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The OREGON STATESMAN, Salem, Oregon, Sunday Morning, November 17, 1935

Thief of Time Leaves Muddle

Procrastinating Solons **Rush Through Faulty Bills Final Day**

(Continued from Page 1) intent of the house a week ago was to pass a bill, good or bad, and to go home. Representative Norblad has raised the matter of improper procedure but has subsequently denied that he intends to take the matter to court. Speaker Latourette is reported to be insistent that the house journal, when it is completed, omit the motion to do away with reading of the bill. There has been talk of mandamus action against Chief Clerk Drager to compel him to write the journal as it happened but neither the governor nor advocates of a larger site want to take the responsibility for such action.

Many supreme courts in other states hold the engrossed bill is the only evidence a court can examine and will not go into the record of passage whatever. This theory is followed by the United States supreme court. The supreme court of this state in former cases has gone behind the bill and looked at the records of the legislature but never further than that-if the records do not coincide with the facts, the higher court remains blissfully ignorant and will not accept testimony on the point, thus avoiding endless litigation over the constitutionality of legislative procedure. In this sense, the legislature through its journal becomes its own court on its methods and if the constition should not have been followed, the chief clerk can correct the errors when he writes the journal.

Upset of Bill by **Court** Improbable

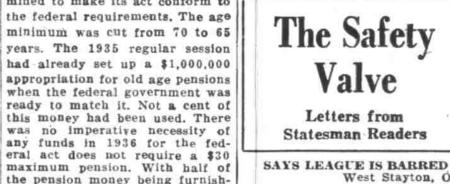
Similarly, it is improbable the court would upset the bill itself. minimum was cut from 70 to 65 It is true the title contains a years. The 1935 regular session reference to authority to purchase more land but the courts have held a title must be all-inclusive; an unnecessary clause would not when the federal government was constitute a flaw in the title. The ready to match it. Not a cent of legislature left some unnecessary clauses in the bill; provision for was no imperative necessity of condemnation of land or the ac- any funds in 1936 for the fedceptance by gift of land when it eral act does not require a \$30 explicitly limited the statehouse maximum pension. With half of and buildings to the old site. Here the pension money being furnishagain the court would doubtless ed from Washington it was probconclude the bill was poorly, but able, in 1936, that the state would not unconstitutionally drawn, and actually be out less money; even

with the age minimum at 65, than approve the law. While Governor Martin and it had spent through the various some advisers are still irked by county courts in 1935. the legislative action on the capi- Whether this would have worktol question-the temper of the ed out or not, the \$1,000,000 apgovernor's message accompanying propriation was adequate for the bill proves this attitude-the 1936. But the sales tax proponneople want a new ents, the opponents of pensions,



Recent reports that Paul Redfern, the American aviator missing since 1927, is still alive have Redfern is living in the jungles where his plane, spurred a new attempt to find the airman. M. A. Melcherts, Catholic teacher, brought back to civilization from the wilds of Dutch Guiana the tale of a native there who reported Redfern alive. Sufficient credence is given to the story so that Major Willis Taylor, army ace stationed at Panama, has | reports of the past /

mined to make its act conform to the federal requirements. The age



West Stayton, Ore To the Editor. skeleton plans announced Satur-Our schools: What are they? day by the Salem Ad club are an In public school laws of 1931, un- indication.

der article 35-1138 it states that Under the club's sponsorship, there is hereby established a civ- the following projects are being ic center at each and every launched: school house within the State of 1. The annual outdoor lighting

Oregon, where the citizens of the display. respective public school districts 2. Christmas opening, 7:30

within the said State of Oregon p. m., November 29, by Salem may engage in supervised recreastores.

Union Hill Grange Officers Elected Humphreys Master; Year's

Leaders Also Named by **Junior Grangers**

VICTOR POINT, Nov. 16 .- At the regular business session of Union Hill grange Friday night, these officers for 1936 were elected:

O. W. Humphreys, master; V. D. Scott, overseer; Mrs. J. C. Krenz, lecturer; L. S. Morris, steward; Marion Fischer, assistant-steward; Mrs. E. G. Neal, chaplain; M. M. Gilmour, treasurer; Mrs. V. D. Scott, secretary; Porter L. Downing, gatekeeper; Mrs. Porter L. Downing, Ceres; Mrs. George L. Wooley, Pomona; Mrs. E. V. Patton, Flora; Eugenia Neal, lady assistant steward; J. O. Darby, juvenile patron. Floyd T. Fox was elected to a

three year term on the executive committee.

Several Initiated First and second degree initiation was given Mr. and Mrs. W. H. Rabens, Mr. and Mrs. E. G. Neal, Mr. and Mrs. Porter Downing, Mr. and Mrs. George L. Wooley, Mrs. Hattie Cieslak, Evelyn Henny, Jeanne Oeder, Eugenia Neal, Vivian Graen, Phillip Fischer, Leo Celslak and Montie Morris. The grange will sponsor 4-H club work again this year with Mrs. Floyd Fox. Mrs. V. D. Scott

and Mrs. Theodore Fisher appointed to secure leaders for club protion. jects.

Election of officers in the ju-"Port of Brunswick", was believed to have crashed enile grange resulted as follows: on a flight from Brunswick, Fla., to Rio De Janiero, Lenora Heater, master; Marvin started Aug. 25, 1927. Meanwhile, Mrs. Redfern, Darby, overseer; Robert Humphnow a resident of Cleveland, still clings to hope reys, lecturer; Jimmie Darby, that her husband is alive despite numerous false steward; LeRoy Downing, assistant steward; Gladys Peterson, treasurer; Laurel Krenz, secretary; Gene Butler, gate-keeper; Mary Rosenbalm, Ceres; Marjorie Tate, Pomona; Arlene Morris, Flora; Mary Butler, lady assistant steward. The juvenile grange will have a Christmas tree at its December

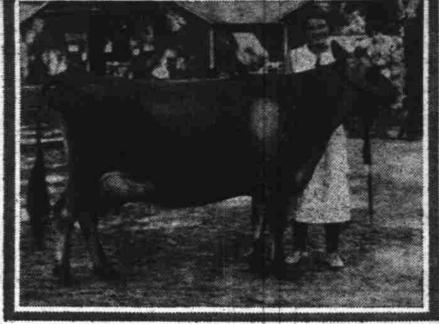
meeting with arrangements in Roy Downing.



WOODBURN, Nov. 16 .- At the

for this vicinity. If the project is approved, 23 omen from Woodburn, Hubbard





Norma Hulburt, Independence, with Sybil Baroness Eileen, Jersey cow which recently set a national breed record for milk yield.

National Leaders Watching Work Of Independence Girl and Folks In Developing Record Milk, Herd

Attractive young Norma Hul- | Miss Hulburt doing her share at bert of Independence is assisting each milking.

her parents, Mr. anl Mrs. L. A. "Eileen" is one of eight daugh-Hulburt, so capably in managing ters of the Jersey bull Sybil's a herd of purebred Jerseys that Ashburn Baronet which are completing such high official proveteran dairymen are keeping their eyes on the national records duction test yields this year that the herd is setting for vroducthey are bringing him more honors for the production of his pro-

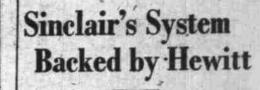
the herd is setting for producgeny than any bull of the Jersey woman in the country to milk and breed has ever achieved in so care for a national Jersey produc- short a time. They are his first tion champion through the offi- daughters to come into produccial test. She milked Sybil Barontion, were tested without selecess Eileen 914 times of the 915 tion and so far have broken four times the cow was milked during national records this year. Other Records Fall a 305-day test. In this test "Ei-In addition to the national recleen" yielded 759.71 pounds butterfat, 15,596 pounds milk. ord made by "Eileen," Sybil Tesbreaking the existing national sie Lorna broke two national recrecord for 305-day milk yield by ords for senior 2-year-old Jersey a junior four-year-old Jersey cow cows, one for milk and one for butterfat, 305-day tests, with a yield of 15,357 lbs, of milk, set almost 10 years ago. "Eileen" weighed 950 pounds at the end of her test, so during the 10 865.07 lbs. butterfat, and Sybil her own weight in milk.

for butterfat production by a senior 3-year-old Jersey cow, in a Milks 305 Days Every morning during the 305 365-day test, by yielding 16,657 days "Eileen" was on test Miss Ibs. milk, 1055.73 lbs. butterfat. Hulburt was up and milking her "Dad gave me my first Jersey around 4 o'clock, then milked her for the Christmas of 1930," Miss again in the middle of the day Hulburt says. "She was Sybil's and a third time late in the eve- Ashburn Baronet's first daughning. "I certainly enjoyed milk- ter, Sybil's Little Elsa, which has ing 'Eileen'." Miss Hulburt said, just finished an official produc-"as I really like to milk." In ad- tion record of 749.54 lbs. butterecent meeting of the city council dition to the three-times-a-day fat, 14,108 lbs. milk in 305 days." it was voted to pay \$146 out of milking routine for the cows on Miss Hulburt takes especial the city treasury to buy materials test the Hulburt family also milk- pride in feeding and caring for for the sewing project proposed ed a fourth time during the day, the baby calves in the Hulburt

GRAHAM

brings the

herd. "The job I enjoy the most is raising the calves," she says. "I raised all the calves sired by Sybil's Ashburn Baronet, tending to them from the time they were born until nearly a year old. 1 have tended to all the cows we had when they were calves except one. We have about 18 calves a vear."



BETHEL, Nov. 16 .- "Produc-tion for use and distribution on the basis of need" is the slogan which if followed, will solve the economic problems of the day, according to R. R. Hewitt who was guest speaker for the Farmer's

Union Friday night. Hewitt said that the old openmarket system has run its course. The standard of living in the United States is lowering. Holland, Denmark and Sweden practice cooperation most consistently and have the highest average standard of living. Roumania has the greatest national resources, but without cooperating, has the lowest average standard of living. A. L. Schulz was chairman of the program.

There was a fine attendance. A short program consisted of orchestra selections, a song by Raymond Gerig and a plano selection. At the business meeting Mrs. J. M. Nichols was appointed program chairman for the closed meeting, and J. A. Hain and O. L. Brubaker for the next open meeting.

Session Results **Told in Figures**

Activities of the legislators and he governor during and after the special session, are told in statistics as follows:

Measures introduced 174. Passed by legislature 75. Signed by governor 64. Filed without signature 9. Vetoed by governor 2. Killed by powerful legislative steering committee .34. Bills died in other committees

Killed by legislature 21. Withdrawn from consideration



X

Holiday Lighting **Program Started** Ad Club to Sponsor Usual charge of Donald Woolley and Le- months she yielded over 16 times Lucky June set a national record **Display;** Christmas **Opening Nov. 29** A brilliant, cheery Christmas

either of the manner in which the At the same time they repealed eut constitutionality of the meas- That action is fine for the health ure itself.

Befeat on Capitol Worst For Martin

erally lauded for his strike policy. The L. A. Banks case turned into a boomerang for Zimmerman and his coterie. But on the capi-Zimmerman - Burke group right smartly defeated the administration, planning board, architects, advisers notwithstanding. Unfortunately for the state, the capitol question throughout became a "Get the general" fight and right well did the anti-Martin forces succeed.

The capitol commission, nine in number, serving without pay-a board too large and one certainly entitled to some compensationwill be named this week. With Martin, President Corbett and Speaker Latourette doing the selection, the choices should be good. A chance for direction of a big state project along with opportunity to have one's name chiseled in the marble of the new structure will be motive sufficient to get good men. on the commission. When the selection is completed, Governor Martin will wash his hands of the entire capitol matter and step out of the picture. He would liked to have served on the board or to have appointed a majority of its members. As the capitol law reads the governor hereafter has no more responsibility in the selection of the capitol than a private citizenanother indication of the completeness with which the anti-Martin forces hamstrung the administration. Board Members

Want no Part in It.

Apart from the governor, no other members of the board of control really wanted the job of building the capitol. Behind the plea of "too busy" State Treasurer Holman, up for re-election in 1937, and Secretary of State Snell. sensed a political question they wished to avert. Prior to the last day of the session it appeared the commission must vote on the amount to be spent on the capitol and also the site. Here was a dangerous decision in an election year-with the grange making political capital of the entire capitol question, Quick to note the drift of the political wind, Holman and Snell graciously insisted they he kept out of the capitol commission job-with the result that the board of control can devote its full time to such momentous questions as a central telephone system for the statehouse, the cost of electric refrigeration at the state blind school or the erection of a state-owned power plant!

capitol, are not concerned about and those who insist pensions the limited expenditure or the old must be paid from sources apart site, and would be exceedingly from property tax, joined hands vexed with a supreme court test, and forced through the sales tax. bill was passed or of the inher- the \$1,000,000 appropriation.

of the state treasury which can increase its already large cash balances, but it will be hard for pen-

The capitol defeat is by all odds sioners who are likely to find no the worse drubbing the governor money for their relief after Janhas received since his inaugura- uary 31, 1936. For Oregon is tion. Heretofore he had been dead-set against the sales tax and onite successful in routing the there is no reason to think it can Zimmerman-Burke bloc. He had be clubbed into one by the mere outwitted them on the proposed device of telling the citizens it is court fight over his 'egal right a question of sales tax or no penfect to be governor as well as to draw sions. More probable will be antue chief executive's pay and his other special session in 1936 to army pension. He had been gen- vote back the \$1,000,000 appropriation, when the sales tax has been defeated-as it probably will be-and when the cries of onceprotected pensioners rend the air. tol question the grange and the The sales tax proponents diverted pension budgets, already levied by county courts, to other uses, and plugged that loophole should the sales tax fail to receive voters' approval. The question for the moment is sales tax or no pensioner.

The unemployment act, as signed by the governor, is a prime conditions that confront them. illustration of the inefficiency of that they may know how to prothe legislative process. The house passed the bill, without an employe contribution clause. The senate amended the measure and put employe contribution in. The house refused to accept the amendments and struck out t' is clause. The senate, in its closing hours, accepted the house action. Imagine the surprise of the advocates of the measure to find the engrossed bill on the govof citizens and is fascist develernor's desk with employe conopement tribution a part of the measure. And there the clause stayed as it went to the secretary of state's office. Attorney-General Van-Winkle holds the clause can be nullified by a proper opinion of his office or of the supreme court and contends the industrial accident commission need not enforce the employe contribution clause. Obviously more sound would be to have made the engrossed bill conform to the action of house and senate.

The legislature again showed

its disposition to make it easy for taxpayers to default on payments and hard for conscientious citizens to keep up their taxes. This session slowed down tax payment by permitting a remis-sion of interest and penalty on of cost. all taxes now due provided current payments were kept up and one-fourth of any back year's tax **Yids Dancing Club** was paid. By this method liquidation of old tax claims can be prolonged for any years. Ostensibly the measure was to benefit little taxpayers; actually its behind-the-scenes sponsorship were The Yids dancing club enjoyed an large corporations, many of them unusual dancing party Friday evening. All members came dressed with large timber holdings, who maintained a well-trained, well- as Pioneers. All old time dances paid lobby during the session to were danced during the evening. get the bill through. The result-Hosts and hostesses were: Mr. and ing savings to taxpayers with Mrs. Kenneth L. Williams, Mr. and large sums of unpaid charges on Mrs: William C. Wood and Mr. their books, due to the counties and Mrs. Bert Piercy. and the state, will fully justify the expense of forcing the lill **Independence** Hunters through.

Three Births Reported

tional activity, and where they - 3. Downtown street decora- and Gervais who are on relief rolls may meet and discuss from time tions. to time as they may desire, any

and all subjects and questions which in their judgment may appertain to the educational, political, economic, artistic and moral Details of the contest, which is terials. The money furnished by interests of the citizens of the rethe seventh sponsored by the Ad spective communities in which hey may reside." Under article club, are being worked out and

35-1123."the school house may be will be announced shortly. **To Unveil Windows** used for any proper purpose, giv-Heralding the entry of the 1935 ing equal rights and privileges

to all religious denominations or Christmas season will be the unpolitical parties" Such is the law veiling of store windows Friday. November 29. Stores will remain established by the State of Oregon. There are differences of opinion open during the evening so that about economic matters that af- the public can make inspection of

each individual residing holiday merchandise. there. Some are intellectually sta-A pre-Christmas glimpse of tic, some are reactionary and Santa Claus will be permitted Sasome are open minded and pro- lem children Christmas opening gressive. The intellectually static night. Santa will pick up his do not want changes to be made Christmas mail from a special in social laws made necessary by post box to be situated on the changing economic conditions. courthouse grounds. Plans are to The reactionary group want laws have a giant movable post box and power to restrict the exercise constructed and ready to receive of the freedom of speech rights kiddies' mail for Santa Claus Monsecured by the constitution. The day, November 25th. The box will open minded and progressive, see- he placed in a different location ng that changes in economic and downtown each day until Friday. social conditions are continually

developing, need the public use of the established civic centers to Silverton Lodge to discuss the changing economic

Attend Convention

tect themselves against poverty SILVERTON, Nov. 16 .- Among and destitution. That is the reason the Silverton lodge members who the law requires that no discrimiwill attend the Willamette Assocination practiced by the school board of directors in granting the ation of Matrons and Patrons Tuesday night are Miss Olvia Deuse of the school house for public guire, W. P. Scarth, Mrs. F. E. discussion. It is an American law. Sylvestra, Mrs. J. C. Schlador, To violate that constituted law is Miss Ina Harold, Mrs. G. B. Bentto violate constituted American son, Mr. and Mrs. C. H. Pounder rights and places the violator in the static and reactionary classes and Mrs. Roy Skiafe.

> Announces Engagement SILVERTON, Nov. 16. - Miss

That condition exists in school Muriel Bentson, Silverton teachdistrict No. 61 in Marion county. er, was a recent guest of Miss Under the belief and claim they Helen Ellingson at Portland at a would uphold the laws and American traditions the present board party at which Miss Ellingson announced her engagement to James of school directors were elected. Instead of doing so, they have Munson of Bend. Miss Ellingson formerly taught at Silverton. practised fascist measures of dis-

crimination in that they have ar-**Daughter** to Klopfenstiens hitrarily refused the use of the BRUSH CREEK, Nov. 16 .school house to the United Farm-Mr. and Mrs. Aden Klonfenstien ers League, an economic relief organization; have charged \$1.25 announce the birth of an eightper meeting to other groups for pound daughter, born November which they do not belong of at- 9 at the home. Mrs. Klopfenstien's tend meetings, thus making the mother and sister, Mrs. E. J. Monschool a profit project and finally tandon and Ruth Montandon of to the organization to which they Hazel Green are assisting at the belong, make no charge but grant Klopfenstein home. The baby has the use of the school property free been named Donna DeLaine.

> HERBERT DENNETT **Business Men's League** West Stayton, Oregon.

Elects Dunn President

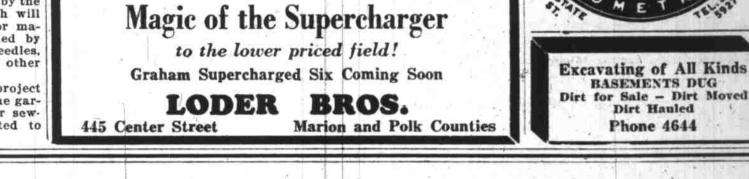
MT. ANGEL, Nov. 16-A large **Enjoy Novel Program** number of business men and farmers attended the flax meeting the Mt. Angel auditorium INDEPENDENCE, Nov. 16 .-

Wednesday night. The government plan for aiding in financing a retting and scutching plant was efficiently outlined to the audience which seemed all for backing the project. No definite decision was reached, however. A committee, consisting of Frank Hettwer, Joe Bernt, Michael Weinacht, Marc Wampach and P. N. Smith, was appointed to investigate further and to line up the farmers. Successful in Hunt

will be given work at \$48 a month The illumination contest will be for six months. It will mean an exconducted under rules similar to penditure of about \$10,000 by the last year's, it was learned, with government, \$7000 of which will

> terials. The money furnished by the city will provide for needles, tape, thread, buttons and other necessities. The floor lady on this project

will receive \$55 a month. The garments, bedclothes and other sewing done will be distributed to people on the relief rolls.



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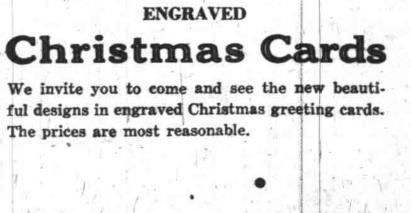
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Statesman



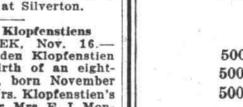


Plate Included, Only ..

a state-owned power plant! SILVERTON, Nov. 6. — Three births reported from the Silver-ton hospital recently include a son The sales tax-old-age pension SILVERTON, Nov. 6. — Three births reported from the Silver-ton hospital recently include a son SILVERTON, Nov. 6. — Three Diver-ton hospital recently include a son SILVERTON, Nov. 6. — Three Diver-ton hospital recently include a son SILVERTON, Nov. 6. — Three SILVERTON, Nov. 6. — Three SILVERTON, Nov. 6. — Three SILVERTON, Nov. 16.— ST. LOUIS, Nov. 16.— ST. LOUIS, Nov. 16.— Mr. and Mrs. Albert Leith are the par-son horn ST. LOUIS, Nov. 16 .- Mr. and ambroglio was a elever legislative to Mr. and Mrs. Ingvald Torres- morning from eastern Oregon ents of a 61/2-pound son born ran-around. In order to get the dal, a daughter to Mr. and Irs. with a 500 pound elk. The party Sunday at the Woodburn hospi-59-50 money for pensions Uncle Sam will have available in Jan-uary, 1936, the state wisely deter-

