

THE OREGON STATESMAN

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He trusted in God; let Him deliver Him now; if He will have Him; for He said, I am the Son of God. The thieves also, which were crucified with Him, cast the same in his teeth. Matthew 27: 43-44.

CAPITAL PUNISHMENT

"Official hangings always outrage the sensibilities of a large percentage of the people, who regard it as abhorrent and uncivilized, and wrong in principle, hence are conscientious objectors. If retained, it should be for those actually guilty of cold blooded and premeditated murder."

So writes a neighboring editor commenting on the Willos and Kelley hanging of yesterday morning at the state penitentiary.

But we now have that very thing—Capital punishment for those found guilty of "cold blooded and premeditated murder." That is, murder in the first degree. And we have a rather strange experience with this idea of capital punishment.

There was a movement in the constitutional convention of 1857 for the abolition of capital punishment. It failed. Then there was a movement to not allow the governor of Oregon to pardon or commute the sentences of persons convicted of crime. This motion was lost by a vote of only 18 to 15.

We had capital punishment in Oregon till Nov. 3, 1914, when an initiated amendment carried abolishing it. There followed several horrible murders.

And the legislature of 1920 initiated a new law, which was carried at the election of May 21, 1920, providing that conviction for first degree murder should carry the death penalty, "excepting when the trial jury shall recommend life imprisonment."

But this provision, plainly written and initiated and intended to have capital punishment inflicted in Oregon only in extreme cases of "cold blooded and premeditated murder," is of practically no effect. It is "more honored in its breach than by its observance" by juries in this state. And this is as true of juries composed partly of women as of those made up exclusively of men.

There has been a string of convictions of first degree murder in Oregon, right down the line, since 1920, and there have been almost no recommendations by juries of life imprisonment—

Oh, yes; there was one notable case. It was the case of Hugh D'Autremont! That recommendation led to life imprisonment for the twin brothers.

There was another one, in June of last year, in the case of Frank Clark, in Klamath county. Just those two.

There may have been another one, but a man in Salem who keeps track of such matters, on account of his official position, does not know of any other. In fact, he at first could find only the D'Autremont case.

The conclusion is that the majority of the people of Oregon are now evidently in favor of capital punishment, though they voted to abolish it in 1914, by a majority of 157, with 101,552 for and 100,395 against.

The majority for the law as it now stands was 17,167.

The majority of the people of Oregon do not want capital punishment inflicted excepting upon persons found guilty of "cold blooded and premeditated murder."

The majority of the people of this state would vote for the complete abolition of capital punishment, if they could be assured that life imprisonment would mean life imprisonment, for all persons guilty of murder in the first degree; and perhaps a majority of them would so express themselves at a plebiscite as to second degree murder—

With the pardoning and commuting power resting as at present, to prevent grave injustices found by the development of new evidence not available at first trials.

It might be added as a final word in the case that a great many people in Oregon who are not in favor of capital punishment in general at all will rest content with the outcome of the Willos and Kelley case, on account of the fact that a commutation might have had the effect of breaking down of discipline at the state penitentiary. That is a thing that every consideration of penology calls for, almost above everything else. There can be no measure of safety in prisons without discipline. And no adequate workings of the laws of reformation, which, according to our Constitution, and of right, is the main spring of prison servitude.

THE HEART OF HERBERT HOOVER

"There is, to my mind, no economic failure so terrible in its import as that of a country possessing a surplus of every necessity of life, with numbers willing and anxious to work deprived of those necessities. It simply cannot be if our moral and economic system is to survive."

Who said that? Herbert Hoover. The statement shows the heart of Herbert Hoover—

And it shows the sound economic ideas of the man. The highest duty of statesmanship in the United States is the abolition of involuntary unemployment. Every person in this country who is willing to work for self support ought to have the opportunity to work.

There is enough for all, and to spare. How shall it be provided? How shall involuntary unemployment and consequent hunger and distress be abolished in this land of plenty?

There are other considerations of statesmanship in the United States, but none so important, and none so pressing as this.

Herbert Hoover as president could perhaps not go the whole way in a term or two terms as president—

But that great constructive engineer could go as far in pointing the way to the solution of this problem as any man now walking the earth. His record of great accomplishments go to prove this.

EDITORIALS OF THE PEOPLE

All correspondence for this department must be signed by the writer, must be written on one side of the paper only, and should not be longer than 500 words.

Uncle Sam a Poisoner?

It appears our Uncle Samuel— he with the bell crowned hat—is really a poisoner. Not one of your low down dog poisoners, but of the whole country. He has put a fatal kick in certain brands of alcohol. Honest men and may be women imbibe, then shuffle off and fall out of the procession of the living and are seen no more.

Now this is awful! For shame, Uncle, why do you do so? He could say, though, "Well, I put a skull and crossbones on the killer. I told them not to use it as a beverage, as that is not its purpose. It belongs in the laboratory and to the chemists. But notwithstanding if any dry throat must have it, go ahead. It is probably as good a way as any to commit suicide."

Well, yes. Why blame the law when a plain warning goes with it?

The charge is just a kick against prohibition. No matter how silly and unjust, anything will do.

"You can't enforce prohibition."

A good contemporary newspaper which most of us over here in West Salem take keeps telling us "this, well, it is doing all it can to not have it enforced, and has been doing it for years, so it ought to be satisfied. There are a dozen or more other prohibition laws on our statute books that are not enforced, yet we hear little against them. Why?"

—N. J. BOWERS.

West Salem, April 20, 1928.

KISSES; ARRESTED

GIRL RESENTS SILVERTON YOUTH'S ATTENTIONS

Because he kissed Myra Thomas, local waitress, and forced other unwelcome attentions upon her, a Silvertown youth last night languished in the Marion county jail.

Robert Goetz, Jr., son of the Silvertown superintendent of schools, was the youth.

Miss Thomas yesterday swore out a complaint against him, charging him with assault and battery.

Arrested and brought into justice court Goetz is said to have confessed that he did salute the girl as alleged in the complaint.

The whole matter grows out of a trip home from a dance here last Saturday night. It was when Goetz was taking the girl home in company with several others that the incidents objected to by her took place. As she scorned his overtures, so the story goes, he choked her. A second girl attempted to come to the rescue but was struck by Goetz. According to Goetz story he did not strike the other girl until after she had called him several objectionable names.

Justice of the Peace Brazier Small has ordered the case continued for trial.

COUPLE MAKES UP

ACTOR EFFECTS RECONCILIATION WITH WIFE

SAN FRANCISCO, April 20.—(AP)—Pat Somerset, actor playing here, and his wife, Shelby Denison Worrel Somerset who yesterday filed a separate maintenance suit in Los Angeles, tonight announced that they had effected a reconciliation. Mrs. Somerset arrived here from Los Angeles by automobile.

Mrs. Somerset said she understood process servers were en route north to serve her husband with papers in the separate maintenance suit. Then she decided to come north and call on him herself.

"I have seen him play in his San Francisco vehicle," said Mrs. Somerset. "He does a beautiful piece of acting. We had a good talk and decided to drop all the talk of suits and divorces."

"I do hope I can stop my mother from coming to California," she added. "She wrote me she was leaving Galveston right away to take charge of my affairs."

The couple were installed again in their apartment here. Somerset agreed that a reconciliation had been arranged.

"We're both sorry it happened, but we have made up again and all is rosy once more," he said.

A. M. Southwick, Resident In Salem 46 Years, Dies

Albert M. Southwick, 60, contractor and architect of this city, died at his home 1065 Marion street yesterday noon. He had lived in this city for the past 46 years. He had been ill for many years.

Southwick served in the Spanish American war with the old second Oregon regiment. He leaves his wife, Mrs. Clara Southwick; his mother, Mrs. J. W. Hastings; two sisters, Mrs. J. W. Hastings, of Salem, and R. A. Cox, Salt Lake city; and two brothers, Rollin and Ralph, both of this city. He was a member of the Woodmen of the World lodge. Funeral arrangements have not been completed.

GORDON FIGHTS TONIGHT

SAN FRANCISCO, April 20.—(AP)—"Midget" Mike O'Dowd, of Columbus, Ohio, one of the few "knockout-punch" featherweights fighting today, takes on "Salfer" Willie Gordon of Portland, Ore., in a ten round bout here Friday night. O'Dowd is favored over the northern boy.

DARROW ATTACKS NEWS PRACTICES

Famous Criminal Lawyer Addresses Society of Newspaper Editors

WASHINGTON, April 20.—(AP)—After hearing the faults of journalistic practice as recited by representatives of the law, medicine and ministry, the American Society of Newspaper Editors in convention here amended its constitution to provide for stringent action against any member found guilty of violation of the code of professional ethics of the organization.

The vote was 18 to 15 and followed a protracted debate in which the majority present participated. The amendment was sponsored by Willis Abbott, editor of the Christian Science Monitor, and Tom Wallace of the Louisville Times, as opposed to a less forceful change to the same effect which had been recommended by the constitution committee.

The alternative penalties provided by the amendment were censure, suspension or expulsion. In arguing for it, Abbott said: "This society should not be left without any means of protection against members who may flagrantly and wilfully offend against its code of ethics which it had adopted as part of its fundamental law."

The society comprises 217 newspaper editors in cities all over the country of over 50,000 population. Clarence Darrow, criminal lawyer, assailed the newspapers on several points around which he wound at the same time a condemnation of the social system in this country.

"The money-getting itch has seized the press," he said, "and it is certain that the newspapers look first of all to the advertisers, saying 'we can't offend them.'"

"People say they can't believe the newspapers," he went on, "but they do believe them. That's the trouble with them."

Darrow charged that editors kept a list of "sacred white elephants," or persons and institutions that must not be disparaged. "Of course, I'm not on that list," he added.

The lawyer attacked "sensationalism," saying that justice is virtually impossible in this country because the newspaper accounts of crime determine the guilt of the accused in outstanding cases "in the moronic public mind."

"We have the most barbarous criminal code in the world," he declared. "Today it's 100 per cent Americanism," shouted Darrow, "with D. A. R.'s and everything like that. Their ancestors were rebels but they're not." He included on the recently published so-called "blacklist" of the Massachusetts chapter of the Daughters of the American Revolution, now in convention here.

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FRAUD SUSPECTED IN OHIO PRIMARY

Charges Advanced by Republican State Chairman Yesterday

COLUMBUS, Ohio, April 20.—(AP)—That Willis and Hoover forces are suspecting each other of fraud in next Tuesday's presidential primary was indicated today in a statement issued from the camp of the latter.

Charges made this week by the republican state chairman, Fred W. Warner, that fraud was being contemplated in Cincinnati, Cleveland and Toledo admitted to be Hoover strongholds, were met by a counter charge from Thad H. Brown, manager of the Hoover campaign that "this is only a smoke screen to afford an excuse and opportunity for juggling the returns in localities where the anti-Hoover forces are most active."

The Hoover campaign managers construed Chairman Warner's warnings to imply that the Hoover forces are contemplating resorting to fraud tactics in the three big cities and Mr. Brown's statement was covered as indicating that Hoover managers are suspecting similar tactics in districts where sentiment is strongest for Willis pledged delegates.

It is known that both sides are most concerned in this respect with the fate of candidates for delegates at large.

BROOKS COMMUNITY CLUB HAS MEETING

BROOKS, Apr. 20.—(Special)—A very interesting meeting of the Brooks Community club was held at the home of Mrs. Charles Coffindaffer on Thursday afternoon, April 19.

The usual routine of work was done and a short business session was held with the president, Mrs. Walter Fuller, presiding.

At this time plans were discussed and a vote taken in regard to buying a club house for the community, the vote was yes.

The following members were present: Mrs. Geo. Campbell, Mrs. Al Wood, Mrs. Evans, Mrs. Archie Bailey, Mrs. Al Nys, Mrs. Mrs. Bingham, Mrs. E.

F. Ramp, Mrs. F. T. Moulton, Mrs. Raymond Stanton, Jr., Mrs. Mary Martin, Mrs. Emma Sturgis, Mrs. John Lesher, Mrs. George Ramp, Mrs. Walter Fuller, Mrs. Ralph Sturgis, Miss Ellen Hackett, Mrs. Malcolm Ramp, Mrs. Sylvester Manning, Mrs. Howard Booster, Mrs. Alice Barnett, Mrs. John Dunlap, Mrs. Virgil Loomis, Mrs. Carl Ashbaugh, Mrs. Charley Sturgis, Mrs. Willard Ramp, Mrs. Howard Ramp, and Misses Edna Lewler and Hazel Nys.

At the tea hour, Mrs. Archie Bailey and Mrs. Al Nys assisted the hostesses in serving light refreshments.

The next meeting will be held on Thursday, May 3, at the home of Mrs. Malcolm Ramp, to which every one is invited.

Mr. and Mrs. Ralph Sturgis had as their guests for the week end their son, Francis E. Sturgis of U. of O. and Jim Fruit of Salem.

Orval Shoey is the guest of his aunt, Mrs. Frank Sturgis, and family.

Clarita Fuller, the youngest daughter of Mr. and Mrs. Walter Fuller, met with a very painful accident Wednesday evening, the handle of the tea kettle breaking and the hot water scalding her badly below the knee.

Irene Sturgis has been absent from school for some time, but is slowly improving.

Death List Mounts In Denver Blast as 2 Die

DENVER, COLO., Apr. 20.—(AP)—With the death of two of the injured in a Denver hospital, the death list in the explosions and fire today in the paint shop of the Alexander Industries company at Englewood mounted to eight tonight.

Twelve employes of the company were in hospitals here, many of them it was reported, critically injured. Six other employes injured in the fire had been returned to their homes.

Motorship Beulah Long Overdue; Said Missing

HONOLULU, Apr. 20.—(AP)—The motorship Beulah, 1389 tons, bound from Tonga Island to Fanning Island has been overdue since April 5. Anxiety over the fate of the vessel caused the owners, the Society Islands company, Ltd., to list the vessel as missing in a message received today by British Consul Phipps here.

FIGHT TO DRAW

YANQUIGER, B. C., April 20.—(AP)—Ritchie King of San Diego and Vic Foley, Vancouver, junior lightweight, fought a fast ten round draw here tonight in the main event of a boxing card.

Bits For Breakfast

How big is it—

The Marion county community club talent contest?

It is big enough so that a representative of the American Magazine will be in Salem to see the finals on May 11, and to write up the whole big idea for that magazine of immense circulation. That will give Salem a wonderful amount of free advertising.

And it is big enough so that the district manager for Fanchon & Marco will be in Salem, too, for the finals. He will be here to absorb the idea, and perhaps to give the whole thing a once over with the notion of capturing some of the talent of this county.

Ivan Stewart, who first conceived the bright idea of the contest, and Dr. P. O. Riley of Hubbard, who caught on and helped put it over, each deserve a medal of honor. They built wider than they knew. They put Salem on the map.

The Elsinore theater has something new for Salem, the B. & C. Players, stock company, of San Francisco. Here today, and every Saturday hereafter.

Salem had a distinguished visitor yesterday for an hour, between stages, in the person of Mrs. Lois P. Myers, editorial writer of the Portland Telegram. Her husband, since deceased, was postmaster of Portland. She likes Salem, and the Salem idea of boosting and development and growth—the Sloan idea. Mrs. Myers had been at Corvallis, where she was entertained by the Chi Omega fraternity, and where she talked to a group of the students in the class of the department of industrial journalism, and to an honor fraternity of the girl students of journalism. Mrs. Myers has been doing editorial work on the Telegram for three years, and has had many kind words to say about Salem and the outstanding things concerning this city.

PRISON BREAK DEATHS REPAID AT EXECUTION

(Continued from page 1)

hang last Friday, April 13, but due to a telegram from Kelley's attorney to Governor Patterson who at the time was in Marshfield, informing him that five of the supreme court justices were ready as individuals to recommend life imprisonment, they were granted a third reprieve for one week. Upon his return to Salem he was informed by the supreme court justices that they had not made any such recommendations and had no intentions of doing so.

In spite of the fact that he was swamped with petition for clemency, the Governor declared that he would not interfere, letting the law take its course.

SECOND COUNTY CLUBS CONTEST HUGE SUCCESS

(Continued from page 1)

a pleasing baritone; and third place was accorded to the Turner high school glee club, a mixed chorus which presented two excellent numbers under the direction of Mrs. Percy.

These entertainers took the honors and the cash prizes, and nothing can detract from the credit due them; but if the writer were judging the event, he would have decided it differently.

Reading Excellent Frances Fields of Union Hill presented an unpretentious bit, and it was familiar to at least some of those in the audience, being James Whitcomb Riley's "The Bear Story," but she gave it to such vivacity and captivating personality, that it was outstanding among the numbers on the program.

Judged even from the standards of professional dramatic reading, it was almost flawless, and more than that, it was brilliant.

Then Mr. Broms would rank second, and third place would be mighty hard to pick. In addition to the Mill City and Turner choruses, which deserve consideration, there was the Jefferson entry, the Melodiam orchestra, which caused Press Watkins, the regular Elsinore orchestra leader, some unenviable lest he and his musicians might be supplanted; then there was Harry Keizer of Gates, whose yodeling, despite the burlesqued manner in which he chose to prevent it, was worth the price of admission itself.

Other numbers included solos with a Spanish trend, sung by Mrs. H. E. Russell, of Marion, whose high notes were especially good; and the Aumaville pair, Irene Nance and Mathilda Higberger, who presented some Italian comedy songs; and Mrs. W. O. Royse of West Stayton, in a remarkably true to life impersonation.

Numbers not in the competition, but none the less excellent, where the music by the Hubbard community brass band, and impromptu songs by William McGilchrist, who played his own accompaniments on a tiny but tuneful accordion.

The program was in charge of Edna A. Pierce, banker at Turner and Aumaville, and was sponsored by the local Kiwanis club, members of which provided the prizes.

Word which indicates that this county wide contest is attracting national attention because of its uniqueness and values along the line of community building, was the fact that the contest was promoted by the American Magazine which will be here about the time of the final contest, to prepare an article for that publication, and that representatives of Fanchon and Marco, Los Angeles producers, will also be on hand to look over Marion county's home entertainers.

Judges of last night's contest were J. Lyman Steed of the Rotary club, Adolph Nelson of the Kiwanians and Henry Crawford of the Lions club.

The program was opened with brief talks by Ivan Stewart and Charles Archerd, local men who are taking particular interest in promoting these contests.

Next week the community clubs south and east of Salem will present the program, which will be sponsored by the local Rotary club.

PHOTOGRAPHER BACK WITH BREMEN STORY

(Continued from page 1)

erwise the clothes they wore on their transatlantic flight.

Although the island had nearly shed its winter covering of snow and ice, Fernstrom said that a solid sheet of ice still connected it to the mainland and stretched out of sight in every direction. On this ice field the Germans have marked the flags the limits of the smoothest landing place.

Difficulties noted Fernstrom was not optimistic about getting the Bremen into position for a take off.

"There is almost a straight drop of 20 feet from the island to the ice," he said. "The great difficulty in the way of resuming the flight is to get the plane down that sharp incline. Dr. Cuisinier has been directing the building of a ramp of boards for which work scores of natives have volunteered, but I think it will still be a hazardous job."

The fliers read with interest the newspapers brought them by Fernstrom, which had long accounts of their flight. They took the opportunity to send out many messages. Pointing helplessly to the

THE MORNING ARGUMENT

AUNT HET



"I didn't aim to have company for supper, but I threw a flat iron at a stray dog in the back yard an' hit our speckled rooster."

POOR PA



"My brother Joe's wife is his second an' he's beginning to sell off the property he accumulated while he was livin' with his first."

Washington had not consented, he declared to the Oregon law prohibiting fish wheels and drag seines.

Members of the court said they could see no basis upon which any party except Washington could appeal to the courts to enforce the compact.

Van Winkle Presented Victory Justice Vandeverter termed the law a conservation measure, but the merits of its provisions never reached the court because of the injection of the jurisdiction question.

When McCord took his seat there was a conference on the bench, and Chief Justice Taft told I. H. Van Winkle, attorney general for Oregon, that it would not be necessary for him to make a reply.

This was taken to mean that the court will, at an early date, announce dismissal of appeal for want of jurisdiction.

Justice Vandeverter was particularly searching in his questions as to the right of the fishing compact to challenge the validity of the law on the ground that it violated the compact, suggesting that it seemed to be strictly in the interest of preserving fish in the river. He wanted to know whether Washington was formally a party to the proceedings, and, when informed that it was not, suggested that the court scoldingly had no jurisdiction to consider the long complaint of the company.

Justice McReynolds shared the same view, and within a few minutes after opening of oral argument Chief Justice Taft conferred with his associates on the bench, and indicated that the court took the view that there was presented no controversy over which it had jurisdiction.

SINCLAIR'S TRIAL NOW DRAWING TOWARD END

(Continued from page 1)

ing a rich man. Hoover ended his argument with a plea that Sinclair be given fair treatment even if he is a rich man. Such treatment, the counsel said, would acquit him.

Littleton's plea was the most eloquent of the day and at the outset he brought smiles to the faces of the jurors frequently with the witty barbs he shot at Roberts.

He insisted the Roberts question as to why the long deposition of Fall was not introduced was answered by the government's own testimony. Everhart, he said, testifying as a government witness, had told the true story of the bond deal and coming from its own witness it could not be denied by the government. This testimony, he argued, must be accepted by the jury as the correct story, as it was put in by the government which knew what Everhart would say.

STATE WINNER IN FISH WHEEL COURT APPEAL

(Continued from page 1)

In the fishing laws and regulations of the two states, as applying to the Columbia river, would be made without mutual consent.

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