

# OREGON NOTES 75TH BIRTHDAY

## Long Fight For Admission Waged in Territory, Then in Congress

(Continued from page 1)  
resolution was adopted to take a vote, in case congress did make territorial officers elective. It should be noted that the territorial capital had been moved to Salem by the '50-51 legislature and that the '51-2 session was held in basement rooms of the Oregon Institute, and that the '52-3 session was also held there, and that the old school was chartered in its own building and became Willamette university.

The proposal for a statehood again came up in the '52-3 legislature, and an amended bill (amended by Benjamin Simpson, father of Sam L. Simpson, the poet), passed the house by a good majority but was defeated in the council (same as senate in a state legislature.)

The '53-4 legislature, however, held in the Smith-Wilson and Rector buildings, back of and next to the present Statesman building, passed a bill referring statehood to the people, and in the June, 1854, election, it was defeated, 4079 against and 3219 for; a negative vote of 869.

The legislature of 1856-7, meeting in the Holman building, still standing, on the corner north of and opposite the present Statesman building, quickly passed an act to again submit the question of statehood, and by popular referendum the vote was taken at the June, 1857, election, and carried, with 7617 for and only 1697 against. In the nine years of territorial existence the question had been voted upon in the legislature nine times, in one form or other, and by popular referendum four times.

### Anti-Slavery Decision Is Made by Voters.

The constitutional convention met at the courthouse (old courthouse) in Salem Aug. 17, 1857, and concluded its deliberations Sept. 18. There was a special election, Nov. 9, with a favorable vote of 1195, negative, 3216. At the same time slavery was voted down by a majority of 5982, there being 2645 for and 7727 against permitting slaves to be held in Oregon. And there was a vote of 1931 to allow free negroes to live in Oregon and \$640 against. Territorial Governor Geo. L. Curry, Dec. 9, 1857, sent the information of the result to congress. Oregon had adopted a state constitution; that meant a state.

But she knocked in vain and for a long time at the doors of congress. The issues that were heavy with coming war clouds grew warm and warmer. There is a book by Judge Charles H. Carey on the "History of the Constitution of Oregon;" a large and good one. And still others might be written, if all the 60 members of the constitutional convention could come back from their graves and speak as they did in the old wooden court house. Great men were in that body.

In June, 1858, members of two legislatures were elected in Oregon: territorial with a council, state with a senate. The state legislature met July 5, and elected Joe Lane and Delazon Smith U. S. senators. Lane drew the U. S. term. July 13, John Whiteaker, who had been territorial governor of the state that was not yet admitted, was sworn in, by Judge R. P. Boise. He was governor of a state that did not exist. A very few laws were passed by that legislature, none of them to take effect until Oregon became a state. So things drifted along, while the admission bill was up in congress, in an epochal struggle. The state legislature held no September session, as provided by the constitution.

### Fliers Bail Out After Crashing In Midair; Hurt

HONOLULU, Feb. 13.—(AP)—Two army fliers escaped death today by leaping with parachutes when their airplanes crashed together two miles above the earth here.

Lieutenant Demas T. Crow suffered a dislocated shoulder, while Lieutenant Royden E. Beebe, Jr., received minor facial injuries. The collision occurred while the nineteen pursuit squadron from Wheeler field was engaged in combat maneuvers above the field. Army officers said it was unavoidable.

### Pair Fined for Illegal Hunting

DALLAS, Feb. 13.—Leif and Louis Edwards of Pepee were brought here Monday by state police officer C. A. Hearing after being arrested on a charge of killing deer out of season. They were taken before Justice of the Peace Gregory and were fined \$50 each, which they paid. Two other charges against the pair were not pressed. The deer taken as evidence was turned over to the Polk county relief committee to be distributed to the poor.

### FRATERS SENTENCED PORTLAND, Ore., Feb. 13.—(AP)—Federal Judge James Alger Fee today sentenced William Erickson and Leon Richard Wakefield to 10 years each in federal prison and Clifton Porter Gray to 11 years for conviction on three separate indictments of counterfeiting. The trio was arrested recently at St. Helens, Ore.

## HUNDREDS SLAIN; CIVIL WAR RAGES

(Continued from page 1)  
lapsed. A middle arch crumpled. One shell tore off a tower as though it were kindling wood. Bruckendamer was still disputed ground. Voitsberg, an industrial town of about 10,000, was said to be entirely in socialist hands. Weergal and Kusteln near the German border, asked military assistance.

## Stack of Currency That Paid Bremer's Ransom



A view of the twenty-five bundles of \$5 and \$10 bills, totaling \$200,000, is shown in vault of St. Paul, Minn., where the kidnaped bank president was released after being held for 22 days. At left, Adolph Bremer (center). The money was later packed in two cardboard boxes and left on road near Rochester, Minn., where the kidnaped bank president was released after being held for 22 days. At left, Adolph Bremer, father of the victim, who paid the ransom.

## ACCIDENT AT LIME PLANT KILLS VOLTT

DALLAS, Feb. 13.—(Special)—Injuries received by Emil Voltt, about 40, of Oregon City, at the Wats, Kleebe and Voltt lime plant at Buman late this forenoon resulted in his death at the Dallas hospital at about 1:30 o'clock this afternoon.

While Voltt was working with his partners installing new crusher rolls, his clothing caught on a setscrew and he was thrown against a wall timber and badly crushed. He was immediately rushed here from the plant, which is about six miles west of Dallas on the Falls City road.

After a several years shutdown, the Buman plant is being reconditioned and new equipment installed preparatory to resuming operations. The plant supplies lime for the Oregon Lime Products company.

As far as is known here Voltt is survived only by his widow, who lives at Oregon City. His body was sent there tonight.

## CRIMINOLOGIST TO STUDY HORAN CASE

(Continued from page 1)  
After 30 minutes of deliberation the jury brought in its findings.

There was speculation here today over ownership of the .38 caliber revolver in Horan's left hand when officers found him dead on the floor of Manning's office. It was intimated that both guns looked alike.

Two shots allegedly fired from the gun in Horan's hand struck the back of Manning's chair and lodged in a book case at the rear of the office.

Claude McCulloch, Horan's law partner, said today he was confident Horan went to Manning's office without a gun. He said he never knew the young attorney to carry a weapon.

It was requested that Horan made the visit to Manning's office late yesterday, said McCulloch, who also has been associated with Manning in legal practice. He did not know the nature of the call.

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## The Call Board ...

- GRAND  
Today and all week—Janet Gaynor and Lonel Barrymore in "Carolina."  
ELSNORE  
Today—John Boles in "Beloved."  
Friday—Myra Loy in "The Priscilla and the Lady."  
HOLLYWOOD  
Today—Claudette Colbert in "Torch Singer."  
Friday—Richard Barthelme in "Central Airport."  
CANTON  
Today—Otto Kruger in "Women in His Life."  
Thursday—Charlie Ruggles in "Goodbye Love" and Ken Maynard in "King of the Arena."  
STATE  
Today—First run, new dog star, Kazan, in "Jaws of Justice."  
Friday—Buck Jones in "Unknown Valley."

One of the most beautiful musical pictures in the history of the screen, "Beloved," comes to the Elsinore theatre today with an all-star cast headed by John Boles and Gloria Stuart.

This dramatic romance covers a span of one hundred years, and the story is told against a constantly changing background. Passing in swift review are the Austrian revolution, the Civil War, New York in the '80's, the Spanish-American war, the World War and the New York City of today. And through it all moves the appealing figure of John Boles who aspires to be a composer of great symphonies.

## RIVER CONTROL IS URGED AS PROJECT

River control work on the North Santiam and along the Willamette will be urged both as CWA and as PWA projects, members of five county courts, in session late yesterday at Albany, decided. C. C. Hookley, state engineer for PWA, addressed the meeting over which Judge D. O. Woodworth of Albany presided.

Doubt was expressed by the courts if any of the counties represented would want to go in debt for 70 per cent of the PWA advance. It was agreed that each county would try to obtain some CWA funds in the next allotment for river control work. County Judge Stegmund and Commissioner James E. Smith and County Engineer Swart represented Marion county at the conference.

Mr. Swart is expected to present the county's plans for immediate river control relief to CWA officials in Portland. Counties represented yesterday included Linn, Lane, Benton, Yamhill and Marion.

## Collectors Seek Jubilee "Covers"

Stamp collectors in various parts of the world are reorganizing today as the 75th anniversary of Oregon's statehood. Seeking "covers" cancelled at the Salem postoffice February 14, 1934, philatelic fans from Canada, Hawaii, Canton in China, Yugoslavia and various states of the union have sent to Salem 677 self-addressed envelopes bearing ordinary postage stamps and 25 carrying air-mail postage. C. S. Douglas of the Salem Stamp Society has been appointed by the chamber of commerce to take care of these requests which have filled the mails during the past few days.

**Tonight**  
**VALENTINE DANCE**  
Mellow Moon  
Boots Grant's 10-piece Band  
Adm. 25c — Ladies Free  
TH 9:30

## LUTHERANS' LENTEN TOPICS ANNOUNCED

Annual Lenten services will be held at Christ Evangelical Lutheran church during the Lenten season beginning 7:30 p. m., with German services every Wednesday evening and English services every Friday evening. Sermon topics are as follows:

- German: February 14: "Put to the Test—Deeply Offended, The High Priests Condemned Him." Feb. 21: "Put to the Test—Utterly Enmeshed in Avarice, Judas Betrays Him." Feb. 28: "Put to the Test—Confused by the Fear of Men, the Rest of the Disciples Betray Him." March 7: "Put to the Test—Controlled by Worldly Considerations, Roman Rulers Pass the Sentence of Death Upon Him!" March 14: "Put to the Test—Won by the Love of Him Upon the Cross, One of the Malefactors Acknowledges Him as the Saviour." March 23: "Put to the Test—Overwhelmed by the Happenings Upon Calvary a Heathen Acknowledges that He is the Son of God." March 29: "The Merciful Saviour Condescends to Arrange for His Own the Holy Supper." March 30: (Good Friday, 9:30 a. m.): "It is Finished, the Great Victor is Laid to Rest in Joseph's Garden."

English: February 16: "Jesus Comforts His Own in That Upper Room." February 23: "Jesus Agonizes in Gethsemane." March 2: "Jesus is Scourged and Wears a Crown of Thorns." March 9: "Jesus Sinks Down Under the Burden of the Cross." March 16: "Jesus Looks with Loving Compassion on Erring Peter." March 25: "Jesus Prays for Those Who Nail Him to the Cross." March 30: "Jesus is Forsaken of God."

## Support of City Bonds in Water Deal Now Asked

City officials last night were awaiting an answer to a recent telegram to PWA headquarters at Washington, D. C., before deciding whether or not they could proceed with selling enough city water bonds to purchase the Oregon-Washington Water Service company's system here. PWA is being asked if it will accept as security for the loan it has allotted Salem the water bonds of long maturity. It is hoped the shorter maturing bonds can be offered for sale because they will bring a higher price.

The bonds mature serially starting five years from date of issue and running out in 40 years. City officials believe they can get at least 88 to 90 per cent par value on sale of the shorter term bonds.

## Rickreall Boys Lose Last Home Tilt; Girls Wins

RICKREALL, Feb. 13.—The high school basketball teams played their last game on the home floor Friday with Grand Ronde. The Rickreall girls walked away with their game, 44 to 12, but the visitors took the boys' game, 20 to 14. It was an exciting contest, 9 to 6 at the half and 13 to 8 in the third quarter. Sherman Foster refereed.

**JANET GAYNOR**  
**BARRYMORE**  
**CAROLINA**  
Robert Young  
HUBERT CROSMAN  
RICHARD CROMWELL  
**GRAND**

## CONTROL PLAN DEEMED VALID

### Home Rule Killed For Good When Prohi Law Passed High Court Rules

(Continued from page 1)  
peal of a repealing statute revive the old law.  
"It is dangerous to subject the constitution to such niceties of the law," the court held in refusing plaintiff - appellant's contention that home-rule had been revived. "Since the clear intention of the people in the adoption of the prohibition amendments has been ascertained, the court should function by giving effect to such intention and not invoke a somewhat shadowy rule of construction frowned on by a co-ordinate branch of the government." In the latter phrase the court referred to a law passed in the 1933 second special session of the legislature, in which the lawmaking body expressly stated that repeal of one constitutional provision, which had repealed a former provision, did not revive the original constitutional enactment.

The court, later in the decision, adopted for the sake of argument the premise that home-rule by state constitution was in effect. Even so Justice Bell contended, the Knox law would be constitutional as an exercise of the police power of the state. He cited Straw vs. Harris in which the court held that the state could never so surrender its powers to cities that it would lose its sovereignty. "Municipalities are but mere dependents or agencies of the state, charged with performance of duties for and on its behalf, but subject always to its control."

### Ruling Declares

"The heart and soul of the home rule amendment pertaining to the delegation of rights to cities," said Justice Bell, "is expressed in the provision that such rights 'are subject to the constitution and criminal laws of the state'."

The court ruled that the title of the Knox law was adequate to meet constitutional requirements and also that the measure was not primarily one to raise revenue and thus not subject to the emergency clause.

The decision did not go into the question of whether or not a city may concurrently license and bear selling stores along with the state although the decision points out that "The Oregon liquor control act purports to vest exclusive authority upon the commission to regulate and to control the sale of alcoholic beverages throughout the state."

In presenting the appeal Elton Watkins of Portland appeared for the City of Klamath Falls with A. L. Leavitt, city attorney there, on the brief. George Neuner, attorney for the state liquor control commission, and J. Bowerman, appeared for the respondent.

## PREPAREDNESS NOT WAR CAUSE, CLAIM

Army and naval preparedness do not cause war—the preparations are rather the symptoms of other conditions, predominantly economic, which bring international conflict. Such was the view expressed Tuesday by the Kiwanis club by Miles H. McKey, assistant attorney-general, speaking during the national defense fortnight now on throughout the nation. McKey is a lieutenant colonel in the Reserve Officers' corps.

McKey said the United States was exceeded by 16 other nations in the size of its standing army. He said the nation's army did not need to be large but it did need to provide the nucleus of trained men for officers in case of a war. McKey said army leaders had made advance plans for the "enlistment" of various industrial plants in time of war to use these, with trained officers, as the basis for the country's preparedness.

The regular army of the United States has only 125,000 men although army officials wish this number increased to 180,000, McKey explained. If a national guard has 185,000 men and the reserve officers corps 114,000 men.

McKey said the navy, under recent congressional enactments, was to be brought to the treaty strength agreed upon at Washington in 1922. He said Japan had already served notice that in 1935 she wished a more favorable ratio for her navy than the 6-5-3 plan agreed upon in Washington.

Army and navy leaders, contrary to general thought, do not wish wars, the speaker stated. They do know that the danger of war has not left the world; that Europe and Asia both are centers for potential conflict with Japan and Russia, possibly going to arms this spring. Therefore preparedness for defense is imperative.

## SALEM HIGH GIRLS LEAGUE INSTALLS Wilma Stortz Succeeds Irma Oehler as President; Gifts Presented

With an impressive ceremonial yesterday afternoon in the school auditorium the Salem high school girls' league installed officers for the second semester and welcomed incoming students. Accompanied by Marion Chase's softly blended violin music, last term's officers gave their places to the newly elected directors of the organization while Wilma Councilman read the simple ritual.

Retiring officials and Miss Mabel Robertson, advisor, received corsages as the gifts of the league. Tracing briefly the broadening status of women in the world, Miss Robertson drew for illustration upon two recently witnessed plays, "The Barretts of Wimpole Street" and "The Doll's House" to point the conclusion that the group of more than 700 girls gathered for the meeting might contain an Elizabeth Barrett Browning or an Eva La Gallienne. One of the main purposes of the league founded at Salem high school six years ago, is the development of the personality of its members as individuals in addition to recognition of the finer qualities of womanhood.

That the league has just completed one of its most successful terms of work both with its members and in respect to its service to the community is the opinion of Dean Robertson. The retiring president, Irma Oehler, is a younger sister of Gertrude Oehler, first president of the Girls' league here.

Miss Oehler's gavel was yesterday handed to Wilma Stortz. Ruth Yocum was installed as vice-president by Catherine Headrick, retiring from that office. Marjorie Safford, incoming secretary, received the records from Cornelia Hulst, retiring. To Maxine Hill, newly elected treasurer, were given the funds and financial responsibilities of the league by Marjorie Johnston, last semester's treasurer.

The musical program which followed included a trumpet solo by Margaret Ann Kedias accompanied by Lois Burton and a vocal solo by Cora Edgell accompanied by Doris Schukle. The program was arranged by Mary Elizabeth Kella.

## \$10,000 STORE TO BE BUILT AT ONCE

### Columbia Food Co. Signs Lease; Former Steiner Residence Recalled

A modernistic grocery store costing \$10,000 will be erected on North Liberty street adjoining Jim and Bill's service station, it was announced Tuesday after a five-year lease of the lots involved was signed between the Columbia Food company of Portland and George Putnam, owner of the property. The deal was handled by W. H. Grabenhurst & Co.

The construction contract, let to Knott, Rogers and Dunbar, provides for use of Salem labor and materials where possible. The building, designed by J. E. Kennedy, architect, for the lessees, will be 50 by 100 feet by 20 feet high with exterior walls of concrete, plate glass front and marquee. The south side and rear of the lot will be paved for customers' parking. It is expected the structure will be completed by June.

The cottage and two-story apartment house now on the property will be removed at once. The latter building was erected about 1889 by Dr. T. L. Golden, father-in-law of Dr. R. E. Lee Steiner, superintendent of the state hospital here. Here it was that Dr. Steiner and Miss Belle Golden were married October 11, 1892, and here that two of their children were born — now Mrs. Rita Fry, wife of Dan Fry of Salem, and Mrs. Barbara Flegel, wife of Captain Flegel of the United States army, now at Vancouver Barracks, Wash.

Dr. Steiner states he purchased the property 30 years ago for \$4750.

## STOCKS QUIET DOWN AFTER SHAKEOUT

NEW YORK, Feb. 13.—(AP)—Stocks had a quieter and more conditional market today. Some further recovery from last week's shakeout was accomplished despite isolated weakness in liquor and some aircraft issues although the general run of shares moved narrowly. Volume dropped to 2,150,360 shares. The averages were up six tenths of a point net.

Metals and strong and rails likewise looked up. Motors pointed a bit higher, but big auto representatives continued in favor, rubbers found support on strong tire prices and earnings. American Can touched the best price since 1931 at 105 3/4 and U. S. Smelting set another record top at 131. Utilities were satisfied with small variations.

United Aircraft flopped to 17 1/2 and went through some jittery gyrations before smoothing out. Closing at 21 1/4, the stock was off 1 1/4. Wright Aero sagged 3 in light dealings, but the Curtiss Wrights were steady. Douglas showed a small net gain.

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## WARNER BROS. CAPITOL

LAST TIME TONITE  
Starring Mystery Drama  
"WOMEN IN HIS LIFE"  
OTTO KRUGER - UNA MERKEL - BEN LYON

## THURSDAY - FRIDAY - SATURDAY TWO FEATURES

THE HONEYMOON IS OVER AND THE HONEYMOON BEGINS!  
GOOD MORNING TROUBLE  
GOODBYE LOVE  
A screen of promise  
Starring  
CHARLIE RUGGLES  
With  
VERRE TEASDALE  
and  
SIDNEY BLACKMER

A roaring rodeo rider goes hot on the trail of a gang of desperados.  
KEN MAYNARD  
in  
'KING OF the ARENA'

Doors Open 6:45 — 500 Good Seats 15c

## WARNER BROS. EL SINORE

TODAY AND TOMORROW  
The screen's great dramatic romance with haunting music and songs! You'll thrill to its sentiment and its sweep of action!...

THE REGULAR ARMY OF THE UNITED STATES HAS ONLY 125,000 MEN ALTHOUGH ARMY OFFICIALS WISH THIS NUMBER INCREASED TO 180,000, McKEY EXPLAINED. IF A NATIONAL GUARD HAS 185,000 MEN AND THE RESERVE OFFICERS CORPS 114,000 MEN.

## STATE 10 THEATRE

Today & Thursday  
5 Great Units  
of Entertainment  
First Run Feature  
THE NEW DOG STAR!  
**KAZAN**  
in  
"JAWS OF JUSTICE"  
A Real Action Picture

James Cagney  
in  
"A SCREEN INTERVIEW"

KEN MURRAY  
in  
"BROTHER, CAN YOU SPARE A MILLION"

Oswald Cartoon  
Latest Pathe News

Ladies' Mat. Today & Thurs. 15c



**JOHN BOLES**



**GLORIA STUART**

## BELOVED

John Boles and Gloria Stuart

Tonight  
VALENTINE DANCE  
Mellow Moon  
Boots Grant's 10-piece Band  
Adm. 25c — Ladies Free  
TH 9:30

TONIGHT  
CLAUDETTE COLBERT  
in  
'TORCH SINGER'

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