HOLMAN LOSES WARRANT PLEA

Constitutionality of new law Upheld: Stamping Will Now Proceed

(Continued from page 1) contention of the treasurer that the act is void in that it "is an unconstitutional. limitation upon the powers and duties of the state treasurer." in requiring the consent of the governor and the sec-

retary of state, was overruled. Citing the constitutional section defining the duties of the state treasurer as those prescribed by law, the opinion finds that "the powers and duties of the treasurer are such as may be prescribed by law and not otherwise. It will also be seen that the provision contained in the amendment to which objection was made merely defines the powers and duties of the state treasurer, all of which were within the legislative control and did not in any way infringe upon any constitutional right or power confered upon such officers."

In conclusion the opinion pointed out that inasmuch as the Thomas warrant was regularly drawn and presented for payment or indorsement following action of the treasurer, governor and secretary of state in authorizing indorsement of warrants "the state treasurer had full authority to make said indorsement and his refusal to do so cannot be sustained upon any constitutional grounds or want of authority under the sta-

TRI-MOTOR PLANE CRASHES; 15 DEAD

BRUSSELS, March 28-(AP) -The City of Liverpool, a tri-motored airplane of the British Imperial airways, burst into flames and crashed today near Eesen, killing 15 persons, everyone

abeard. The cause of the accident was not definitely established. The ship, bound from Cologne, Germany, to Croydon, England, by way of Brussels, had stopped at Haeren airdrome here only a short time before the crash.

One explanation advanced was that one of the three motors exploded, setting fire to the plane. Witnesses said the great ship dropped like a spent rocket. She landed in a farmer's field.

Apparently four of those aboard jumped, for their bodies were found some distance from the wreckage. It appeared the others had burned to death. Twelve victims were passengers and three members of the crew. There were no Americans aboard.

'GOOD GOVERNMENT

(Continued from page 1) George Prescott, and were given

until April 10 to plead. Banks, around whom a political turmed of months' standing had centered, was likewise under indictment for the theft of the ballots, and it was when Constable Prescott attempted to serve a warrant on Banks at his home that he was shot to death. Shermerhorn, who was supported by Banks in the November election.

theft case. W. A. Banks of Tujunga, Cal., brother of the accused man, and John Sturgeon, Los Angeles attorney, are in Medford to help in outlining plans for the defense of the former editor and his wife.

was also indicted in the ballot

REGULATING BEER IS COUNCIL TOPIC

(Continued from page 1) found to prohibit the sale of beer to minors is still a mooted question, Most proponents of legalized beer sale in the city want some such prevision. How the council will vote, fin-

ally, on licensing the sale of beer here is still uncertain. Sponsors of a city election to vote on the charter prohibition amendment, however, declars they have a dosen aldermen lined up to call the election, which would be held July 21.

Marion Teachers Are Rehired But At Lower Salary

MARION, March 28 - The school board has rehired the preseut teachers, Miss Grace Peherrson, Mins Rose Hutton and Mrs. Leols Sloan for the school term, however at reduced

Mrs. Herman Delaugh was hostess to the Union Ladies quilting club, with the following present: Mrs. Mac Robbins, Mrs. Grover Stevens, Mrs. Maggie Davidson Mrs. J. L. Callivan, Mrs. Harley ers brought Salem a total precipi-Libby, Mrs. Mebba Colgan and tation of 9.62 inch. The Williamdaughter Doreeue, Mrs. Elmar ette river, which Monday stood at the beer level, 2.2, yesterday rose to the 6.8-foot mark. Winn and Mrs. Warren Gray.

Bower, Pugh Open

The Call Board..

By OLIVE M. DOAK

 WARNER BROS. ELSINORE Today - Irene Dunne in "Secret of Madame

Blanche." Thursday-Irene Dunne in "Secret of Madame Blanche" . and on stage, annual spring* Friday-John Barrymore in

WARNER BROS. CAPITOL * Today - Lee Tracy in "Clear All Wires."

"Topaze."

HOLLYWOOD Today - Joan Blondell in

The Greeks Had a Word for Them." Friday-Charles Farrell and * Jean Bennett in "Wild . Girl."

THE GRAND Today-Chester Morris in "In-" fernal Machine". Friday-Tom Keene in "Scar- *

let River," and C. Aubrey . Smith in "The Monkey's .

The merchants of Salem and Manager Porter of the Elsinore dress. are cooperating in the presentation of a promising spring "style" beginning at 8:30 o'clock on the Elsinore stage and running for about 45 minutes. Styles will be modeled and in-

terspersed with the showing of Newhouse, and Doris pecial feature entertainment numbers of dance and music. Accompanying the show will be orchestra music presented by Mellow Moon dance orchestra. This will be a special feature in addition to the regular screen attrac-

The development of a woman's life through trials and hardships to a final haven of happiness provides the dramatic motif of "The Secret of Madame Blanche," new Metro-Goldwyn-Mayer offering opening today at the Elsinore theatre with Irene Dunne in the starring role.

Miss Dunne is cast as an Amertragedy at the end of her love at- orial park. fair. Miss Dunne's characteriza-

group this week rehearsing for time of the tragedy. the next production, "Diamonds trast to the tense drama of "Lift guerite Myers of Salem. Up Your Eyes" and presents Breezy" Kane, a big-league ball player of charming personality and bluff. This role will be carried by Frank L. Torgerson. laying opposite is Maxine Pettyjohn, who won a host of admirers for her work as "Eugenia Warren" in "Lift Up Your Eyes." She has the role of a girl who is crasy about baseball. Important parts are taken by

"Pat" Peterson and Nellie Rowland Greene. Appearing again state the wage feature of his reafter a brief absence are Howard forestation plan. Instead of re-Cross and Victor Williams. Margaret Mary Zerzan, who won commendation in "The Mysterious Mrs. Updyke" for her characterisation of a timid spinster, will appear as a weepy young wife. Hazel Shutt takes the part of a studious young woman who finally changes her opinion about that wage for transportation, baseball players. Several new food, lodging and clothing furfaces will be seen among the nished the men. players presenting this sparkling

The technical staff is busy repainting and resetting the stage sion. for the coming play.

Miller Doesn't Get Suspended Term This Time

When Samuel Nelson Miller 675 North 20th street, pleaded guilty in municipal court yesterday to a charge of drunken driving, he did not receive a suspended 30-day jail sentence as in the for Oregon. He declared that if case of his first arrest on that charge, last February. Instead, Judge Mark Poulsen sent him to fall for 90 days.

Miller was arrested Monday night after his automobile crashed into a machine driven by Lloyd Hauser, 742 North Commercial street, and Commercial and Center, injuring Hauser.

. Rain No Boon to Farmer Now but More Will Fall

Rain, that which proves the farmer's delight during a summer's dry spell, is now his woe. Two weeks behind, at least, with his spring field work, the farmer now needs a month of clear weather if he is to catch up with his plowing and planting. But the weather man is against him: More of the past week's unsettled

weather is predicted. Yesterday's intermittent show-

MRS. JONES HOSTESS

WACONDA, March 28,-A spe-Real Estate Firm state for charter members of the community dub at the regular meetobsers Bower, former county at the home of Mrs. S. F. Jones at a real estate office in the U.S. at Mrs. Nusom's as erroneously stated.

INSTITUTE DRAWS LARGE ATTENDANCE

Putnam of Albany Schools And Childs of Legislature Speakers

SCIO, March 28 - An exceptionaly good crowd was in attendance at the institute held here Saturday. Rex Putnam, superintendent at Albany, and Charles Childs, chairman of the education committee in the house of representatives, were the main Lyan L. Steper are vacationing

Mr. Putnam built his address around the two points that "we tives. should keep our thinking clear and our spiritual life at its highest possible point." He went on to say that "though this is said to be a scientific age, it is an age in which we as a nation do to say that "though this is said not apply scientific knowledge but only use those things at hand -produced by science."

Mr. Childs talked on the erganization of the house and senate and educational bills just passed. He explained those two he considers of vital importance -the transportation bill and the county unit system bill. James Bennett, county school

A lively round table discussion show to be given Thursday night was held, conducted by Ralph Me- or in a minor connection. Donald, Refreshments were served, Mrs. F. A. Gallegly and Mrs. the loss would more than pocket,

TO BE WEDNESDAY

Funeral services for Vincent Leslie Farmer, 20, who was killed when he fell under the wheels of a Southern Pacific passenger train here Monday night, will be held from the Cloughtomorrow morning with Rev. W. ican chorus girl who marries a Earl Cochran officiating. Intertitled Englishman only to find ment will be in Belcrest Mem-

After official investigation of tion, which covers a period of the accident yesterday, Coroner more than 30 years, is said to L. E. Barrick and District Atsurpass even her notable portray- torney William H. Trindle decidals in "Cimarron' and "Back ed that an inquest would not Street,' which established her as be required. They were informed the screen's outstanding emotion- in a report filed by Conductor Pat Tynan, in charge of the train involved, that the train was trav-Chemeketa Players are a busy eling about 10 miles an hour at

Young Farmer is survived by or Diamonds?", a rapid-fire base- his parents, Mr. and Mrs. G. C. ball comedy that will be present- Farmer, 950 South 12th street; ed sext week in Nelson auditori- and two sisters, Mrs. Alma Meum. This play is in strong con- Kitrick of Eugene and Mrs. Mar-

Roosevelt requesting that he referring to the compensation as \$1 a day in cash, plus transportation, food, lodging and clothing, the council in a resolution requested President Roosevelt to name a wage that will include the reasonable value of all compensation, and make proper deductions from

Protective matters affecting organized labor occupied the greater part of a lengthy council ses-

Galloway Avers Sales Tax Plan Is Constructive

CORVALLIS, Ore., March 28-(AP)-C. V. Galloway, chairman of the state tax commission expressed the opinion here today that the sales tax is desirable first as an emergency measure and as an important step toward making a balanced tax structure it is adopted, the tax will be the most modern and constructive step in taxation since 1911 when Wisconsin adopted its income tax

The commissioner expressed the opinion that a balanced tax structure should include taxes on income, business and property. He said the basis for taxation should be not only the ability to pay but the amount of benefit derived from state government.

HARD TIME SOCIAL HELD PIONEER, March 28. — Music by the Salt Creek band and a 'kangaroo court' featured the Mt. Pisga Farmers' Union program and hard time social. The local meet with the community club April 14.

McBEE VISITS LOCAL TALBOT, March 28 .- L. H. Me-Bee of Dallas, state Farmers' Union president, spoke at the Sidney-Talbot local meeting Friday. Other talks were given by Mr. Libby of the Marion local and Roy Hewitt of Salem.

SILVERTON, March 28-Funoral services for the infant son of Mr. and Mrs. Oscar F. Whitehead were held at the graveside Sunday afternoon at Bethany cometery with Larson and Son in

"Goona-Goona"

West Salem News

game of baseball is scheduled to family. The Joneses came here be played on the diamond of the West Salem school Friday afternoon, weather permitting, betweez the pupils of the Brush College school and the West Sa-

em school. Lou Deranicau, who has been wintering in Les Angeles, has returned home. He went through the series of earthquakes in the southern city. Mr. and Mrs. Sam Carter of San Francisco, brother of Mrs.

here for a month and visiting with the Slopers and other rela-Mr. and Mrs. J. Jones are parents of a seven and a half pound Mrs. B. A. Shoff.

WEST SALEM, March 26 - A | son. This is the first child in the from the middle west last fall and like it so well here that they plan to make their home

> Sunday guests at the A. L. Applewhit home on Kingwood Terrace were Attorney and Mrs. Ernest R. Wood and son, Gene of Kings Valley. Mr. Wood, who resided in West Salem while completing his work at Willamette university school of law a number of years ago, was a member of the city council here. He is now practicing at Corvaliis. Mr. and Mrs. Nels Yenckel and Mrs. W. J. Burk of Wells, former neighbors of theirs were Menday guests at the home of Mr. and

> > ROME, March 28. - (AP) -

The prisoner is reported to

have said also that he originally

planned to go to the Ostia air-

the attempt in front of the pre

It is understood the prisoner

The police are said to be in-

vestigating one of the prisoners'

statements indicating that he had

an accomplice, perhaps a foreign-

seems to be to regard the man

as a mentally irresponsible per-

PORTLAND, Ore., March 28 -

torium here tonight. Proceeds

were to be given to the Portland

chapter of the American Red

Cross to be usedtoward its quota

in the southern California earth-

Included in the results were the

Chemawa, technical kneckout ov-

128 pounds - Kermit Stewart,

er Cliff Nelson, St. Helens.

Mannie White, Chemawa.

Fred Parker, Chemawa.

R.F C. Advisory

Group is Named

county were chosen, the commit-

tee meeting for the first time

next Saturday morning in Port-

quake relief fund.

ollowing:

Portiand.

er. But the principal tendency

disclaimed any idea of shooting

the British statesman.

mier's office.

FOR LUMBER BLAZE

PORTLAND, Ore., March 28-(AP)-Fire investigators expressed the opinion today that the who, they announced today, has spectacular fire which last night confessed that he intended to asroared through the yards and sassinate Premier Mussolini last crane shed of the Jones Lumber | Monday. superintendent, made a brief adcompany here was probably started by defective wiring, either in loitering in the Plaza Di Venezia on the teaching of arithmetic the high power transmission line on which the windows of the

Insurance adjustors estimated E. P. Caldwell poured and the \$100,000, although firemen suc-Misses Doris Clarke, Bernics ceeded in saving the main plant. The loss is covered by insurance. M. H. Jones, president of the company, said the firm expects to Minister Ramsay MacDonald and rebuild the destroyed property, although he did not know just when this work would be started. Of the 140 men who were employed at the plant before the fire, only about 40 were retained on the payroll to clean up a few small orders and make a few deliveries.

Five firemen sustained minor injuries in fighting the blaze. and several automobile accidents resulted when thousands of spectators hurried to the scene, attracted by the fiames which Barrick chapel at 10:30 o'clock could be seen from all parts of the city.

FREE GARDEN LOTS SALEM BOYS FIGHT

lots in the city have proven ne inducement to unemployed families here to try raising their vegetable needs from the soil this spring and summer it from reports at the U. S.-Y. M. C. A. employment office where the free lots are listed. Not over 25 persons have asked to look over the list, according to D. D. Dotson, assistant manager.

Fear of raid; on the gardens seems to be the deterrant, however, r ther than lack of ambition, Dotson said. He said he had heard many comments about the garden effer, most of them voicing a fear that thieves would loot the plots before the sowers

could reap their harvest. Most of the lots available are located in northeast Salem. The chamber of commerce made the appeal to owners of vacant lots to permit unemployed families to use them for gardens, if necessary obtaining the free seeds provided

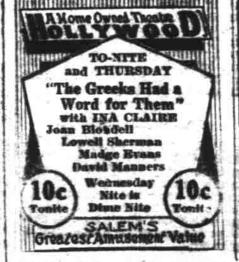
LAD MISSING SINCE MARCH 19, REPORT

Efforts to locate Jack Hunt, 13-year-old Salem boy who disappeared from hime here March. 19, have so far been fruitless, it was reported at police headquarters last night. The lad is he son of Mr. and Mrs. Fred Hunt, proprietor of Hunt's cafe on North Commercial street.

Suspicion rests on two young men, one 22 and the other 29 years old, the younger of whom was for a time employed by the Hunts as dishwasher. Mrs. Hunt last night declared it her belief that the two men had kidnaped her son as spite work because the one was discharged from his work at the cafe.

Jack Hunt was last seen the night of the State banksthaff championship games, in company with the two suspected young men, near Commurcial and Chemeketa streets. His parents said he appeared happy that day and had not been accustomed to stray-

BABY BORN TO BARRS SILVERTON, March 23. - Announcements of the birth of a daughter to Mr. and Mrs. Robert Barr at Chico, Cal., have reached Silverton. Mr. and Mrs. Barr are former Silvertonians, leaving last autumn for Chico. Mr. Barr's parents, Mr. and Mrs. George Barr, are both at Chico at the present time. They plan to return to Silverton in a few weeks.



EMBASSY STONED: PROTEST DANIELS

Mexican Communists Claim Ex-war Secretary is **Imperialist**

department.

solini."

edge.

PEACE CLUB MEETS

PARIS, March 28-(AP)-

Italy's proposed four power

peace club" was attacked in the

chamber of deputies today by

Henry Franklin-Boullon as an

"abominable collusion between

The assault on the plan by

the opposition to the government

was met by Premier Edouard Da-

ladier, who was enthusiastically

cheered by the deputies. Defend-

ing both Prime Minister MacDon-

ald of Great Britain and the

Italian premier, M. Daladier re-

fused to discuss the peace plan

worked out in their recent Rome

conference but promised parlia-

ment France would take no step

in the matter without its knowl-

The chamber, by a vote of

369 to 212, postponed interpella-

tions made to the foreign affairs

committee, particularly concern-

As Wife Slayer

PORTLAND, Ore., March 28 -

(AP) - Edison Tupper, young

Klamath Indian, today was sen-

tenced to maximum of 10 years

in prison for the killing of his

last January. He was convicted in

federal court here Saturday. Tup-

per was charged with beating his

wife to death with his fists and

then hurling her body from his

automobile.

ing the Mussolini plan.

Sentence Indian

Mr. MacDonald and Signer Mus-

MEXICO CITY, March 28 -(AP)-Stoning of the United States embassy in protest against the appointment of Josephus Daniels as ambassador to Mexico was reported today as communist posters appeared critcising the selection. The stoning took place last Fri-

day night. Several windows of the embassy were broken. Policemen who guard the embassy were lured away from the building by one group while others rushed in to stone the place. Arthur Bliss Lane, charge d'affares, who had just returned

from Washington, reported the incident to the foreign office and to the chief of police. The police have not yet made the matter public, and it could not be learned whether any arrests have been Posters that appeared on walls

The police have in custody a man today were signed "the central committee of the communist party of Mexico section of the communist international." They call-The man was arrested while ed upon "all anti-imperalists in general" to force Mr. Daniels from Mexico. premier's office face. The authorities said he had a gun in his

Captioned "out with Daniels," the placards described him as "the murderer of Azueta and Uribe." These Mexicans were killed when United States forces landed at Vera Crus in 1914, Mr. Daniels port March 18, the day Prime was secretary of the United States navy at that time.

Foreign Secretary Sir John Simon W. F. Flanley, president of the of Great Britain, arrived for their American chamber of commerce, conference on the Musselini peace last week sent a telegram to Seplan. According to the police certary Hull, protesting against wife on the Klamath reservation authorities he intended to shoot the appointment of Mr. Daniels. the Italian premier there as Sig-The text of Mr. Flanley's telenor Mussolini went to greet his gram and Secretary Hull's reply visitors, but later decided to make were not made public here.

RECORD CROWD AT VAZAKAS LECTURE

Six handred persons, the largest crowd to patronise any of the son who probably was acting evening lecture-musical programs presented by the Willamette university faculty this school year, attended the last of the series Tuesday night in Waller hall. Setting for himself the ques-

tion "Will Europe's Pot Boil Ov-or?" Dr. Alaxender A. Vazakas, of the department of modern languages, concluded in his lecture that the answer depended States was willing to accept the (AP)—A card of amateur boxing responsibility in world affairs matches, sponsored by the 40 and which its present leadership en-8, American Legion organization, tails. was presented at the civic audi-Emphasizing the progress that

as been made recently in such backward countries as Turkey, Dr. Vazakas asserted that the principal peril to European and world peace lies in the imperialistic ambitions of Italy. Professor T. S. Roberts in er-

gan numbers and Professor Cam-116 pounds - Johnny Peltier, eron Marshall in vocal selections, were both well received. Miss Carolyn Parker assisted at Pertland, technical kneckout over the piano.

147 pounds — Henry Newman, Salem Y. M. C. A., technical knockout over Virgil Leclaire, 150 pounds — Wilmer Tucker, Pertland, technical knockout over

Marion county will consent to the state highway department's program of taking over secondary road maintenance work April 1. While the new law passed by the Three Marion county men will last legislative session does not be on the all-state committee to become legally operative until serve as an advisory group on June 9, members of the county self-liquidating projects to be fi- court yesterday said they would nanced by R. F. C., the gover- agree to the department's wishes nor's office announced Tuesday. which are that all secondary road Chosen from this district are work in the county be placed in Thomas Livesley, E. F. Slade, the state's hands at once. Bugene Courtney, Woodburn. Twenty-one men from Multnemah

The local county court is not pleased with the restricted amount of money granted to this county for its secondary roads, the amount being \$22,000 for 1938 and the same amount for

Buy Your Coffee During Present Safeway Sales Contest

BRANDS TO CHOOSE FROM



1 h. in 25c 2 tin 49c

Buy Now and Save! FREE - Checkerboard Jigsaw Puzzle

with Each Purchase

STORES

1934. About \$35,000 annually | M. R. was expected but Multnomah county's funds will so allocated there instead of spread throughout the state, a custom which provailed before this year, All he maintenance and construction work on secondary roads here-

after will be done by the state Although farmers in the county have been watching with interest for the calling of a meeting of the county farm mortgage adjustment committee, no such session has been called to date. Such is the information from one of the members.

The Marion county committee was appointed early in February, following state organization agreed upon at a meeting in Salem. O. M. Plummer of Portland is state chairman and L. R. Breithaupt of the state college is secretary.

Members of the Marion county committee are: M. G. Gunderson, Silverton; Ray J. Glatt and Gene Courtney, secretary, of Woodburn; Warren Gray, Marion, and Ralph Zimmerman, Aurora.

Farmers have been hopeful that this farm mortgage adjustment move might be able to alleviate their present concern to some extent.

Winkenwerder Is Acting Head Of University

SEATTLE, March 28-(AP)-Prof. Hugo Winkenwerder, head of the foresrty department, Monday became acting president of the University of Washington, but will not "attempt to reorganize the schools and colleges as I shall be president only during the spring quarter."

"My immediate concern is the university budget," said Winkenwerder, who assumed control of the university after Dr. M. Lyle Spencer's resignation was accepted over the weekend by the board of regents. "I have been told, atthough I have not had an opportunity to check the accuracy or falsity of the reports, that there are some inequalities in the salary budget.

WARNER ELSINORE Today & Tomorrow



. . Women will be deeply touched at this girl's dra-

called "bad."

IRENE DUNNE

matic story . . . Men will

respect her whom the world

"The Secret of Madame Blanche"

PHILLIPS HOLMES UNA MERKEL LIONEL ATWILL

Thursday Night at 8:30 ON THE STAGE Spring Fashion Revue

50 LIVING MODELS DISPLAYING THE LATEST SPRING MODES

Styles and Models Sponsored by the Following Firms: SMART SHOP — SHIPLEY'S — MILLER'S JOHNSON'S BISHOP'S MONTGOMERY WARD & CO. FLOWERS by C. F. BREITHAUPT PRICE SHOE CO.

ON THE STAGE The famous Mellow Moon Orchestra and Entertainers in a merry whirlwind of melody and mirth.

- NO ADVANCE IN PRICES -

WARNER CAPITOL Today - Thur. - Fri. STAGE COMEDY COMES HOT FROM BROADWAY WITH EVERY THRILL . . Paris . . Peking . . Moscow . . wherever news was sizzling — there you find TRACY, who hunted head-lines . . and waistlines! . . . 1000 Laughs! BENITA HUME UNA MERKEL JAMES GLEASON

- Plus -Jack Haley Wrongorilia" Carteen News

ANYTIME **25e**