SEVENTY-FIFTH YEAR

SALEM, OREGON, THURSDAY MORNING, FEBRUARY 4, 1926

OUR NOW THE SELEM S DECOMING THE MOST IN PORCH ON ON CONCINCT

Decision on Portland Law to Bear, Upon Power of Salem Commission

WRIT OF ERROR GRANTED

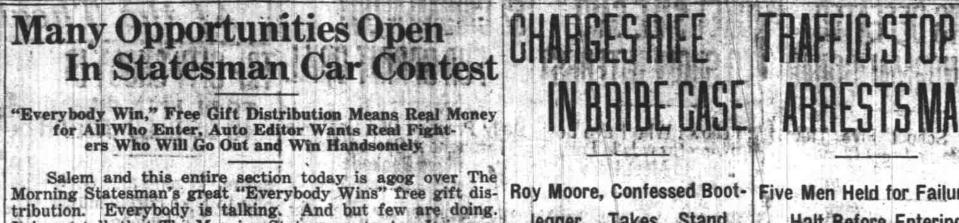
Controversy, Thought Ended, Be Revived as Legal Battle Shifts to United States Supreme Court

A legal battle, which may well have important bearings on the authority of the zoning commission of the city of Salem, is seen in the grant of appeal to the United States supreme court of a new attack on the Portland zoning ordinance.

During the recent controversy concerning the constitutionality of the Pertland zone law, moves to segregate business and residential property in Salem, and regulation of construction, were halted pending the outcome of the legal battle.) With the decision of the tate supreme court that the law was constitutional. The question emed settled and cities throughout Oregon continued their zoning ctivities: "Lin

ter Hagen and Bobby Jones. Now comes the grant of an apeal over the head of the state appointed: uthority to the United States supreme court. Should this appeal ley, chairman; Dan-J. Fry, J. H. esult in a declaration of the illegality of the building restrictions Farrar, C. B. Webb and J. J. Robordinance of Portland, the verdict erts. would come home forcefully to Handicap committee: A. A.

all now working on city beautiful Keene, chairman; D. A. Young, slogan. There is no such word as



Roy Moore, Confessed Bootlegger, Takes Stand Against Dry Agents

PORTLAND, Ore., Feb. 3 .-

LINVILLE GRILLED LAW'S TEETH DISPLAYED

Chief Declares All Vehicles Mus Come to Dead Stop Before Passing Signs; Officers Will Enforce

Warnings issued early this week (By Associated Press.)-Glimpses that the stop street bill would be Hunt, Giese-Powers, Harry Scott, of the operation of the wholesale rigidly enforced came back to C. F. Breithaupt, and Doughton moonshine business in Oregon, the roost, yesterday, when city police & Sherwin,

disappearance of the government's made five arrests for alleged violaprincipal witness, charges of tions of the new ordinance. Their bribery, selling out and double- cases will come up today. crossing on the part of federal Roy Rae was arrested prohibition agents, intimation that about 3 o'clock yesterday afterthere was a "leak" of government noon, the first arrest to be made liquor from the custom house and for this offense. G. D. White dent Rotarians; Ed. Schunke presthe declaration that an effort made the arrest. George N. Pat- ident Kiwanians; George Grabenwould be made to impeach testiterson was hailed shortly after- horst, president of the Chamber mony by Dr. J. A. Linville, exwards by Officer White: Later in federal prohibition commissioner the day L. L. Keach, R. G. Miller, dent of the Lions and Dr. Bates, of Oregon were a few of the de- A. Edwards and F. W. Lang were president of Longfellows. velopments at today's session in arrested on the same charge

Halt Before Entering

Through Streets

Federal Judge C. E. Wolverton's Chief Frank Minto has given orcourt of the conspiracy case against Robert and A. C. Smith and Arthur Christensen, ex-federal prohibition agents in this disare up

"There is no excuse for drivers Proceedings reached their clistopping," declared Chief max when Dr. Linville, now assist-Minto. "The signs are on conant prohibition director for the spicuous yellow and black striped 20th district with headquarters in posts, are in conspicuous places, and the signs themselves are very

Dr. Linville told of meeting Roy legible. Moore, an admitted bootlegger

To Feature Lions Fete Presidents of Service Clubs to Judge Applause of Audience; Merchants Augment Lengthening List of Prizes; Extra Seats to Be Placed in Armory

Fiddle, 150 Years Old

Presidents of Salem's service clubs have been chosen Five Men Held for Failure to to interpret the applause of the audience tomorrow night, in awarding prizes to Old Time Fiddlers following the revel in the interest of the Lions Club Benefit fund at the armory.

Frank Henson, one of the most recent entrants, himself more than three score years and 10, will bring with him a fiddle that is more than 150 years old. In addition to the \$25, \$15 and \$10 prizes originally offered by the Lions club, several \$5 awards have been posted by local Lions and the following merchants offer mrechan-

HIGH ATLANTIC GALES

UNACCOUNTED FOR

Coast; Small Vessels Are

dise prizes of \$5 value: EIGHT LOSE LIVES IN. Capitol City Cooperative Creamery, Al Krause, Cosmopolitan store, Capital Drug Store, John **3 BARGES FOUNDER, OTHERS** Rottle, Scotch Woolen Mills, Burnett Brothers, George C. Will, Piggly Wiggly, Staples, Fred M. Sixty Mile Storm Hits New Jersey Powell, Valley Parts & Supplies, Cherry City Cleaners, Nelson &

Statesman

In Danger ASBURY PARK, N. J., Feb. 3 -(By Associated Press.)-Eight As announced, the contest, ives were reported lost and three which begins at 8 o'clock, will be barges were known to have founjudged by popular applause, but dered on the North Jersey coast the following club presidents have tonight in a snowstorm and 60been asked to turn that applause

into votes: Fred Thielsen, presivessels bound for New York. Two barges broke away from the Tug Thomas Howard off Scotof Commerce; Ross Miles, presiland lightship, according to a wireless message received from the coast guard cutter Seminole at the

Following the fiddling contest, in which old songs only will be ders to the "boys" to arrest all used, will come an old fashioned cases detected of failing to stop dance. Chairs will be removed at the streets where the stop posts from the main floor and an orchestra will play for the steps

grandmother used to use, and grandfather practices now and then when the spirit moves.

date follows:

Plans are laid for a record Arto New York from Delaware nory attendance, with liberal re- breakwater. The Thomas Howard ed the demand for distilled liqusponse of merchants in augment- was reported bound into New ors which today are mestly po ing the prize list indicating the York.

E. A. Pruitt, John Oudeans, J.

ence Blakesly, C. E. Tillitt, C. W.

Ranck, W. P. Mills, W. F. Speer.

FOUND ALIVE

appeal of this evening of old fash-

Former Superintendent of New York Anti-Salbon League Says Prohibition Has Been a Mistake

Volstead Act Has Undone A

Work, Episcopal Tem-

perance Worker Says

SEEKS TO MODIFY BILL

NEW YORK, Feb. 3.- (By Associated Press.)-The Rev. Dr. James Empringham, national sec-retary of the Church Temperance society of the Episcopal ch. said today that the society, w worked for the passage of t 18th amendment, now will w mile northeast gale that overtook modification of the Volstead, a a large number of small shipping to permit sale of light wines

Dr. Empringham, wh one time superinge adent of the Anti-Saloon league of New York said a nationwide survey of prohibition enforcement had convinced him that the Voistead act "had Sandy Hook station. Each was undone the temperance societies manned by four men and one sank 50 years of educational work immediately, the other going Speaking at a meeting of the ashore at Sandy Hook. No trace of against the use of alcohol. the crew of this barge, the Phoe-Episcopal clergy of New York he nix, was found by Captain Elwood asserted that "prohibition had in-Butler, who got to the scene with creased drinking among you a boat crew. The barges were people; discouraged the consump oaded with coal and were bound tion of wine and beer and iner ous; had brought about disre

for all laws and is class lo A second barge come ashore ioned entertainment which will, here. It was believed to be unthe rich." The national se had made a report of his and barges were unacounted for. church of New York over test of Wayne B. Wheet CHARGE FOOD MONOPOLY eral counsel of the Antileague, who reques FRENCH CHAMBER ADOPTS telephone, telegraph and mail BILL NOW UNDER FIRE withhold it, saying that it w "show that prohibition PARIS, Feb. 3 .- (By Associated failed." Press.)-The first article of the "I started out a year ago financial measures passed by the Empringham said, "to gather chamber of deputies today made terial for a pemphiet to show it obligatory for every person in prohibition was a succ France having an income to de haven't finished that pa clare the amount under dath. The My survey behind the number of such declarations, it is enforcement in Chicago, the estimated, would be about 20,000. Baltimore, Philadelphia and 000, and strict application of this er cities, showed me that I law would mean a complicated been a darned fool to give up mass of documents. good church and a M. Doumer, the finance minis- make the world better over ter, said it would be impossible to "We thought that a law w apply such a measure without mo- be better than education to a bilizing a small army of additional drinking. I admit that we may functionrales. The government a mistake. rejected the proposition but the "No law is of . chamber' adopted it in principle continued, "unless you can after a debate in which it was public sentiment gen pointed out that there would be a it. Unfortunately the states w great difference in the value of asking the people to couse oaths thus taken, "because a ma- grain to win the war. For other in a rush to ratify t never referred to the individ voters. Now that the war s (Continued on WARD CORPORATON the contract. LOGS SPLIT BY POWDER WASHINGTON Feb. 3 .- (By Associated Press.)-Senate inves-INVENTOR USES GUN INSTEAD igiation of the recently formed OF TIME-HONORED AX Ward Food Products corporation was proposed in a resolution in-SEATTLE, Feb. 3-(AP)-A troduced today by Senator La Folgun with which the inventor of tends a man can split three th Referring to the Ward Food as much wood as with an az at a cost of about eight cents a cord, was démotisticated here today by Products corporation, the resoluthe inventor, Joseph A. Webb Vancouver, Wash. The gun sists' of 'a' hollow size F pin w the consumer's table." Such a combination, it held, would create a monopoly in the

Charges of Bribery and Glimpses of Wholesale Liquor-Making Activities Feature of Trial

Constitutionality of the Fortland law was first questioned when Ernest Kroner and Frank Michaels were denied a permit to construct and operate a creamory n a Portland residential district. Suit was brought in the circuit court for Multnomah county attacking the constitutionality of the Portland zoning ordinance. The mance was held unconstitu-Gal by the court. Effect of the dec alon was seen in the cessation of zoning activities in other cities of Oregou.

The city of Portland then apcaled to the state supreme court which, in a five to two opinion, reversed the lower court and upheld the constitutionality of the ordinance. The majority opinion of the supreme court was written y Justice Burnett and concurred in by four of his colleagues. Dissenting opinions were written by Chief Justice McBride and Justice Rand. Chief Justice McBride yesterday granted a writ of error.

While the supreme court of the United States has passed upon sev. old, is dead, and several persons eral angles of the zoning idea, the are injured as a result of a windparticular angle involved in the storm of hurricane force which Portland case has never been struck Green Acres today. passed upon and the appeal of the Approximately 300 persons are Oregon case to the federal tribu- homeless, 20 houses were destroynal is expected to be watched with ed by the wind. The houses, much interest in all sections of mosely, were of a flimsy temporthe nation.

DANCERS SET NEW MARK it was assured that every storm

CHARLESTON IS HOPPED FOR 22 AND HALF HOURS

NEW YORK, Feb. 3 .- (By Asociated Press.)-After 22 and a half hours continuous dancing of 300 ACRES PURCHASED; IN the Charleston the three remaining contestants-all men-were topped tonight by the judges in an endurance race started at midnight yesterday in the Roseland, Broadway dancehall. Three orchestras were exhausted

1,000 phonograph needles were used up. All three contestants had danced away the soles of for hop raising. The company, their shoes. They were still going which is headed by H. N. Ord, of strong when the judges stopped Portland, has taken an option on

Shock Hits Japan

EVERE EARTHQUAKE IN NORTH JAPAN FRET

TOKIO, Feb. 4 .-- (By Ass Press.)-A vernacular agency reports that a earthquake shook the of Aomori, in north Japan 1:44 p. m. today. The quake one minute and 15 se No details have been

is a scaport city with tion of 15,000 loc he southwestern part of in the north shore of the

Cecil Kay, J. H. Farrar, Mrs. O. C. Locke, Mrs. E. L. Baker and will it so. That's the how of this G. P. Sharkey. Greens committee; H. H. Olin- never will be such an opportunity ger, chairman: O. L. Fisher, L. C. offered you. Think. Realize what this means to you. Farmer and W. H. Burghardt. Without spending one cent you. Tournament committee: D. A Young, thuirman; Braster, C. Can win as high as \$1115 in the

Small, O. C. Locke, Rer Sanford. next few weeks. You can do it in Dr. A. G. Bates, Tom Wood and your spare time. You cannot lose. Have you ever been offered a office. G. P. Sharkey. Membership committee: Gus better business proposition? Have

Iverybody Win," Free Gift Distribution Means Real Money for All Who Enter, Auto Editor Wants Real Fight-ers Who Will Go Out and Win Handsomely

It is not talk that The Morning Statesman wants. It is candidates. And candidates are slow getting in. It is really

puzzling to the management. Why are so few contestants taking advantage of this great giving campaign? Three

thousand dollars in automobiles, washing machine and cash prizes are offered. Winners will get more for their efforts in

INFORMAL MEET OF CHAIR- candidates, who will get in and

He urgently requests that the footwork. It takes foresight as

ecure slow motion pictures of win. Promises won't get you

Following are the committees votes. A 5-year subscription will

golf shots so that local members there. Noise won't win for you

spirit.

wanted.

ILLIHEE COMMITTEES

CHOSEN BY PRESIDENT

MEN WILL BE CALLED

Will Show Slow Motion Picture

and Jones

of Golf Shots by Hagen

Dr. C. H. Robertson, president

of the Illihee Golf club, has an-

nounced the names of those he

has appointed on committees for

chairman of each committee will

get in touch with the other mem-

bers of his committee for an in-

formal meeting to be held Wed-

nesday, February 10, at 7:45 p. m.

in the rooms of the Salem cham-

At this time he is arranging to

games. . The pictures are of Wal-

Finance committee: T. A. Lives-

may be aided in improving their Just votes.

the coming season.

the next few weeks than the aver- DR.-

age family man makes in a month

More active candidates are

wanted-candidates who are real

"carry on"-candidates who are

big enough that every flurry will

not scare thent. Fighters are

What diff rence Goes 11 make to

you, a candidate, what John Jones

is doing? You don't win that way.

It is what you do yourself that

wins for you. Winning is posi-

tive, not negative. It is the sub-

scriptions that you turn in that

It takes headwork as well as

well as hindsight. It takes a "do'

If you are in, go get 'em.

you have been considering going

Remember that votes are what

One year's subscription in this

big vote period gives you 32,000

give you 288,000 votes this first

period. Subscriptions will win

for you. Only in this first per-

lod can you get the biggest votes.

You win if you stick. You can't

lose. "Everybody Wins" is the

after the big prizes, go after them.

Everybody hates a coward. And

how about a quitter?

will pile up your vote total.

Yes, considerably more.

Hisor, chairman; O. F. Franklin, you ever cashed your spare time C. F. Byrd, Al Krause, Vic Mac- for more real money? Each and every prize will be Kenzie, George King and G. P. given away, absolutely free to the Sharkey.

Junior committee: Frank Sha- persons who make the effort to fer, chairman; .Chandler Brown, get them and if your name is sent in immediately and included in and Harold Olinger.

House committee: W. W. Paul-(Continued on page 6.)

WIND STRIKES FLORIDA "all out and over" in a few short weeks. HURRICANE KILLS BABE; 300

Feb. 3 .- (By Associated Press.-Jack Eugene Driscoll, 11 months ary construction. The damage was estimated at \$750,000. Re-

sufferer had a place to sleep tonight

LIVESLEY BUYS LAND

NORTH FOR HOP RANGE

CHILIWACK, B. C., Feb. 3 .-(By Associated Press.)-T. A. Livesley company of Washington and Oregon, has purchased 300 acres of reclaimed land north of Sumas, Wash., from the British Columbia Land Settlement board 300 more acres, adjoining the property. The concern has an-nounced its intention of becoming incorporated under Canadian

The NEST STATE IN THE DEPRESSED, ENDS LIFE

YOUNG MOTHER OF SIX CHIL-DREN COMMITS SUICIDE

BEND, Ore., Feb. 3-(AP)-Mrs. J. W. Fisher age 29 years and the mother of six children died early this morning at a local hospital as the result of having drank poison with suicidal intent accordng to the wordict of a coron ury. A nervous breakdown due to overwork was thought to have been the reason according to

physicians testifying at the inquest. The four boys are 11, 10, 8 and

who gave his office some inforcontest. There never was and mation on July 11, and also admitted that both of the Smith boys, sons of Johnston Smith who preceded Dr. Linville as prohibi-

trict.

tion commissioner here and after wards became warden of the state penitentiary and Christensen had worked as agents out of the local

Dr. Linville and Elton Watkins, attorney for the three defendants. had it back and forth when an effort was made to have the exprohibition director admit that Captain Zellner, a member of the Portland fire bureau who served as a special agent for some six the list of candidates you can win months, had been sent to Astoria a prize of your choice. But you to "frame" Christensen. must act now. The contest is an

Seattle, went on the stand.

Mr. Watkins declared that he extremely short one and will be would introduce witnesses in an effort to impeach his testimony. George Hurlburt, special agent,

in this big distribution of awards, recently assigned to the office of simply fill out the, nomination the prohibition commissioner at blank appearing in this paper and San Francisco, who previously was (Continued on page 4.) (Continued on page 4.)

MY! HOW THINGS HAVE CHANGED IN THE WASHINGTON HOUSEHOLD!

be enough. All cars must come at the same time, enable a public manned. Superintendent Rasmusto a dead stop. And the stop must spirited group of men to meet the sen of the fifth coast guard disbe made at least before the post demands for help that they con- trict said that several other tugs is reached-not in the middle of stantly face. List of entrants tothe intersection."

Streets declared to be through streets in the ordinance are as C. Matthes, C. W. Hill, William follows: Portland Road, from Calder, T. P. Stalcup, W. Z. Simnorth city limits to the south line mon, J. M. Groves, W. F. Cooper, of Highland avenue; Fairgrounds J. D. Mayes, O. A. Sanders, Clar-

(Continued on page 4.)

C. E. Whitney, C. H. Brown, C. A. LANDIS TO BE RETAINED Connay, W. A. Bressler, Laurence Womack, L. P. Womack and F. J. BASEBALL COMMISSONER EX-Henson. TENDED 10-YEAR OFFER

NEW YORK, Feb. 3.- (By As- 3 DIE IN MINE BLAST sociated Press.) - Endorsing the SCORE ARE ENTOMBED; TWO administration of Commissioner Kenesaw Mountain Landis and 1eaffirming their confidence in him, PITTSBURGH, Feb. 3.-(By

the club owners of the National Associated Press.)-Three men league unanimously today adopted were killed and 21 entombed by a resolution urging his reappointan explosion in the Pittsburgh ment for ten years at the expira- Terminal Coal Corporation's tion of his present seven-year term in 1927.

mine No. 4 at Horning, near here today. Two men, including Edward Travis, brother of the superintendent of the mine, were found

alive.

Assisting in directing rescue work and reporting that he be-lieves the trapped miners are dead, Travis' "Buddy" Lewis Powell, in the workings and continued to CHARGE FOOD MONOPOLY aid the more than 100 men com-INVESTIGATION IS SOUGHT OF prising the rescue crews. The

rescuers were reported working their way slowly toward the section where the entombed men were working.

SURTAX RATES SLASHED MAXIMUM RATE IS CUT FROM lette, republican, Wisconsin.

40 TO 20 PER CENT

WASHINGTON, Feb. 3. - (By WASHINGTON, Feb. 3. - (By Associated Press.)-Sharp reduc- "this food trust is to control all tions in the income surtax rates, stages of production and distribuincluding a slash in the maximum tion of food from the farmer to rate from 40 to 20 per cent were the consumer's table." voted today by the senate in accepting the schedule were written would create a monopoly in the into the tax reduction bill by its prime necessities of life, control. finance committee.

the domestic markets and thereby The total tax reduction thus be in a position to dictate the price voted was estimated at \$122,000.- of farm products, the resolution 000 for this year; the committee said fing and is having increased the total over

that approved by the house to the CORD, TIRE, PRICES CUT extent of \$23,000,000 by providing for greater reductino on in-comes between 26,000 and \$100.- U. S. RUBBER CO. REDUCES

PRICE 10 PER CENT. 000 where the maximum would take effect. New York, Feb. 3-(AP)-A

reduction of 10 per cent. in prices of cord tires and tubes was an-APPROVE GERMAN ENTRY nounced today by the United Star REICHSTAG. VOTES FAVOR- es Rubber company. Price cuts of ABLY ON LEAGUE 3% to 7% per cent also y made on second line tires.

BERLIN, Feb. 3 .- (By Associated Press.)-The foreign relations committee of the reichstag

today approved Germany's entry INDE into the league of mations and IBy A INDEPENDENCE, Or., Feb. 3. thus cleared away the last inter-nal political obstacles to the goal quinters clashed here tonight.

CHENEY NORMAL WINS

(CDD) ICATER WEEK TO BE MARI NREE DRIVING CH SOO.F - LOLDINOTS

If all plans of the city work out, this. week and a strenuous one, with three th for driving while lin

ming up. Watter MeDo days ago driving while ence' of in ted to have h McDougal will

A-ALL I DID WAS TELL THE TRUTH

To enter your name and share RENDERED HOMELESS WEST PALM BEACH, Fla.

lief measures are under way and

