey. Reministhe state alumnae association of cences of Iowa, Mrs. Thompson. which she is secretary. She was Election of officers. Song, "Glor a judge at the Failing-Beekman jous Oregon," audience. oratorical contest which was held Mr. and Mrs. E. A. Benneit last night

spent yesterday in Portland, re The P. E. O.'s met yestedray turning last night. with Mrs. C. B. McCullough at her Mrs. Jeanete Merrit of Dibun. new home on Church street. Mrs.

McCullough served dainty refresh- Cal., is visiting at the home of ments following the regular meet- her sister, Mrs. Harry L. Benson, 345 North Summer street. Mrs. R. W. Walton of Boston.

\* \* Mass., who is sepnding the sum-Mrs. Claude S. Barr of Pendlemer with her parents was a guest ton visited this week with her mother, Mrs. J. S. Harris on Garber of the local chapter. Mrs. den Road. Walton is secretary of chapter A \* \*

A pleasant diversion during the Plans were made at the meeting for the P. E. O. picnic to be held Friday June 24, at the fair grounds Ruth Bedford.

## PRICE: FIVE CENTS

work consists of Indian song and pantomime, which has been caretully prepared, and is rendered Her departure skilfully. from the usual line of entertainment, together with a pleasing personality, held the student body through the etnire hour.

Miss Bedford's work as accompanist is of exceptional merit when one considers the difficulties of time and rhythm encoun-Shi tered in the rendition of Indian music

The hearty applause gave expression to the appreciation of evtery listener.

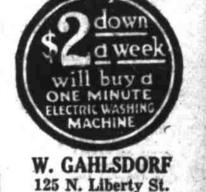
### All-Night Theaters Are The Silver Tea of the Women's Given New Lease of Life

Auxiliary of St. Paul's church will-PORTLAND, Ore., June 15. Mrs. George A. White, Saturday home of Mrs. U. G. Shipley be- Moving picture houses that run shows after midnight have a new lease of life, although it appeared Mrs. R. M. Mills has been Wispossible for a while at today's city ting in Albany this week, attendcouncil session that they would be ing the commencement exercises required to close at the stroke of

> The council, after further hearing on the ordinance proposing to of Prof. and Mrs. H. L. Bears over prohibit women entering theaters afte: n:idnight, voted to give it no further consideration; and while two members expressed Roll decided to lay that question on

> > Special Six Week Summer Term June 20-July 29

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losing week of Grant junior high school was a program given by Mrs. Oscar B. Gingrich and Miss. Mrs. Gingrich's

of our fathers, upon which his state and nation were foundthe building of homes, to honoving wife, the devoted husband sweet innocent children. hich are the ties that bind and make the happy home.

# Principles Are Enduring Every true American has read

or should have read the Declara-

tion of Independence and the Federal Constitution. It is there that we learn the principles for which our forefathers fought and the meaning of liberty and freedom and of a republican form of covernment. It is there that for e first time in the history of naons we are taught the eternal inciples of right and wrong and at all men are created equal and ould have equal rights and opstunities, which overthrew the governments are founded on their chings and traditions for a years of monarchies and authority and instituted for their peace, safety and happiness." Wilres. Those principles were liam H. Packwood, the last sur rue then and the history of this tation teaches us they are true viving members of that convention now. This nation has produced died in Baker, September 21 of the greatest men in the 1917, at the ripe old age of 84 world's history and yet many of years and 11 months. It was my m were born in a lowly cabin fortune to have served two terms have struggled with poverty as mayor of Baker while he was and felt the pangs of hunger and city auditor and we were intimate had no assets but youth, energy, personal friends. In 1861 gold skill and ambition. They were and was discovered in Griffins' Guich are the products of the Declara- at Auburn, by Henry Griffin, Dave ion of Independence and the fed- Littlefield and another who were tral constitution and no higher a portion of a party that started mium than this can be paid from Portland in search of what to our form of government. Those is known as the Blue Bucket Digortal documents mean some- gings. The following year, Packng, sland for something and wood went to Auburn and for min-

miner. It was a distinguished body of men, and who were firm rights in Oregon are founded upon and fearless in their convictions. r thy father and thy mother, the They had independent thoughts and ideas and each of them was proud of his ancestry and the fact that he was an American citizen. They loved their liberty and free-

> and enjoy them, there must be law and order.

Packwood Remembered What a world of meaning there is in the preamble which they adopted, "We, the people of the

State of Oregon, to the end that justice is established, order maintained, liberty perpetuated, do ordain this constitution." In the the pioneer is now seen and felt very first section, it is said, 'We declare that all men when they form a social compact, are equal in right, and that all power is inherent in the people and all free

> By commoon courtesy, Dr. John McLoughlin as director of the Hudson Bay company, from 1824 to 1843, before there was any provisional form of government, is known as the first governor of Oregon. From 1843 to 1844, by a vote of the people of the Walla. met valley, the first executive committee was elected, consisting of David Hill, Alanson Beers, and oseph Gale. The first governor elected by the people under the provisional form of governmen was George Abernethy, who served from June 3, 1845 to March 3 849. Joseph Lane was the first territorial governor and served rom March 3, 1849 to June 18, 1850. The remaining governors

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manay of the most valuable water those old mining ditches, the beds of which have never been changed. They were constructed along the mountain sides and around the heads of gulches and canyons and are living monuments to pioneer dom but they knew that to have skill, youth and energy. The members of that convention gave to

the people of Oregon, a constitution which long stood the test. Its fundamental principles have not and never will be changed, and there are many good people who believe that with all of its changes it never has been improved. The teachings, spirit and influence of throughout the northwest in every home, town, city, school, church and line of business, in the court room and in the affairs of state. McLoughlin First Governor

down to and including S. F. Chad-

wick, were all pioneers. The chain was broken by the election of W. W. Thayer. The next two, Z. F Moody and Slyvester Pennoyer, were both ploneers and T. T. Geer was the last one of them to hold that office. Commencing with G. W. Le Breton, February 18, 1841 and ending with H. R. Kincaid. retaries of state were all pioneers. States senators. with Samuel R. Thurston, Janu-

3. 1903 **Pioneers On Bench** 

Massachusetts in 1819 and v

you did not have a variety, no per- the public and the flag which pro-The first eight chief justices of son was ever refused something tects them. With all of its modern he supreme court were also pin- to eat. The mother taught the ideas, growth and development commencing with William daughter how to cook and keep what this country needs more P. Bryant, from 1848 to 1850 and house and the home was the cen- than ever in its history is more ending with P. P. Prim, from 1870 tral thought. Inspired by your pioneer mothers, more of the with pride. You have been true to 1872. Since that time 14 other mental and moral courage, you home life and patriotism of the pioneers have held that position had independence and self-reli- pioneers, more of the spirit, teach- this nation and your life has been ncluding ex-Chief Justice Mc. ance and you loved liberty and ings and traditions of the history Bride and the present Chief Jus- freedom. There was but little of this state and nation and the tice Burnett. It is worthy of note crime and you had a high regard fundamental principles upon Your hat a much larger percentage of for primitive law and order. In which they are founded. We want form is bent and your hair is grey pioneers have been members of the early days you never knew or more of American and less of Eu- Many have passed on; your ranks the supreme court than in any heard of anarchists, bolsheviks, or ropean thoughts and ideas. The are daily growing thinner, and other official position. Many dis- I. W. W.'s and there were no Bolsheviks and I. W. W.'s were sooner or later, the time will come inguished men have held that tramps. All of such ideas were never generic to this country and to the last servivor of the old R. P. Boise was born in foreign to your principles, teach- are not the product of its pioneers, "Oregon Trail." May your remainthere admitted to the bar. That loved liberty and freedom, you be- the true spirit of our institutions that beautiful home life of which state was then in its legal prime lieved in law and order. With you and do not know the history and you are living examples and when and its courts were revered and it was a matter of sentiment and traditions of this country. They your time does come, may you



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