

### Death Toll Is Over Hundred

58 Victims Counted For Second Day Extreme High Temperature

(Continued from Page 1) Those were relieved tonight by torrential rains, swept over the hills by high winds. The mercury at Mattoon, Ill., dropped from 103 at 3:40 p. m. to 75 at 7:50 p. m. Deaths by states were led by Michigan, where eight died because of the heat and seven were drowned. Twelve deaths were reported in Illinois, caused directly or indirectly by the heat, and two persons drowned. Rainfall snapped the heat wave in northwestern North Dakota late today and moved eastward to raise hopes for a feed crop over some of the drought area.

### Out Again, Lytle Is in Jail Again

(Continued from Page 1)

that he would take into consideration the fact that Lytle had already served 30 days. He gave a sentence of three months. Deputy Sheriff B. G. Honeycutt figured out that with the allowance of good time, Lytle was entitled to release. He conferred with the district attorney and released the prisoner. Appeal to Judge To Steble Matter When Court Clerk Walter Lamkin discovered that Lytle had been released he informed the sheriff's office that the defendant had three months yet to serve. He stated that the 30 days had been considered by the judge but there was still three months to go on the sentence and that no allowance for the time already served was to be made on the new sentence. Lytle's attorney, the district attorney, court bailiff and Honeycutt disagreed on the theory that the 30 days served was to apply on the sentence. A long distance call to Judge Lewelling, who had returned to Albany, proved Lamkin right. A search for Lytle was started and after four hours freedom he was back in his cell last night with three months yet to go.

### Delegates Chosen By Veterans Here

Marion post 661 will send six delegates and six alternates to the state Veterans of Foreign Wars convention which opens at Albany today, Commander C. R. Mudd announced last night. The convention will last through Saturday. Delegates are Elmer Wetzel, Ray Betzer, Henry Fournier, Frank Millet, Onas S. Olson and Lester Jones. Alternates are Miller B. Hayden, Joe F. Ringwald, Ben Woelke, Chris Floor, C. H. Brant and George Feller. Highlights of the convention will be the banquet and grand ball tonight, military parade and "scratches" of the Military Order of Gophers Friday night, elections and street dance Saturday.

### Communists Defy Blum on Strikes

PARIS, July 8.—(AP)—Communists defied Premier Leon Blum's government tonight to make good its promise to use force if necessary to prevent new factory occupations by striking workers. In the meantime, the leftist government's project to nationalize France's arms industries was approved by the army committee of the chamber of deputies tonight.

### The Call Board

ELMINORE Today—"Hearts Divided" with Marion Davies, and all-color comedy with Sybil Jason. "Changing of the Guard." Saturday—W. C. Fields in "Poppy."

GRAND Today—Double bill, the Jones family in "Education of Father," and Lyle Talbot in "Trapped by Television."

Saturday—Jane Withers in "Little Miss Nobody."

CAPITOL Today—Double bill, H. G. Wells, "Things to Come" with all star cast and "Parole" with Ann Preston.

HOLLYWOOD Today—Double bill, "One Way Ticket" with Walter Connolly and "Don't Get Personal" with James Dunn.

Friday—"Hell Ship Morgan" with George Bancroft and John Wayne in "The Oregon Trail."

STATE Today—Double bill, Victor McLaglen in "Professional Soldier," and Alice Brady in "Lady Tubbs."

Saturday only—Frankie Darrow in "Black Gold."

Laid the colorful and romantic setting of the South in 1893, and presenting one of the most distinguished casts ever assembled for a motion picture, Marion Davies' new Cosmopolitan production, "Hearts Divided," opens today at the Elsinore theatre.

Miss Davies has the role of Betsy Patterson, and Powell plays the part of Jerome, whose love for Betsy is far stronger than his desire for fame and fortune. The role of Napoleon is played by Claude Rains.

Charles Ruggles, Edward Everett Horton and Arthur Treacher have comedy roles.

Several historical personages are represented in the picture, including President Thomas Jefferson, James Madison, James Monroe, Aaron Burr, Alexander Hamilton and John Marshall.

### City of Stayton Gives Easement

(Continued from page 1)

way in addition to an agreement to reimburse them for any damage to their land crops trees or buildings. Efforts of some land owners in the Aumville district to secure a higher price per rod will not hold up the project. Rostein declared because, he pointed out, the city can move the pipeline location to nearby county roads. "A few farmers do not understand that part of the \$77,000 we have set up for pipeline right of way must be spent to pay for damages," Rostein added. "We are trying to treat all alike paying a reasonable price for right of way and agreeing to make good for any damage to property." Start of the water supply development must await specific orders from the city council, Rostein said. Plans for that unit of the program and for the pipeline are nearly finished by the commission's engineers.

### Licenses to Sell Beer Taken Away

(Continued from Page 1)

suspensions also were meted out to the Columbia Distributing company, Portland and La Grande units operated by Chris Meletis, and the Columbia Beverage company, Portland, operated by Starvaggi brothers for violation of commission regulations. The Salem city council Monday night recommended that the license for F. G. Tschauer be granted.

### Rate of Interest On Bonds Figured

Average Is Slightly Over Previous Estimate; All Sold, Is Word Here

Fred Paulus, deputy state treasurer, yesterday computed the average rate of interest which will be paid by the city of Salem on the \$1,000,000 bond issue sold Sunday night. The figure is 3.987 per cent. The council ways and means committee had made an estimate of 3.875 per cent.

The bonds were bought with varying interest rates, 3 1/2 per cent for the early maturities, 3 3/4 per cent for the middle maturities and 4 per cent for the final maturities. As the most of the bonds mature after 1950 the higher rate for the late maturities raises the average to nearly 4 per cent.

The average term which the bonds run is 21.3355 years. The final maturity is 1974. Forty year bonds are rare for Oregon municipalities. During the forty years the total interest that will be paid under the terms of the issue and sale is \$1,239,937.50.

Bonds are being printed by Unruh-Knaap printing house and will be ready for delivery within the thirty days specified in the bid.

The entire bond issue was sold Tuesday by the 13 firms which formed the single syndicate bidding to purchase the securities from the city, brokers here reported yesterday. They said some investors here had been informed their orders for the Salem bonds had been cancelled because the issue was sold out.

### Funeral Held For Mrs. Ellen Smith

Mrs. Ellen Smith, 93, who died after a brief illness at the home of a daughter in Portland last Friday, was buried in the family lot in the cemetery at St. Paul on Monday. She was the mother of James E. Smith, WPA director for this district.

She had moved to Oregon with her husband in the early 1860's, after travelling west from Iowa. Her husband died about 30 years ago. He was a well known rancher of the district in which he lived, near St. Paul. Mrs. Smith lived in Portland for the past 30 years.

She is survived by nine children: James E. Smith and J. E. Smith, Salem; P. C. Smith, St. Paul; Captain C. P. Smith, Jack Smith, William Smith, Mary Smith and Frank L. Smith, and Mrs. Anna Hastorf, all of Portland.

### LaNair's Release Case Argued Here

Warden James L. Lewis appeared before Circuit Judge L. H. McMahan yesterday afternoon, bringing with him Roy LaNair, whose appearance had been ordered on a writ of habeas corpus filed by LaNair's attorney. Lewis also filed a return to the writ, through the attorney general's office.

George Mowry, attorney of LaNair, asked for time to make an answer to the return and LaNair was returned to prison.

LaNair is seeking to force his release from the penitentiary on the grounds that he is entitled to a deduction from his maximum sentence for good time.

The return sets out that Lewis is the warden of the state prison and that as such he has held LaNair in custody as an inmate upon commitment papers signed by the circuit judge of Multnomah county. LaNair was sentenced on January 23, 1935 for the crime of burglary, not in a dwelling. His maximum sentence under the indeterminate sentence law was five years. The attorney general will be allowed to reply to the answer when it is filed by the prisoner's attorney.

### Five Persons Die In Arsenal Blast

LONDON, July 8.—(AP)—An explosion snuffed out an ordnance experiment and killed five persons in Great Britain's main royal arsenal at Woolwich today.

The victims, one of them Lieut. Commander F. A. M. Long, an officer in the armament's supply department of the admiralty, were conducting or watching a test in the research department of the arsenal, which employs 7,500 men.

But the munitions storehouses and factories are spread over such an area—some 600 acres—that hundreds of other arsenal workers knew nothing of the explosion until they quit the shops to go home for the night.

Actual cause and the extent of damage were not made public. War department officials did, however, emphasize the blast was purely accidental and there was no question of sabotage.

### Belief of "Black Widows" Refuted

Proofs that, contrary to generally accepted belief, the male of the spider species to which the "black widow" belongs does have, at least occasionally, the "hour glass" markings characteristic of the "widow" herself, is claimed by W. C. Miller, who operates a barber shop at the Four Corners.

Miller reported yesterday that all last winter he kept at least one and sometimes three black widow spiders in a bottle at his place of business. One survived on a diet of house spiders.

Recently a friend brought another spider with identical markings and he put this in the jar with the female. The visitor soon died.

The denouncement came when Miller discovered the male markings on his own female spider had nested during the night and brought forth a number of eggs, which have since hatched and there are about a dozen baby spiders in the bottle.

### Oak Grove Beats Hillsboro Squad

PORTLAND, July 8.—(AP)—Oak Grove's baseball team sent Hillsboro into the consolation bracket of the Oregon semi-pro tournament tonight by handing the Hillsboro nine its first defeat of the tournament, 10 to 5.

The losers crept up to a 5-all tie in the sixth but one run in the seventh and four in the eighth spelled an Oak Grove victory.

Hillsboro 5 7 5  
Oak Grove 10 8 6  
Rosky, Zimmerman and Hoag; Swope and Hall.

### Stephen Mead Better

BETHANY, July 8.—Stephen Mead, son of Mr. and Mrs. Albert Mead, was taken to his home here Wednesday from the Silverton hospital. Young Mead sustained a wound in his leg when he fell from a haymow several days ago.

### Electric Industry Progress Praised

Criticism of Rates Held Unjust in Rotary Talk by George Allison

George W. Allison, promotion man with the electric industry, praised the expansion of that industry in its life of a little over 50 years and defended the charges made for electric service.

"While electric rates have declined forty per cent since 1924 the cost of living has increased that amount," said Allison. "The development of an industry with an investment of twenty-five billions in the manufacturing and distribution of electric merchandise and in power plants and distributing systems has come through private initiative in the hope of making profit on the enterprise."

Allison said the one thing that retarded additional progress was the assertion that electric rates are too high. The average home pays between eight and nine cents a day for its electricity and between \$1.40 and \$1.50 a day for taxes. "If the cost of government would be reduced four per cent," said Allison, "that would equal the entire domestic light bill of the country."

Allison spoke before a joint meeting of the Rotary and Lions clubs.

Burtis Preston sang two vocal numbers, accompanied by Miss Flavia Downs.

### Criticize Record, Eastern Hospital

Mild criticism of the bookkeeping system in operation at the eastern Oregon state hospital was voiced Wednesday by accountants of the state department, which has completed an audit of the institution.

"A more systematic synchronization of the present accounting records is needed so they will adequately record the financial transactions of the institution at all times," the audit report read.

"It is imperative that a complete, controlled and balanced record of such transactions be maintained. It is a waste of effort to prescribe a complete accounting and bookkeeping system unless it will be kept posted up to date at all times. The major portion of the value of good bookkeeping is its current use and application."

### Woeike Passes Away at Home Near North Howell

NORTH HOWELL, July 2.—Joseph Woeike passed away this morning at the residence here on Route 2. Surviving are his widow, Anna Woeike; three sons, Antone, 20, and two younger sons; his father, Antone Woeike, of Gervais; five brothers, Peter, Ben and Frank, all of Salem, August of North Howell, and Antone of California; and two sisters, Mrs. Anna Novick of Portland and Mrs. Martha Pietrock of Scio.

### Application For Housework Noted

The state employment agency here after several months of being unable to fill orders for housekeepers unexpectedly received more than 10 applications for this type of work, Walter Spaulding, assistant manager, reported yesterday. A few applicants were interested in day work but the majority in positions as steady housekeepers.

Demand for fruit pickers locally had dwindled to a low level, Spaulding said, but Gresham berry growers were still calling for large numbers of workers with families preferred. Spaulding said the Gresham berry work would last until the bean crop comes in in the West Stayton area. Bean picking will start soon after July 20.

Orders for general harvest work

### More Jurors For July Are Called

Because many of the jurors drawn on the July panel had been excused, Circuit Judge L. H. McMahan yesterday ordered that 20 additional jurors be drawn. Those drawn for the list were:

W. H. Gardner, Pringle, farmer; John H. Davenport, South Ilwaco, farmer; J. F. Wilcox, Aumsville, mechanic; Henry D. Miller, Scollard, farmer; Pansy M. Gillanders, East Woodburn, housewife; E. S. Badlong, Salem No. 1, woodman; Otto F. Berning, East Gervais, farmer; Charles A. Hoover, Brooks, farmer; Emma Reed, Aumsville, housekeeper, refused; Jacob H. Dunlap, Salem No. 10, laborer; Frank W. Cheaney, Salem No. 3, carpenter; Ruth Drager, Salem No. 23, clerk; Adelaide St. Erskine, Pringle, housekeeper; John M. Hollingsworth, Silver Falls, farmer; Martinus D. Lindahl, West Woodburn, real estate; Ralph C. Grimm, West Hubbard, farmer; H. H. Annon, Monitor, dairyman; Ben Evers, East Woodburn, merchant; William F. Haverland, Salem No. 21, laborer; Arthur W. Biniger, East Salem, farmer; and Leslie H. Springer, Salem No. 17, shoeman.

### Justice Court Is Unusually Active

SILVERTON, July 8.—Judge A. D. Nelson is having a busy week in court this week with the final trial for the week slated for Friday at 10 a. m., at the Eagles hall. This case is that of Gilbert Moser who pleaded not guilty to a charge of reckless driving.

The justice revoked Elmer Dick's parole and sent him to the county jail to begin a 50-day sentence and \$100 fine. Dick was sentenced some time ago but paroled on the conditions that he take some "liquor cure" and that he remain sober. He failed to comply with either condition.

In the case of the state versus Tom Wills, Wills was given a ten-day extension to pay costs.

A juvenile larceny case preferred by Nellie Ford was transferred to the county juvenile court.

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### Picnics to Start At Olinger Field

Weekly picnics for children will start at Olinger playground next week. Director Tom Drynan announced yesterday. The first picnic has been set tentatively for Thursday. The boys and girls will bring their own lunches, have a short program and roast wieners or marshmallows around a campfire.

Drynan said the picnic grounds, on the bank of Mill creek, was open to the general public. The swimming pool will be held open just the usual closing hour for picnic groups guaranteeing a minimum number of 25 swimmers. Numerous family picnic dinners are held at both Olinger and Leslie playgrounds each week.

### CCC Enrollment Deadline Is Set

Marion county young men desiring to enroll in the civilian conservation corps must report to enlist headquarters, 357 North High street, by 9 o'clock this morning. Glenn C. Niles, county relief administrator, said yesterday. Recruits who can qualify will be taken to CCC Camp Cascadia by truck at 10 o'clock this morning.

Niles did not know whether or not the county's quota of 300 enrollees would be filled. He had several applications on hand yesterday and expected a number more this morning.

### Sanderson Family Moves To New Home, Unionvale

GRAND ISLAND, July 8.—Frank Sanderson and daughter moved the last of the week to the place in the Unionvale district formerly occupied by Mrs. Verna Anderson and family. For the past several years the Sandersons have been living down on the Harrison place here.

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**STATE 159 THEATRE** KIDDIES A DIME BETTER PICTURES PERFECT SOUND

TODAY and FRIDAY 2 Features!

Whatta Pair! Whatta Picture!

The romantic adventure of a boy king... and his hard boiled American pal!

VICTOR MCLAGLEN  
FREDDIE BARTHOLOMEW

Damen Runyon's **Professional SOLDIER**

with Constance Collier  
Michael Whalen  
Gloria Stuart

Plus "LADY TUBBS" with Alice Brady, Allan Mowbray, Anita Lourey

FREE TICKET through California ON LOW ROUNDTrips EAST!

A free ticket through California! That, in effect, is what we give you on low summer roundtrips East. From most western Oregon and Washington points, you can swing down through San Francisco and Los Angeles and then East, returning on your choice of northern lines (or reverse the order) for not one cent more rail fare than the lowest roundtrip directly East and back!

You'll travel in cool, clean comfort all the way, for every principal Southern Pacific train is completely air-conditioned. You'll see many thrilling sights which will double the enjoyment of your trip—San Francisco, Los Angeles, San Diego Exposition, the Texas Centennial, to mention but a few. Summer roundtrips are real travel bargains. Example roundtrips: Chicago as low as \$57.55, New York \$95.75.

**Southern Pacific**

A. P. North, Ticket Agent Phone 4408

**ELSINORE** 500 Seats 25c

TODAY AND FRIDAY AN "ALL STAR" CAST OF PLAYERS WHO ARE REAL STARS!!!

TIMELESS ROMANCE... BREATH-TAKING BEAUTY... that will hold you spell-bound, the story of a love that flamed defiant in the sinister shadow of an emperor's wrath!

Bill POWELL-RUGGLES  
Claude EDW. EVERETT  
ARTHUR TREACHER  
HALL JOHNSON CHOIR

SYBIL JASON EXTRA ADDED ATTRACTION All Color Musical "Changing the Guard"

STARTS SAT. Biggest Laugh Show on Earth! W. C. FIELDS in "POPPY"

**GRAND** 2 MAJOR FEATURES "Educating Father" and "Trapped by Television"

**CAPITOL** TONITE FRIDAY SATURDAY

TWO THRILLING FEATURES

VIVID! STARTLING! H.G. Wells' "MORNING FORECAST"

**THINGS TO COME**

DANGEROUS MEN AT LARGE! HENRY HUNTER ANN PRESTON

500 SEATS 15c

One Nite Only **CAPITOL** All Seats 35c

Midnite Spook Show Friday at 11:30

Prepare for a frightful evening with **GHOSTS & SPIRITS** IN PERSON On the Stage

**JACLAR Midnite SPOOK SHOW** MYSTERY-LAUGHS & A 1000 THRILLS

ON THE SCREEN Side Splitting Mystery Comedy "One Frightened Night" WALLACE FORD - EVALYN KNAPP

NO CHILDREN... IT'S TOO SCARY!

**Hollywood** TONIGHT IS FAMILY NIGHT

Mom, Pop and Unmarried Kids 30c

Single Admission 15c

TWO BIG FEATURES

James Dunn "One Way Ticket" Lloyd Nolan Peggy Conklin Walter Connolly

Friday & Saturday TWO BIG FEATURES **JOHN WAYNE** in "The Oregon Trail" And Second Feature

**HELL-SHIP MORGAN** GEORGE BANCROFT ANN SOTHERN VICTOR JAY A COLUMBIA PICTURE

