

The Oregon Statesman

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"No Favor Sway Us; No Fear Shall Awe"
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Pressure for Strike Settlement

It is easy for sideline spectators of the strike-deadlock which grips Pacific coast ports to wring their hands and wail "ain't it awful?" It is easy for outsiders to denounce the strike and say the principals ought to get together and end it. And it is likewise easy when the strike is prolonged for these folk to call for government intervention to settle not only this but future industrial disputes. If they were parties to the controversy they would probably be as obstinate as the present participants. The strike is industrial warfare, a resort to force in which the ruling element is time; it is a contest in staying qualities, the employers relying on starving the unions into submission; the employees relying on starving the shipowners into submission. The strike was entered on deliberately, with each side determined to crush the other into compliance with its demands. Each side regards concession on the major point of dispute, control of the hiring hall by the union, as defeat. So far as skilled a negotiator as Secretary McGrady has been unable to write a scheme which will provide peace either with or without victory. In view of his failure to date one cannot be optimistic about the success of new mediators unless they are vested with the genuine power of massed public sentiment.

From several different spots come demands for settlement which spring not from the pious handwringing of the comfortable grandstand-sitters, but from the public whose ox is very definitely being gored. The Hood River apple growers and eastern Oregon wheatgrowers, alarmed at the stoppage of transport, are threatening to force through legislation to prevent such strikes. At Coos Bay citizens, weary over the paralysis of industry there due to the strike stranglehold, have come forward with a new plan for strike settlement. Oregon poultrymen threaten direct action if they cannot get corn for their fowl unloaded from ships rocking in Portland harbor. Mayor Carson of Portland has commissioned former mayor George L. Baker to head a committee to get action for resumption of shipping.

Perhaps none of these efforts will succeed of itself. But from the several efforts and others will come the pressures which will force a decision, either through agreement of the principals or through the imposition of a settlement from public authority. If it is to be no more than a truce the settlement will have to be on a basis which will provide fair security for employees and discipline and efficiency for the employers. We admit that is rather an unctuous phrasing, which both sides to the dispute would endorse, and that the difficulty is in putting the copybook motto into terms of agreement. No perfect formula can be secured; and no formula will work without the goodwill on both sides to give it real vitality.

Jury Selection

ONE jury panel for Multnomah county for 1937 has been thrown out and the new panel prepared by the jury commissioner and a deputy county clerk is under attack by a group of lawyers who claim it was not selected in the manner ordered by law. If the circuit court throws out this jury, delay of trial of cases for a month or two is feared, on account of the time required to prepare the list of jurors.

The ground for complaint on the jury list is that the selections were made from the list of taxpayers and not from the registration list. So some argue that this excludes persons of the poorer classes who ought to have the privilege to sit on juries. In proof it is asserted that names were chiefly of the white collar class or from the better sections of the city. These may be the arguments used, but there is reason to suspect that a real basis for the attempt to knock out the jury list is the desire of plaintiff lawyers in damage suits to get as incompetent a jury as possible. In every city of size law practice gets specialized, and in Portland there are lawyers who make a specialty of damage cases, where they sue for large sums and hope to wheedle part of it at least out of a soft-hearted and soft-headed jury. In recent months the jury schedule on sprained backs hasn't been as high as formerly, so the plaintiff lawyers want to change the draw for jurors.

Oregon ought to get back to fundamentals on its jury selection. The state constitution says, "The legislative assembly shall so provide that the most competent of the permanent citizens of the county shall be chosen for jurors." The law is quite inadequate now to carry out the high purpose set out in the constitution. In fact the law by a process of exemptions has strained out members of many occupations who ought to be exceptionally well qualified to serve as jurors. Then many of those who are called use what pull they have to get excused.

There should be no discrimination among prospective jurors on account of their wealth, because many in very humble circumstances are well qualified by intelligence and honesty to serve on juries. Farmers often make excellent jurors, and are certainly among the "permanent citizens" of the county. The legislature should go farther than it has to put into effect the constitutional mandate; exemptions should be greatly reduced; and citizens should, except in grave contingency, be willing to serve on juries. It is a duty not to be shirked.

Fair Trade Act Decision

LAST week the U. S. supreme court rendered a decision of a great deal of importance in commerce. The court upheld by a unanimous decision the constitutionality of fair trade acts of Illinois and California. Oregon has an act almost identical to the California law. The terms of the law are simple. Producers and wholesalers are empowered to enter into contracts with retailers for the resale price of merchandise on which the first parties hold the trademark or brand name. Then if any merchant sells that branded article at a lower price any other merchant who holds such a resale contract may sue the offending merchant and recover damages. The Oregon law was promoted in particular by the retail druggists' association as a protection against price-cutting.

Oddly enough, while the decision validates such intrastate laws for price-fixing, the federal law which prevails in interstate commerce still defines such a practice as conspiracy in restraint of trade. At the present time the federal trade commission has initiated proceedings against a big distillery for attempting to enforce a price maintenance policy. Legislation by congress will undoubtedly be sought to exempt such price-maintenance deals from operation of the anti-trust laws.

The opinion of the federal court, it should be remarked, was written by Mr. Justice Sutherland, who has been frequently pilloried by papers like the Portland Journal as an obstructionist, a reactionary, an antagonist to progress. It is quite too early to say, as a matter of policy, whether these price regulation laws are sound; but Justice Sutherland and his colleagues appear willing to let the states exercise their sovereign powers in legislation so the experiment may be tried out.

Salvator Dali, leader of a new cult in art, the "surrealist" school, says he has hopes of making life a crazy dream. Life is already quite like that, particularly if the test be Dali's pictures, one of which is entitled: "A chemist hitting with precision the article of a grand piano;" and another, "Soft construction with boiled beans."

Final proof that Russia has deserted communism may be seen in the news that swallow-tail coats for evening wear are being displayed in the men's stores in Moscow. Even a revolution can't rid the world of "soup and fish" and white covers.

Bits for Breakfast

By R. J. HENDRICKS

Gottlieb Friedrich 12-13-36
Kurtz, pioneer, lived a long, honest, useful, and a progressive life.

(Concluding from yesterday.)
Thomas D. Kaiser had asked his part of the donation from claim to J. B. Hubbard.

J. B. Hubbard had transferred it to T. H. Hubbard.
Mrs. T. H. Hubbard (Fannie) was Kaiser's sister, and she got far out of the hands of the Kaisers from the time it came to them by U. S. patent until it went to Mr. Kurtz.

And in his hands it was to still be put in pioneering ways.
Mr. Kurtz was one of the pioneers of this section in the growing of Italian or Oregon grapes, and he was a pioneer also in drying and packing them in bigger ways for consumption and marketing.

He put 20 acres of grapes in 1888, and 20 more the next year, and the following year increased the acreage to 50.

The January, 1890 flood covered nearly all the Kurtz acres, excepting the part at and near the house and barn.

The backyard from the Willamette river carried away some of the young prune trees.

The river never got high before, unless it was in the flood of 1861-2. And it has never been so high since.

And what looked like a tragedy for a few days turned out a blessing, bringing rich soil to make already rich land still richer.

Clinton J. Kurtz, now of San Diego, Cal., was with his father then, and he patented three different prune dryers and improvements.

The principles most in use now over a wide field saw their first trials, their pioneering on the Kurtz acres.

Clinton has several new patents, one a sprinker that may make him a very rich man.

The orphan boy in Germany became a pioneering man, not afraid to venture; ready to try new things for the good of himself and his neighbors everywhere.

He was true to his first name, Gottlieb. He loved his God and obeyed His commandments all the days of his life.

He was a member of the First Methodist church of Salem, the pastor of which, Dr. James Millard, an old German, was able to give personal testimony to the facts just stated.

Mr. Kurtz had been a widower for some years, his faithful wife having passed away at the home just out of Salem's suburbs, and their bodies laid to rest in the Odd Fellows' cemetery.
August Hucklestein of Salem, an old and trusted friend, paid appropriate words of tribute at the patriarchal man whose spirit had fled, as a part of the funeral services.

Besides Clinton J. Kurtz, mentioned above, there survive E. A. Kurtz, Salem, his home just north of his paternal one; Henry A. of Sacramento, Cal., and John F. of Sprague, Or., and Alvin, who has a fine home in Astoria, and near the old home in the state of "shallow water."

Deceased children: Fred A., George, and two daughters, Agnes, unmarried, and Johanna, general store, Hannah, who was Mrs. Godfrey.

Hannah before her marriage was for a long time employed on the office force of The Statesman, a trusted assistant.

They were great-grandchildren of Mrs. Godfrey, son of Hannah, Salem, and Mrs. Dorothy Phayton, Seaside, daughter, survive, and there are two Phayton children, boy and girl.

There are two sons of E. A., Chester G., Portland, and Alvin A., attorney Salem, and a girl 8 months old in the latter's family.
Son of Fred A., deceased, is Dr. Howard Kurtz, Salem, and there are Barbara and Will, children. So there are five great-grandchildren. Clinton had a girl, who died in infancy, and a promising son who passed away at 16.

How time flies! It seems but yesterday when Hannah A. Kurtz was the Statesman. Now she is long gone, and there are grandchildren.

Their former neighbors remember with kindly thoughts the Kurtz family as it was in the old home on the farm.

They were great neighbors and always sociable, with happy parties where tables were set with good things to eat, in the old German style known to well to people who have been acquainted with like families.

Thomas H. Hubbard, who sold the Kaiser donation farm to Gottlieb F. Kurtz back in 1888, was a well known character here in those days.

He owned the lot where the Oregon building stands now, southwest corner State and High streets.

After his death, his widow erected the Oregon building. It has been rebuilt and rearranged two or three times since. The wife of Dr. W. D. McNary, superintendent of the Oregon state hospital, Pendleton, is a daughter of the Hubbards.

Mr. Kurtz erected and owned several buildings in Salem.

Humphreys Plan Move

LYONS, Dec. 12.—Mrs. and Mr. Clair Humphreys and children went to Rose Lodge Thursday for a few days. The Humphreys expect to leave for Astoria soon, and went home to pack their household effects preparatory to moving. They expect to return here Saturday or Sunday.

Sage of Saem Speculates

By D. H. TALMADGE

A general expression of regretful disappointment resulted in and about these diggins when the news came from London Thursday morning that Edward VIII had voluntarily abdicated the British throne and that his brother, the Duke of York, had become king, thus adding a George VI to the line of British sovereigns.

Our regretful disappointment was in no wise occasioned by the elevation of George to the throne. Probably George will be a better king, judged by modern English standards, than his brother would have been, for he "will mind his mother and his teachers kind and true," thereby holding at ease his side and the minds of a certain element of the British people in the matter of "goblins," which Jim Riley of Indiana long ago convincingly declared would "get" us if we misbehaved ourselves, at any rate to the point of sticking out one's tongue at the teacher.

But we had hoped to see a fight. And we had hoped to see an American woman seated on the throne of the British empire. And it did not work out so, and we have agreed for once with George and his brother, in the familiar of the spirit. And all to no purpose.

I presume it is better so. There was every indication for a time, when Mrs. Simpson was protruding her head and the British cabinet in a jolly, high-spirited tone of voice, albeit, I suspect, with a steely Baltic gleam in her eyes, that she would, if the necessity were vitally imperative, step aside and give the British empire the right of way, which, it seems, the British empire was not getting so much of at the moment as it desired to have, and they really could not call out the army against a lady, don't y' know, and when the king was saying this and that here and there in high circles and in no uncertain tones there was a time, I say, when it looked as if Christmas would be completely ruined by the affair.

The public, like an individual, is incapable of concentrating successfully and simultaneously on more than one subject. However, I am willing to concede one exception—twins.

Personally, having always been a free spirit, within certain limitations of course, my heart goes out to Dave Windsor, who has in effect took an empire to go jump in the lake or do anything it jolly well pleases, so long as it does not presume to order what he is pleased to consider the sacred affairs of his private life, and, despite the accident of his birth, are strictly his own business.

So there is human nature at it again. One man turns a world upside down to become a king and another turns a world upside down to avoid being a king. Dave Windsor decided in a quiet and democratic way that he would rather be a man, his own man, and it may be the husband of a woman of his own choosing, than that of a woman chosen for him for reasons deemed by a cold-blooded council of politicians with a vision single to expediency as favorable to the welfare of the empire.

Dave Windsor may have been a fight with a world upside down to kings on earth, had he put up a fight for the throne and the woman—and won. And it seems reasonable to believe he might have won in such a fight. And that was the fight we hoped to see. It would have been a grand fight. But it has not turned out so.

However, Dave Windsor will probably get more out of life from this time on than would have Edward VIII with his dislike of the knocking down to a cabinet and a house of lords.

So perhaps it is just as well as it is, although there may still be troubled waters ahead. We shall see, and in the meantime.

Let us get on with this Christmas business.

Peace on earth, good will to mankind, is still a live word. It is the regrettable fact that the news columns are not in the most perfect of accord with the columns from the religious syndicates.

I have heard it said many times that this is a small world. It is sometimes said when two people who have known each other and have lost knowledge of each other for years suddenly and without warning meet again. One says, "Well, well, it's a small world, ain't it?" and the other says, "It is, ain't it?" And so they know just why the reunion came about, and of course they are quite well satisfied with themselves. It is as good a way as any to account for such things.

Such things don't need any accounting for, anyway. All they need is the right thing to say when they happen.

Clem Cutler, who used to run the general store at Crane Creek, was a great man to think things out. Clem's been dead these many years, but some of the ideas he had are still floating around in dusty old heads with his name attached to 'em.

Clem said he'd read a heap of world history, and he'd acquired a sort of acquaintance with great people and events, and he said there was a note of 'em he couldn't duplicate within a radius of ten miles of his store.

"He was talking one day about women in history. There's a woman in every historical high-spot the world has ever known, he said. Women have made kings and women have destroyed kings. It's like the case of Jim Robley and Sadie Williams, he said.

Jim was a no-account, good-natured feller, good looking as all get out, who'd never had a regular job 'cause he didn't want one, and Sadie fell in love with him and

Our Grown Up Boy Has Left Home



"Sweepstakes on Love" by Christie

CHAPTER XXIII
One of the worst floods in California's history took place over the New Year week-end, and the rain started in Hollywood on Saturday afternoon, but by that time Jerry and his large party were half way to the Mexican border, whirling along the Pacific coastline.

To the right, the ocean was sparkling blue, and against hills rose sharply the left. Further along the winding highway, exquisite Spanish villas were perched in their green gardens that ran to the very edge of the high red cliffs.

"It's like the Biarritz coastline. It sure is pretty," remarked Mrs. Nolan to Genevieve as the pair leaned back in the limousine the devoted Jerry had delegated to them.

Perhaps, in the whole party, these two mothers were the only happy people, and as from hills rose sharply the left. Further along the winding highway, exquisite Spanish villas were perched in their green gardens that ran to the very edge of the high red cliffs.

When Dolores rode off alone with Roger, Falconer turned purple with indignation, and registered a vow that because of this "kidnaping," the jackanapes play-boy would be "out" forever from the studio!

His rage was lessened a little, however, when he found himself alone in one of Jerry's hired cars with Diana Darlington.

He had admired the sweet-faced, gentle-mannered child from New York's "upper-crust." He himself had come from nothing, but cherished a snobbish social ambition.

The Dexter jackanapes was pally with her. To play up to the girl might even the score!

It would teach spoiled Dolores a lesson. She wasn't serious, in any permanent sense, over a \$75-a-week scene painter, who had been fired from the studio for drinking and inattention to the job when she had a boy-friend earning \$75,000 per picture, as Falconer did—

But it would be good to turn the tables on her and make her jealous. Before they reached San Diego, and ignoring the chauffeur's hostile mirror Falconer had tried to kiss Diana, and been firmly but gently put in his place.

Extraordinary for a \$100-a-week novice to dare snub her director! thought Falconer, but it only whetted his appetite for further conquest.

In default of being with the important Falconer who could renege him at the studio, Roger decided it would be expedient to play up to Falconer's sweetheart, Dolores D'Arcourt. He had never liked Dolores, but "needs must," when one was broke.

During the brief stop at the immigration and customs station at the border, Falconer, out of the tail of his eye, beheld Roger apparently flirting with his sweetheart.

As they whirled past the towering campanile in the gorgeous grounds of Agua Caliente, and to the various bungalows of the hotel, Falconer had engaged for the week-end, Falconer became more and more determined to pay the pair out—through Diana.

The semi-tropical twilight was rapidly descending. After a bath, and changing into evening clothes, Falconer repaired to the long bar

in the casino, to find it already packed with people.
Roger and Dolores were at a little table in a corner, laughing into each other's eyes over tall glasses of planters punch.

The Darlington child was with her mother in her bungalow. The little iceberg had been tantalizing in the car in her outfit of bright red. Red was a grand color for gambling.

Roulette was his game. He went down the steps from the bar to the roulette table, and flung a hundred-dollar bill on the red point.
He lost!
He tried again—again—again—and yet again, only to lose five hundred dollars. It was a bad omen.

Presently, Jerry arrived, and after further libations, marshaled his party into the big Spanish restaurant for dinner.
Not even the champagne or the splendid floor-show throughout the excellent meal could restore Falconer's good humor.
Roger sat next to Dolores and played up to her. The planters' punches had been potent, and the pair were now oblivious to everybody else.

While the others lingered at the table when the meal was over, sipping liquors with their demi-tasses and dancing between floor-shows, Falconer started back to the gambling rooms and through an open archway in the garden sighted Diana.

Here was his chance! She was going to the bungalow on an errand for her mother. Falconer hastened after her in the darkness under the palms.

He had drunk considerably by now, and he was amorous. He put an arm about her and drew her to him, kissing her hotly.
She wrenched back from him and slapped him in the face.

A half-hour later in the hotel bungalow, Diana repaired her hair and dried her eyes.
"I suppose this ends my movie career," she said to herself, her lips still trembling from the mischance of the afternoon and evening. "Well, anyway, I'm nothing but a mighty poor actress!"

She went back to the lively table in the dining-room, thankful that Falconer was gone.
Roger asked her to dance with him. Mechanically she consented. Dolores' green eyes followed them, full of annoyance.

"Can things ever be the same again?" thought Diana. There was a sort of tarish now on her love for Roger.
He stumbled a little as he danced. His eyes looked shifty.

Suddenly, from directly behind them, came a high-pitched male voice she recognized. "Why of all the jolly old meetings! Just fawncing running into you two dear old blighters in jolly old Mexico!"

Diana turned. It was Clarence Thyme.
And not alone. Came a cool, provocative feminine laugh. "Hello, Roger darling! Hello, there, Diana!"

She was looking into the eyes of Regina Hyde!
Regina had flown in her four-passenger Curtis to Agua Caliente, bringing in the New Year, and she had Maude, her stooge, with her, and the impetuous Irish nobleman who had sat at her left at her debut at the Monarch, and the brilliant Englishman, Clarence Thyme, who was convinced he would be a great gift to motion pictures.

Regina looked radiant.
She was the best-gowned woman in the room. Not even the most famous movie stars could approach her, sarcastically speaking.

"Diana, darling, I've chipped you Clarence. 'I'll jolly well bag you while the bagging's good!'"
"Probably under Regina's instructions!" thought Diana bitterly, as Clarence whirled her away.

She could see Dolores' face darkened as she sat partnerless at the dinner table. Dolores was studying Regina's exquisite Paris gown. Dolores missed nothing of Regina's smiles for Roger.

"He's fated to be a storm-center for the women!" Diana thought. Suddenly with all her heart, she wished that she were out of the running, that fate would decide the issue quickly, and the uncertainty—nay, the sure misery—would be at an end.

Love wasn't meant to be continually painful. It should be proud and joyous and open.
Clarence was thirsty. He loved champagne. He had spotted free champagne on their table and soon suggested that they drop over there for "a snifter."

He greeted Genevieve, was presented to the other guests, and soon had his long nose deep in libations.
Dolores D'Arcourt moved over to Diana. Her veneer had fallen from her, as it usually falls from the plebeian in moments of anger.

"Say, your boy-friend sure is one grand double-crosser!"
"Whom do you mean?" asked Diana, haughtily.

"Oh, don't put on dog with me—I'm on to you. I mean Roger Dexter, whose ditted you, just as now he's ditched me for this new dame on the floor. Who is she? Who's paying for her clothes? Not Roger, I'll be bound!" She laughed shrilly.

"Be quiet!" Diana ordered sharply. "Don't let the whole room hear you. That's Miss Hyde from New York."

"I'll tan her hide plenty if she crosses me! I've stooped enough tonight! Didn't I see Falconer sneaking after you, and you were both shut up in your bungalow a good half-hour!"

"That's absolutely untrue. I was in the bungalow alone. Mr. Falconer is nothing to me but my director."

"And he won't be that for long, if I've my way! He told me only this morning that you were a bum actress!"

"Granted," said Diana quietly. Dolores was intoxicated. Better placate her and avert a scandal.

But Dolores was beside herself with jealousy and humiliation. To lose two beaux on arrival here was much too much. Someone had to be punished, and Diana was nearest.

"Don't high-tail me! We all know who gave you that wrist-watch! It wasn't your precious hard-up Roger, either; it was Jerry Nolan. Would it surprise you to know that it was HE who and whose footed the bills for your jaunts with Roger, eh? Answer me that!"

Here were the very words of the anonymous scrawl that had been dropped in Diana's car! It had been written by Dolores. The woman was quite capable of it.

"Don't gape like that! I tell you I know! I was waiting for Roger one night to drive him home in my car when his own was in the repair shop, and I followed him into Jerry's office at the studio, and saw Jerry slip him a hundred bucks and tell him to take you to dinner."

(To Be Concluded)

Q. T. W. Club Members Enjoy All Day Session

WOODBURN, Dec. 12.—Several members of the Q. T. W. club motored to the home of Mrs. Eugene Wholuter, northwest of Woodburn, Thursday for an all-day session. A covered dish lunch was served at noon and the afternoon spent in quilting for the hostess. Those attending were Mrs. R. C. Falconer, Mrs. Frank Wright, Mrs. W. C. Miller, Mrs. Nora Arysta, Mrs. Theron Finley, Mrs. Aylene Nendel, Mrs. J. H. Livesey and Miss Mabel Jackson.