

HOOVER FORCE WINS SKIRMISH IN OHIO STATE

National Committeeman Identifies Self With Commerce Secretary

LAUNCH WILLIS ATTACK

Senate Committee Votes to Demand Report of Administration's Plans Relative to Mississippi Flood Relief

COLUMBUS, Ohio, Feb. 14.—(AP).—The fight between Senator Frank B. Willis and Secretary Herbert Hoover for Ohio's support in their presidential aspirations was intensified today by the alignment of National Committeeman Maurice Maschke of Cleveland with the Hoover force.

This new threat at Senator Willis' prestige in his home state, was promptly met by his campaign manager, Carmel A. Thompson, with the announcement that a full contingent of Willis' delegates will be entered at the April primary.

Thad H. Brown, manager of the Hoover campaign, previously had announced that a full slate of Hoover delegates would be put into the field.

Fight to Last Ditch
Decision of both factions to enter full slates of delegates presages a contest for every inch of ground and one of the most spirited political fights waged in the state for years.

Alignment of many of the state leaders with Mr. Hoover also bears out Senator Willis' declaration it will be no "old glove or powder puff affair."

Mr. Maschke said he personally believed the commerce secretary's nomination "would most likely carry the party to victory in Ohio next fall."

Maschke made it plain however that he was not speaking for the state organization which has endorsed Senator Willis' candidacy. He is the first national committeeman to express his views on the Hoover-Willis fight.

Moses Charge Countered
Mr. Thompson today took cognizance of a purported statement from United States Senator George H. Moses stating that Hoover's course in entering the Ohio field was prompted by refusal of "Senator Willis and his managers to allow the Ohio delegates to be free to use their judgment" when Senator Willis' candidacy was no longer seriously before the convention.

"I know from personal knowledge," Colonel Thompson said, "that after announcement of Senator Willis' candidacy, Secretary Hoover's managers demanded of Senator Willis that he either enter into an agreement that Hoover be named second choice of all the Ohio delegates or that Secretary Hoover would enter the Ohio primary. This unreasonable demand of course, could be given no consideration by Senator Willis. It would have closed the door against all other candidates equal to as illustrious as Secretary Hoover."

Politics Charged
WASHINGTON, Feb. 14.—(AP).—In the face of a charge of playing politics, the senate commerce committee today voted, 7 to 6, to call Secretary Hoover before it to testify relative to the administration's plan of flood control.

The decision was reached after a two hour battle behind closed doors, in which the votes of two republicans, Johnson of California and Willis of Ohio, are understood to have settled the issue against the other republicans opposing the calling of Mr. Hoover.

Opposed by Democrats
Senator Stephens of Mississippi, one of the two democrats of the committee who voted against the motion of Senator Hawes, democrat, Missouri, to call the commerce secretary, complained of possible delay this action might cause in drafting a flood control bill and charged that "it looks like politics to me." Senator Ransdell, democrat, Louisiana, also voted against the motion.

Senator Willis, who is battling Hoover in the republican presidential primaries in Ohio, first asked for the appearance of Hoover several weeks ago when intimations were made in the committee that the commerce secretary also was the personal representative of President Coolidge in the flood district, differed with the administration program as submitted by Major General Jadin, chief of army engineers.

Disclaiming however, any political motives, Senator Willis insisted that it was the duty of the committee to obtain the views of the secretary.

AUTHORITY TO BUILD AFFIRMED IN OPINION

Burnett and the appointment of Justice Rossman as his successor, the board of control succeeded in obtaining a rehearing of the case.

"The building act which is under attack," read the opinion handed down Tuesday, "proposes to use

\$600,000 of the industrial accident fund for the construction of a state office building. The plaintiffs declared that the employment of this money in this manner would create a debt. To have that effect we must find present three necessary elements, a debtor, creditor and a promise to pay.

"If the industrial accident fund is the absolute property of the state, an expenditure from it in behalf of the state cannot create a debt. For the orderly transaction of its affairs, the state recognizes particular amounts of money appropriated to its different bureaus and departments as funds. Whenever it diverts money from a use intended when the fund was created to come other purpose, it may charge itself with a duty to replenish the fund, but no debt is created thereby.

"Let us assume that the fund is a trust fund, and not the absolute property of the state. This is a serious step to take, for when we have once taken it, a concession has been made that the \$2,000,000 comprising the fund is not the absolute property of the state.

"When we have made this concession the beneficial interest is in the employer-employee class, although the state has put into the fund \$1,000,000 of state money, and has supplied the commission with office space and many conveniences.

"Furthermore, to make this concession carries with it another. The state can never recover the \$1,000,000 it appropriated to the use of the commission to enable it to carry on its work before income and expenses met, although the recoupment of such donations is generally a prerogative of sovereignty. We find nothing in the legislative act warranting such a concession.

"The legislature has the right to determine how the fund shall be invested. Prior to 1927 the fund has been invested in certain types of securities. The 1927 legislature evidently felt that the state needed an office building. The brief of counsel vouched for the fact that the state spends annually \$36,181.50 for rental of office space, 'confronted with these circumstances, the legislature evidently felt it would be justifiable to use \$600,000 now invested in bonds for an office building.

"If the bonds were the property of the commission, the legislature evidently proposed that the building should likewise become the property of the commission, and so it wrote that the building shall stand for and be an investment of the funds of the commission.

"The 1927 act directs the secretary of state to assign space in the new building to state officers, boards and commissions, and provides that the board of control shall fix the amount of rent to be paid for the use of the quarters assigned.

"It would seem strange that the state would pay rent for the use of a building it owned. The payment of rent, however, can be very nicely reconciled with the theory we have been pursuing. That is, that the state recognizes that it is not the absolute owner of the building, hence it proposes to pay rent. In this connection it is deserving of notice that the act does not direct that the building shall be erected on land owned by the state.

"The foregoing analysis of the act appears to us as reasonable and just. The law is well settled that when an act is susceptible to more than one construction, one of which renders it invalid as violative of constitutional inhibitions while the other is in accord with the constitution, the latter shall be preferred, provided it does no violence to reason or justice."

Other opinions handed down by the supreme court follow:

In the matter of the partnership estate of H. Gibson and son, creditors of the partnership estate of H. Gibson and son, appellants, vs Randolph Gibson, administrator of the partnership estate of H. Gibson and son; appeal from Wasco county; suit involving confirmation and approval of report of administrator. Opinion by Justice Belt. Judge Fred W. Wilson reversed and case remanded.

Rivers Brothers, appellants, vs C. F. T. company, incorporated; appeal from Josephine county; action to recover money. Opinion by Justice Belt. Judge C. M. Thomas reversed.

Bank of Beaverton vs Anette Godwin and Dora J. Elliott, appellants; appeal from Washington county; suit involving right of circuit court to disregard rule of procedure. Opinion by Justice Brown. Judge George R. Bagley affirmed.

Carrie Townsend, administratrix of estate of J. W. Townsend, deceased, vs A. Jaloff, appellant; appeal from Multnomah county; action to recover money. Opinion by Justice Brown. Judge Walter H. Eyrion for damages. Opinion by Justices affirmed.

Guy L. Wallace vs American Toll Bridge company, appellant; suit to recover money for commissions. Opinion by Justice Rossman. Decree of Judge Ashby D. Dickson modified.

A. S. Skyles and T. G. Skyles, appellants, vs G. Kinkaid and others, appeal from Clatsop county; suit to quiet title. Opinion by Justice Rossman. Judge J. A. Eakin reversed in part and affirmed in part.

F. Dement vs J. A. Eastes and the Pacific Saving and Loan association appellant; appeal from Deschutes county; suit to foreclose lien. Opinion by Justice McBride. Judge T. E. J. Duffy affirmed.

L. J. McAdams vs S. Harmon and J. O. Wilson, appellants; appeal from Marion county; suit to enforce contract. Opinion by Justice



Hallelujah Song Brings Inspiration to Hundreds

By K. O. De Pict
Dah-dah-de-dah-dah! Let's all sing it. What? Hallelujah song!

A legion of comedians, singers and dancers hit Salem last night in the merry musical comedy, "Hit the Deck" and these self same gobs and their girl friends surely captured the city with their rounds of singing and dancing.

"Hallelujah," the greatest song hit of recent years, has put "Hit the Deck" on the theatrical map and will keep it there for many years. Last night when Lavina, (Helen Bolce) sang that masterpiece the audience cheered as no other audience has ever cheered at the Elsinore. It caused a near riot. Again and again Lavina and the chorus were called back and each time they gave this really difficult selection in a wonderful manner going through with real joy and happiness. There must have been 10 encores. We stopped counting at seven, and people would have liked to have them come again.

The story of the musical comedy is based on the stage triumph "Shore Leave" that David Belasco and Frances Starr made so famous. Of course this has been added to by the splendid songs and music written by Vincent Youmans.

All in all when there exists such a theme—such wonderful songs and placed in the hands of 68 people filled with the real spirit of the piece—it might well be called a real "knockout."

The songs they sang there will cause unlimited humming and whistling during the coming week. In addition to the hit of the evening others of great merit are "Join the Navy," "Harbor of My Heart," "Nothing Could be Sweeter," and "Sometimes I'm Happy."

The cast of characters surely depicts youth on the rampart. Helen Bolce as Lavina naturally leads the others and with her wonderful acting and natural ability she richly deserved all the applause she received and then some.

Inspirational, entertaining, mirth provoking, pleasurable with its youthful freshness that is "Hit the Deck." Splendid members of the cast filled with life and the love of their work and their all-apparent youthfulness aided by gorgeous costumes and settings and no doubt proved to be a great factor in this wonderful success.

The male quartet appeared during the first interlude and gave some real entertainment while the mixed octet came during a later interlude and sang the "Hallelujah" song.

People love happy endings to stories. There is enough sadness in the world at best and this fact accounts for the love of happiness. Surely all were made happy by the fact of the delightful ending of "Hit the Deck" at the Elsinore theater last night when Bilge Smith came home to Looloo.

"Hallelujah!"

OWN HOME PORT HAILS COLONEL LINDBERGH

(Continued from page 1.)
and flags were in most of the mitted little hands. Policemen and 100 regular soldiers former a guard to keep the children from pulling or being pushed into the river.

On a visit to Lambert-St. Louis field this morning, Lindbergh shook hands with attaches, chatted with the hot dog vendors and other friends of his air mail flying days and conferred with air mail managers about the special flight he is to make with the mail to Chicago and back next Monday and Tuesday.

Much more mail than one flier can carry is now assured and two of Lindbergh's buddies, Phil Love and Thomas P. Nelson are to help him with the load. Lindbergh will carry all of the mail part of the way however as the fliers will change planes at Springfield and Peoria. If a fourth and fifth plane have to be put in service he will fly them about the local field before the start.

NEW OUTBREAK CIVIL WAR SEEN IN CHINA

(Continued from page 1.)
from Shansi and attempt a drive down the Peking-Suiyuan railway toward the northern capital.

The date of the launching of this campaign has not been announced. It is understood that it will be held up pending moderation of the weather. The areas of the contemplated push are now gripped by freezing temperatures and heavy snows.

Meanwhile news from foreign sources in Hankow, former headquarters of the nationalist assert that a political crisis is impending between the Hankow faction of the nationalists and the Chiang Kai-shek wing now in power at Nanking.

A Boston youth is accused of stealing antique furniture valued at \$15,000. That's not much—probably a three-legged chair and a bedstead that turns over every-time the occupant does.

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BICYCLES PROBLEM

PROTEST MADE ON LACK OF "GARAGE" AT SCHOOL

Bicycles—a constantly recurring problem for the school board—came to attention again last night.

Mrs. Paul H. Hauser, president of the Lincoln-McKinley-Leslie parent-teachers association, and Dr. J. O. Matthis, a resident of that section, appeared before the directors and asked for financial assistance in building a bicycle shed at Leslie junior high school with the necessary racks.

Approximately 100 bicycles are flung haphazardly on the ground about the building by boys who ride them to school, for want of a place to keep them out of the rain and mud.

The directors took no action on the request, pointing out that the grounds at Leslie are not yet graded to completion, and that the drainage work there would make impossible erection of a shed at the present time.

Lyle Bartholomew, school architect, stated that provision had been made in the original plans for such a shed but that recent changes in the grounds would make necessary another study to decide upon a location, if it is decided to construct one.

Care of bicycles at the various schools has always been a problem. The school board has been disinclined to erect cheap unsightly sheds which would mar the beauty of the grounds, and no money is available to construct attractive ones.

BETTER HOMES EXHIBIT GROWING IN ATTRACTION

(Continued from page 1.)
and Harold Jepson produced by Helen Rodolf; and a style show nightly with different costumes displayed at each appearance.

The surprise of the evening's entertainment comes when Henry B. Bolton, master of ceremonies during the week's exposition, gathers the crowd about him to auction off a miscellany of merchandise and groceries from Salem stores, only to turn about and auction off the cash he has received from their sale.

Thus, one lady was surprised last night to find herself holding five honest half dollar pieces in exchange for one thin dime.

Each night a similar stunt is carried out by Mr. Bolton. Last night the principle premium of the evening, a new waffle iron, was furnished by the Oeff Electric company.

As a special feature of tonight's program, C. H. Stevenson, singing Marion county farmer, will appear on the program in three songs, one of which will be a stunner novelty.

TROOPS ORGANIZED

FOUR NEW SCOUT GROUPS FORMED IN SALEM

Cascade council of Salem Boy Scout troops has just organized four new troops, according to report yesterday by L. A. Payne, recently chosen scout executive.

The new troops are part of the campaign to establish 20 troops in the city by the first of next month.

Two of the new groups are outside Salem. Troop No. 18 is the first scout body at Valsetz and has as scoutmaster Charles G. Wrenn.

The other has been organized at Falls City by H. B. Legg, scoutmaster. Application for this troop's charter was just received yesterday.

St. Vincent de Paul school has a new troop, No. 5, with Gordon Tower scoutmaster, and the other new one in the city is in East Salem, taking in members from the region about the cottage farm.

A. A. Nicholson is the scoutmaster.

A troop is also being contemplated at the Kelzer school with Ray Belzer master.

A membership campaign has been organized, with two weeks' at summer camp free to the scout bringing in the greatest number of recruits.

Other new developments among scouts may shortly see the organization of a Boy Scout band for the city.

Appoints Mother



Appointment of his mother, Mrs. Lillian A. O'Neil, as his chief deputy, was the first act of John N. O'Neil, of Washington, Pa., on taking office as treasurer of Washington county. Both are shown above. Mrs. O'Neil is said to be the first woman in the state to hold such a post.

The poet D'Annunzio has sent Mayor Walker of New York a medal for civic gallantry. What do you have to do to get one of those? Ride the subway every day for a year?

Paris has gone back to ruffled gowns and we must admit that any old kind of a ruffie would be a welcome addition to some of 'em we have seen lately.

Mercury is the smallest planet, according to an answered question in Liberty.

WOULD-BE SAMARITANS

LOS ANGELES, Cal.—When two autolists ran into the rear end of Walter Breitenbock's motorcycle causing him to describe a arm over the handlebars, they felt stricken with remorse and ran to his assistance. To right—the wrong they gave the unhurt but dazed man a couple of drinks. But seeing other motorists approaching, they feared that their spirit might not be appreciated, so ran to their car, calling to the cyclist to catch the bottle. The bottle, however, hurtled through the air striking Breitenbock squarely on the head, again knocking him down. This time the autolists sped away leaving Breitenbock to the care of another passerby.

A West Dallas widow says the reason she broke off her last engagement was because her fiance was named Hawk and she got uneasy when he called her a chicken.

PAPE'S COLD COMPOUND

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A vicious cold contracted at the matinee, and not a trace remained to mar his evening performance! Most professional people know the simple compound which clears up a cold in a few hours.

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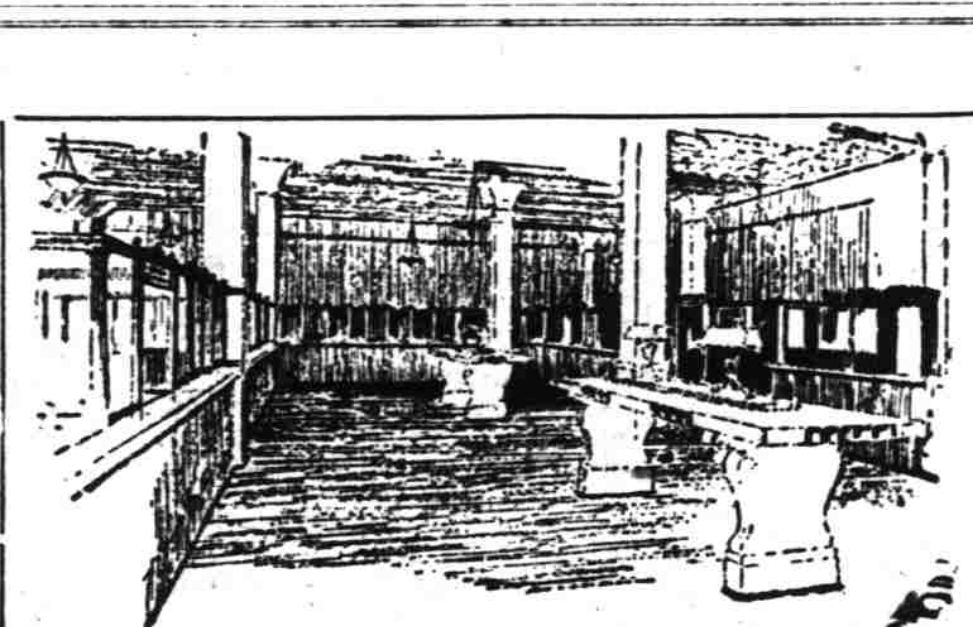
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