

SCOUTS GET HONORS

EXECUTIVE AND LEADERS ALSO REWARDED AT COURT

The largest court of honor ever held in this city took place at the supreme court building Tuesday night. Judge Harry Belt presided at the meeting, assisted by Charles Wiper, chairman of the Cascade council. Vernon Bushnell received the highest promotion, when he was awarded the Eagle Scout insignia. Merit badges were awarded the various scoutmasters and Scout Executive L. A. Payne.

Officers of the court were: L. P. Campbell, court commissioner; Milton Taylor, bugler; Maxey Langford, herald; Pat Campbell and Bud Fisher, color bearers; and Paul Lafferty, and Kenneth Morris, color guards; Bill Trindle, aide; and Scout Executive Payne, court clerk.

Boys promoted were as follows: Second class, Junior Ritter, Raymond Wagner, troop two; Wendell Huskey, Waldo Mills, Wayne Doughton, troop four; Howard Pugh, George Gray, troop six; Harold Croxdale, Albert Parks, Lester Perry, Henry Amos, Herbert Amos, troop seven; Ben French, troop 10; Robert French, troop 12.

First class, Robert Long, troop one; Luman Ney, troop six. Second class merit badges, Frederick Wolfe, Robert Long, Kendall Grover, troop one; William Lindstrom, troop four; Edmund Welmer, troop five; William Homan, Luman Ney, Walter Fine, George Self, Clifford Gleason, Jack Meyers, troop six; Earl Fry, troop 10; Mita Matthews

Chester Lanktree, troop 13. First class merit badges, Fred Edmondson, troop one; Stanley King, Milton Taylor, Vernon Bushnell, Billy Dyer, Roland Hardman, Phillip Erris, troop two; Robert Marsh, troop four; Vernon McQuaid, William Campbell, Edgar Lunn, Lewis Campbell, Edward Burton, Jack Collins, Gerald Day, Willys Pearcy, Lewis Nelson, Paul Hauser, Byron Peyton, troop six; Parker Gleas, troop nine; Ray Rhoten, troop 13.

Life scout, Fred Edmondson, troop one; Jack Collins, Vernon McQuaid, troop six. Three new troops will be chartered in Salem some time this month. One will be in the neighborhood of Washington school, another in the Garfield school district, and the third centering around 13th and Chemeketa streets. Fred Duncan has been chosen scout master for the troop in East Salem, but the other two masters have not yet been selected.

Le eDow Becomes Partner In Delano Realty Business

Fred C. Delano, who opened a real estate office in this city last January announces that he has taken a partner, Lee Dow, well known in this city, and that hereafter the business will be in charge of both men. Dow has lived in Salem for a number of years, owning much property on the Silverton road, a short distance out of the city limits. He was born in South Dakota, but has spent 19 years in Canada, where he engaged in the real estate and mercantile business. He is familiar with property values and

Mr. Delano considers him a valuable addition to his growing business.

Delano formerly owned the Salem Automobile company and was engaged in the automobile business here for a number of years before selling it to its present owners. He reports that the real estate business is good here and he expects to do his share of the business this spring.

Former Councilman Dies Following Long Illness

After an illness of nearly four years, William L. Cummings died in his home at 525 North 14th street yesterday afternoon at the age of 79 years. He has made his home in Salem for the past 35 years, serving several terms on the city council. At one time he had charge of a real estate business here. Mr. Cummings was born in New York but spent the greater part of his early life in Wisconsin later locating in Oregon. He was a member of the First Methodist church of this city.

He is survived by his wife, Mrs. Addie B. Cummings, two sons and three daughters, one brother, one sister, and 17 grandchildren. These are W. A. Cummings, manager of the Senator hotel, Salem; A. E. Cummings, Salem; Mrs. Soule Bates, Lebanon; Mrs. L. Hall, Ventura, Calif.; Mrs. C. W. Laughlin, Astoria; and G. L. Cummings, a brother, Salem. Funeral arrangements have not yet been completed.

Y. W. C. A. ELECTS
SACRAMENTO, Cal., April 18. (AP)—Mrs. John M. Hanna of Dallas, Texas, today went into

election of officers for the national Young Women's Christian association convention unopposed for the presidency. Mrs. Hanna, the incumbent, has served one term as the head of the national organization.

APPROVE POSTAL CUT

WASHINGTON, April 18.—(AP)—Amendment of the house postal bill to cut the rates on second class matter to the scale in effect in 1926 was approved today by the senate postoffice committee in reporting out the measure.

CLEMENCY WILL NOT BE EXTENDED TO CONVICTS

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executions, which will occur early Friday morning.

The governor's statement follows:

"The case of James Willos and Ellsworth Kelley has been before me during my entire term in office. It has had my exhaustive and earnest consideration over a period of more than a year, and I have been unable to find any valid reason either in law or in justice why I should interfere with the action of the courts. Because of the great number of communications which have come to me, for and against clemency, I wish to lay before those who are interested my findings in the case. This statement will constitute a reply to the many letters and telegrams I have received to which I am unable to make individual response.

Four Arguments Made
"Appeals for commutation have come to me from four sources:

those who oppose capital punishment under any circumstances; those who believe that the life sentences imposed on the De Autremont brothers should exempt Willos and Kelley from paying the extreme penalty provided by statute for murder; those who feel that the prisoners are not legally guilty of murder in the first degree, and those who had in the personal history and character of the prisoners or the circumstances surrounding the crime extenuating factors which exercise a claim for clemency.

Law Not at Issue

"A discussion of capital punishment has no place in connection with this case. The law stands in our statutes placed there by a majority of voters who believe that a sentence of life imprisonment, which in this state has meant an average of less than eight years, does not afford society adequate protection against first degree murderers. As governor, I must uphold that law.

Death Deserved

"If I were to accept the sentences imposed on the De Autremonts as grounds for clemency in this case, it would mean that capital punishment would be set aside during my term in office. It is hardly possible that a crime more heinous than that of the De Autremonts will be committed to justify the judgment of death.

"If inequality of sentence or the escape of guilty persons from just penalties were a valid excuse for clemency, the whole process of law would be overthrown. This case must be considered on its own merits.

"The power of pardon or commutation was not placed in the hands of the governor for the pur-

pose of equalizing sentences. Were that the case it would become incumbent on him to review the evidence, to examine the accused, and in substance to re-try every case passed upon by the courts.

"The pardoning power was delegated to the chief executive where evidence might develop subsequent to the imposing of sentence which would indicate that conviction was had without full knowledge of facts surrounding the case. No substantial evidence has been presented to me which was not before the jury when their decision was reached.

Fully Guilty, Belief

"To the argument that the prisoners are not legally guilty of murder in the first degree I have given my most earnest attention. The state based its prosecution upon three contentions:

"First—that James Willos and Ellsworth Kelley, with Tom Murray and Bert (Oregon) Jones, entered into a conspiracy, homicidal in its nature, during the course of which murder was committed, which renders all four equally guilty.

"Second—Robbery was committed in the taking of arms from the possession of guards at the state penitentiary and murder was committed during the process of this robbery, which, under the law, also constitutes murder in the first degree.

"Third—A deliberate homicide, premeditated and with malice aforethought was committed by Murray, in which Willos and Kelley aided and abetted him.

"The law provides that every person convicted of murder in the first degree shall be punished with death, except when the trial jury

shall, in its verdict recommend life imprisonment."

"The state established all three of its contentions with ample and conclusive evidence. The jury which heard that evidence was convinced of the guilt of the prisoners, and was not willing to recommend life imprisonment.

"The ablest of counsel for the prisoners have been unable to find any irregularity in the conduct of the state or nation will sustain. After examining the record in full and considering every point the defendants have brought forth, I have found no valid legal reason why the extreme penalty should not be inflicted.

"Those who find justification for clemency in the history and character of the prisoners or their crime must be uninformed or must have forgotten the facts surrounding this case.

"The defense of mental incompetence has been wiped out by the verdict of the jury and by two sanity commissions, one appointed by Judge Percy R. Kelly and one by me.

"Both of the prisoners had criminal records not for one crime but for repeated offenses prior to the commitment they were serving at the time of the prison break.

"Youth can not be cited in their favor. One is 30 years of age and the other 32.

"The crime which they helped to plan and carry out was an atrocious one, in which two good men were shot down in the discharge of their duty.

"Following the prison break the fugitives participated in robbery armed with dangerous weapons; they kidnaped unarmed citizens;

they held an entire family under threat of death while they boasted of their brutal deeds and of their readiness for more bloodshed to secure their liberty.

"Further loss of life was averted only because those with whom they came in contact were too cowed by show of arms and threats of death to offer any resistance.

"If clemency were exercised in this case, desperate convicts serving sentences longer than the average life sentence in Oregon would be justified in feeling that if they attempted to shoot their way out of the penitentiary the only danger they would encounter would be from possible loss of life during the attempt.

"I have not forgotten the wave of indignation that swept the state following this crime; I have not forgotten the widows of the two guards and their children who were left fatherless. Foremost in my thoughts is the possibility that intervention in this case may in the future mean loss of life of other officers at our state penitentiary.

"The responsibility for life or death is a grave one. The Oregon law recognized this when it placed that responsibility in the hands of the trial jury, rather than in the hands of any one man.

"Without valid and urgent reason, I do not feel justified in interfering with the decision of the 12 men and women who heard the evidence, who observed the prisoners, and who had opportunity to have the fullest information concerning this case.

"Such reason I have been unable to find, and I shall not intervene in the decision of the courts and the verdict of the jury."



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