The OREGON STATESMAN, Salem, Oregon, Saturday Morning, January 10, 1931

and deliver receivers' certificate showing the amount due each

employee. 7 To highest claim, for \$2,-920.10, is made by Mr. and Mrs. Harry Cutting, as managers, for services at \$300 a month up to January 10, 1931. Other claims are as follows:

Mary Peterson, housekeeper, for five and a fraction months, were turned down by the county \$213.30; Ida Hoffman. waitress, \$178.30; George Walker, engi-neer, \$320; Helen McDougal, Petition of Triton Opris and others for a road in the Silver waitress, \$40; Etta Neal, nurse, \$153.30; Charles Ming, cook, Creek Falls district met an un-\$565; Henry Guiden, dishwasher, \$58.

favorable viewers' report, due to descriptive errors. For that rea-son, petition of Harry E. Martin and others for a road east of Sa-lem was disallowed. In this in-The petitioners set out that under decree of the circuit court, provision was made that upon sale of said premises the expensstance, the viewers' report was faes of receiver be paid, and that therefore their claims should be Upon petition of J. H. Prunk recognized by him.

> Law Providing Civil Service **Is Argued Here**

Arguments of attorneys were heard in the state supreme court here yesterday in the case brought by C. A. Stowe of Portland to test the constitutionality of the law creating the civil service commission in Multnomah county.

Stowe previously was ployed as a deputy in the office of the Multnomah county clerk under A. A. Bailey, but was discharged by the civil service board because of alleged politi-cal activities. He then tiled suit in the Multnomah county circuit court in which he attacked the civil service law.

The lower court held for the civil service commission, whereupon Stowe appealed to the state supreme court.



for appointment of Vernon Patton as patrolman of the Macleay road district was received by the county court yesterday. J. E. Kimsey is present patrolman in this district. Another petition, bearing 70 signatures, has come in from district three, asking that John H. Miller be reappointed as supervisor. With more than the usual number of petitions already before the nails of various sizes. court, the court members will face some job in settling the ap-

year. This is expected to come up shortly. See rental list-Becke & Hen- Meler, Secretary of State Hoss,

dricks on classified page, also in office window, 189 N. High.

Selling Record-At the meettual Life Insurance company held in Portland this week, an-Magda Hoff of Salem was third in sales among the women of Oregon. A large number of women are selling for the company. which makes Miss Hoff's record a distinctive honor. Miss Hoff, who attended the meeting, was surprised to find her December record among the top-notchers.

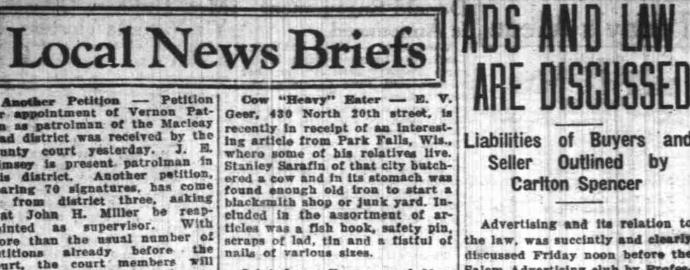
Cash Transaction-The Bechtel and Thomason real estate office reports a cash deal whereby Mrs. Jennie Stepheson has purchased the new home of Frank W. Hulbert located on Warner street for \$3,200. The firm has also traded for A. B. McCoy of Retsil, Wash., his 20-acre farm south of Salem for property in East Salem formerly belonging to W. I. Skinner. Consideration. on the second deal was not mentioned.

Latin Club Meets-The Salem high school Latin club held a business meeting and program the middle of the week, with talks on the Roman New Year and the ancient and modern calendar features. Reports and brief speeches were made by Dorothy Kellogg, Lee Ellmaker, Edith Mae Ford and Lorraine Beecroft. Dorothy Burke, consul secundus, presided at the business session and Elva Schon has charge of the program,

Joint dance Yeoman and Maccabees Fraternal temple tonite."

Appeal Filed - Simon Tokstad has filed appeal from decision against him in the case of ex rel Fay Dickerson. When the case was heard some time ago. the jury found him to be father of the Dickerson baby, and ordered him to pay to its support \$250 a year for the first two years and \$300 a year for succeeding years until the child is 14 years old.

Nineteen and Jailed-Clayton 19. Turner, was in the



Joint dance Yeoman and Macpointment of road heads for the cabees Fraternal temple tonite.*

Notables at Banquet - Gover-Norblad, Governor-elect IOT State Treasurer Meler, and members of the game committees of

both houses of the legislature, will be guests Tuesday night, ing of representatives of the Mu- January 20, at a banquet to be given by the Salem chapter of the Isanc Walton league and the nouncement was made that Miss Marion County Game Protective association.

Y. M. C. A. Basketball -- Two headliner basketball games will be played at the Y. M. C. A. tonight at 7 and 8 o'clock. The four teams who play are, respectively, Salem and Eugene-Astoria and Wendling, The teams are first, second, fourth and fifth, in standing, in their league. Third in line is Portland.

> For a better time come to Turner Comm. dance Sat. nite.

Paper Barred - The fact that

of property.

cabees Fraternal temple tonite.*

Liberty street. The approximate value of the repairs is \$60.

> born to Mr. and Mrs. Clifford O. Bungalow Maternity home. The baby has been named Gailya Slorine.

to 8 at the Marion hotel. Erects Garage-L. L. and Mary

of Buyers and Liabilities Seller Outlined by **Cariton Spencer**

> Advertising and its relation to the law, was succintly and clearly discussed Friday noon before the

Salem Advertising club by Professor Carlton Spencer, member of

the law faculty of the University of Oregon. A representative number of the club's members attended the meeting, which was

held at the Gray Belle. Spencer touched upon the contractual relationship of the advertising seller to his buyer, the binding power of representations of fact made by the advertiser, the use of trade names and copyrights,

the pillaging of advertising ideas by one advertiser from another and the libel implied or actual in certain advertising copy.

Ordinarily advertising listing ertain goods at specified prices is merely an invitation to negotiate, said Spencer, and the buyer cannot hold the advertiser to a fulfillment of his offer. However, when the offer is specific, bound with definite conditions and circumstances which the buyer meets,

the advertising offer becomes contract which can be enforced.

a county commissioner is employed as business manager of a newspaper, prevents the county court of the county in which the newspaper is located, from designating it as the official newspaper of the county. The opinion was requested by C. C. Proebstel, district attorney of Umatilla county.

Objections Withdrawn - Virgil White, one of the heirs, having withdrawn his objections to if the advertised article does not final account of Blanche Morris as executrix of the estate of Harriet E. White, the probate judge has decreed the estate closed and ordered distribution Joint dance Yeoman and Mac-

Repairs Warehouse - Harry U. Miller was issued a permit by the city, Friday, to repair his grain mill warehouseat 280 South

loined by a rival firm, while the act may be unethical and unmoral, the law does not hold the par-Daughter Born - A seven and ty who steals the idea, subject to one-half pound daughter was damages. Ensley of Turner last night at the tising material are equally subject

Dollar dinner every night 5:45

hold in the field of

tisement

sponsibility.

copyrighted slogans, or trade-marks not established, are pur-

Governor Norblad an-nounced Friday that during the past 48 hours he has re-ceived applications and pe-titions urging the release of more than 200 ismates of the Oregon state peniten-tiary. Other previous gov-ernors have had this same experience during the clos-ing days of their admini-stration.

stration.

Pardon Requests

For 200 Men Come

Governor Norblad declar-ed that he has only five aped that he has only five ap-plications for partions under consideration, and that all of these may be rejected. The governor said that in case he grants any pardons during the closing days of h is administration the y would be announced tomorrow.

Governor Norblad refused to divulge the names of the prisoners who were seeking a pardon,

MILLS RUN AT 22 PER CENT LOAD

SEATTLE, Jan. 9. - (AP) -Production at a continued low per cent of capacity during the immediate future by west coast lumber operators was forecast here today with reports that 303 mills operated at 22.60 per cent for the

"Puffery" Not Warranty Questions of representations week ending January 3, as comwhich might act as warranties of pared with 21.07 per cent of ca-pacity the previous holiday week. quality or quantity of goods, depend mainly on whether they can Canacity for the same week last be classified as "artifices of enteryear was reported by the West prise" which a prudent buyer must Coast Lumberme i's assocation to be 45.29 per cent and average durconsider as "puffery" or whether they are specific, irrevocable stateing the first five months of last ments of known facts. In the latyear was 65 per cent.

ter situation, Spencer said, the Reducing their production by buyer may have damage grounds more than one and a half billion feet, 352 mills have operated at meet the qualifications outlined 44.95 per cent of capacity in the for it by the seller in his adver-32-week period since the week ending May 24, 1930.

Unfair trade practices can be enjoined, the speaker said. Trade-Current new business by 228 marks, even though not registerover production and shipments ed, are considered part of business good-will and cannot be apthat time. Orders during the 24propriated by a rival firm with re-On the other hand, where non- by 3.98 per cent.

Will Not Make Home, Wife Says

Libelous statements in adver-Despite his promises to estabish a home for them shortly after to court recourse as in news statethey were married, Benjamin F. ments, said the professor. Pic-Forbes has refused to do so, says tures of individuals are considered Vera J. Forbes in complaint for their own property and cannot be published without their consent in divorce filed yesterday in circuit advertising material, a construc- court here. Because he has not tion which the speaker said did made a home for them in Portland, and because she has had to news.

To Governor Here Stricklin, State Engineer **Outlines Needed Change**

In Biennial Report

Encouragement of legitimate development of the water re-cources of Oregon, and elimina-tion of any legislation that will tend to retard such development, one year nor more than five years, and shall be fined not less than \$200 nor more than \$500, according to an opinion handed down by the attorney general here Friwere recommended in the bien-nial report of C. E. Stricklin, state engineer, which was filed with Governor Norblad here yesday. terday.

"In order that the public inter est may best be protected," read the report, "authority and funds should be provided the state engineer to make complete investigations of the important streams to determine the highest possible development of such waters. Such data would be of great aid to the data would be of great and to the state engineer and the state recla-mation commission in the grant-ing of permits to appropriate wa-ter. Authority also should be given for the state to carry on such investigations in cooperation with federal agencies and pro-

vision made for the state to withdraw from appropriation the wat-ers of the streams investigated whereever the results of such investigation show the public interest can best be served by such action.

"Legislation also should be onacted giving the state authority to regulate and control the diversion of the waters from reservoirs constructed by individuals or corporations, except those of municipalities where constructed for other purposes than power devel-

opment. This would enable the water to be regulated, whereas all rights on the particular stream could be protected and the waters

put to the highest economic and "In order that condemnation proceedings initiated by municipalities and the state might be simplified, it is recommended that legislation be passed delegating er state agency authority to deactual cost of water power plants. week period of July 21 to Janu- All contracts left for the con-

be subject to approval by the state and awarded to the lowest qualified bidder.

"Provision should be made for the issuance of water rights certificates for power developmentsin the form of a license, subject to renewal under such laws as are in effect at the expiration of the license period.

Credit Men Will Have Speaker at Each Gathering

block of the state capitol. The governor-elect left for

The opinion was request-ed by J. A. Robertson, state traffic officer with headquarters at Pendleton. the speaker for next Friday's luncheon will be announced later. The association banquet which was so successful this year will be an annual event, according to the decision of the association. Phillip Holmes, president of the organization, expressed apprecistion for the cooperation of

Drunk Driver for

Second Time Will

For the second or subse-quent violation of the sta-tute making it unlawful for an intoxicated person to drive a motor vehicle on the

highways of the state, the person so offending shall be imprisoned in the state peni-tentiary for not less than one year nor more than five

Get Prison Term

the members in helping to make the banquet so successful and the organisation gave a vote of thanks to Everette Dotson and his committee for their work in putting over the banquet.

Jersey Cattle **Club Will Meet**

Here January 17 The annual meeting of the Marion County Jersey Cattle club will be held at the Salem chamber of commerce rooms on Saturday, January 17 at 1:30 p. m., according to an announce-ment made by the present officers.

New officers will be elected at this meeting and other business

of interest to dairymen will be considered. There is much interest in the proposed dairy legislation which will be before the coming session of the legislature and it is expected that some discussion of the proposed laws will be held at the annual meeting. Present officers in the asso-ciation are E. A. Rhoten, presi-dent and Mrs. F. G. Kuensting, secretary.

Furniture Moved Here for Meiers Governor-elect Meier yester-

day moved his household furnishings from Portland to Salem. where he will make his home during the next four years. He has obtained living quarters in an apartment house, within a

and others was ordered viewed and surveyed. Favorable viewers' report was made on petition of George C. Miller and others for a railroad crossing over the Oregon Electric tracks at Loganville, near Woodburn. However, this matter was continued by the court so application may be made to the public service commission for construction of the crossing. On petition from market road

ROAD PETITIONS

HANDLED BY COUR

Due to errors in description,

two petitions for county roads

court yesterday, while several oth-

and others for a road in the

Aumsville district order was giv-

en for viewing and surveying. This matter was continued from last

Petition of C. A. Pelland and

others for a county road near St.

Paul was continued until next

time. A road in the St. Paul dis-

trict sought by John D. Graham

er petitions met with favor,

vorable, however.

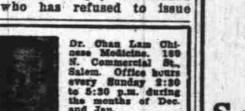
district 45, for relocation of part of the Silverton-Hullt road, order was given for viewing and curvey-



Further difficulties growing out of the affairs of the Hubbard Mineral Springs company were evident yesterday, with filing in circuit court here of a petition by nine persons who performed labor and services in operating the hotel while it was under receivership and who want money for their work. The receivership was ordered during

pending of the case of Lawyers Title and Trust company vs. the Hubbard Mineral Springs company and others. The petitioners seek a total of \$4,447.70 for services rendered, and for which monies they as-Who Come Sunday sert the presented claim to H. M.

Moss, duly appointed receiver, who refused to pay the claims and who has refused to issue



beneficial use. identical mills was 29.22 per cent to the state engineer or some othwere 47.56 per cent over, during termine, during construction, the

ary 3 exceeded the lumber output struction of such works should

