

Local News Briefs

Judge Is Assigned—Chief Justice Bean of the state supreme court Wednesday assigned Circuit Judge Earl Latourette of Clackamas county to substitute for Judge R. Frank Peters in Tillamook county. Judge Latourette will hear the case of Finne vs. the Credit Service Corporation. Judge Peters was disqualified.

Recorded Concert—The regular Friday noon concert of recorded music will be given in the music room of the Salem public library September 2 from 12:45 to 1:45. The program will include three selections from La Boheme. This concert will be repeated Tuesday at 12:30 o'clock.

4-H Judges Picked—M. G. Gunderson will judge dairy animals and hogs and Floyd will rate sheep at the Marion county 4-H livestock show at the state fairgrounds Saturday morning. Both are Silverton men. The judging will begin at 9:30 a. m.

Parrish Enrollment—Pupils expected to enter Parrish junior high school this fall are requested to register before the opening of school, September 12, if possible. Enrollment as soon as possible is urged.

Dutch Boy Paint, Mathis, 178 S. Com'l.

Lee Retrial Uncertain—Whether or not the state will ask that Joe W. Lee, over whom a justice court jury failed Tuesday to agree on reckless driving charges, be tried again had not been decided yesterday, Dist. Atty. Lyle J. Page said.

Grand Jury to Meet—The Marion county grand jury will be called to meet sometime this month, Dist. Atty. Lyle J. Page said yesterday. A large amount of routine work has piled up since the jury's last sitting, in July.

Wall paper, Mathis, 178 S. Com'l.

GOP Committee Called—Chairman Lewis Johnson has called a meeting of the Marion county republican executive committee for the Marion hotel at 8 o'clock Friday night. Campaign business matters will be considered.

Ad Club Opening Sessions Friday

Two guest speakers, both from Portland, will be featured on the program for the first fall meeting of the Salem Ad club, to be held Friday night at 6:30 o'clock at the Quella. The session is also the first under the new president, George Arbutkule.

Speakers will be I. B. Ambrose, sales manager of the Portland Woolen Mills and W. B. B. Dodson, executive secretary of the Portland chamber of commerce, who will speak on "General Business Conditions."

Wives of the Admen will be special guests, and all other interested persons are invited to attend the dinner gathering, states the secretary, E. E. Thomas.

Gasoline not to Drink, Lad Finds

SCOTT'S MILLS—Little Norbert Schmitz, son of Mr. and Mrs. J. J. Schmitz, apparently thought gasoline was good for something besides automobile fuel. Anyway, he used it for a thirst quencher. Aside from giving the parents a bad scare, the incident came to no ill end, thanks to the antidote administered by a doctor.

Wisconsin folks have had rain every day for two weeks, writes Miss Pauline Semolik, who is visiting in that state.

Mrs. Mayme Mall returned Monday to her San Francisco home after a two months visit with her parents, Mr. and Mrs. John Hettwer.

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Coming Events

Sept. 5-11—Oregon state fair.
September 12—City schools open.
September 19—Freshmen registration, W.U.
October 1—Capitol dedication.

Contest Booklets To Be out Today

Five Salem Movie Houses to Distribute Books on Quiz Contest

Booklets that might be entitled "How to win one of 5404 cash prizes totaling \$250,000" will be distributed today from the five Salem motion picture houses in connection with the North American movie industry's million dollar good will campaign. These booklets will explain the campaign's movie quiz contest and describe the 94 motion pictures on which it is based.

That adequate supplies of the booklets and entry blanks, to be given free at the box offices, had been secured, was announced last night by Managers Carl Porter of the Elsinore and Capitol, Alden Adolph of the State, Ray J. Stumbo of the Hollywood and Loring Schmidt of the Grand theatres.

The quiz is based on scenes and personalities appearing in the 94 pictures shown or to be shown in Salem between last July 29 and next October 31, the managers explained. The contest will close December 31.

The purpose of the campaign is to show the public how the movie industry is striving to produce top entertainment and to acquaint moviegoers with the fall releases, held to be the best array of film productions ever offered.

Beneficial Loan's Complaint Denied

PORTLAND, Aug. 31—(AP)—Judge Alfred P. Dobson of the circuit court declined to sustain a complaint of the Beneficial Loan Society of Oregon to restrain the state tax commission from enforcing a corporate excise tax based upon the net income of business done in the state.

He ruled the company was diverting profits to other tax jurisdictions under a plan "operated for the purpose of evading the tax law of this state." The society was incorporated in Delaware and has subsidiaries in several states.

W. A. VanCourt Is Called Suddenly

W. A. VanCourt, 58, proprietor of the Fairgrounds tavern at 2620 Portland road, died suddenly of a heart attack yesterday morning at his place of business. The first aid car was called but VanCourt was dead upon arrival.

Survivors include the widow, Mrs. Lillian H. two daughters, Miss Viola Edmundson of Salem and Mrs. Bernard Casey of Fargo, N. D., and a son, Leonard, of Fargo. The remains are in charge of Clough-Barrick company.

Court Anticipates Vacation Request

The county court anticipates a request from the state highway commission in the near future for vacation of the platted streets in Silver Falls city, acquired with the exception of one county-owned lot for addition to Silver Falls state park. The state recently took over the north half of the city by condemnation. It already owned the rest of the townsite.

Obituary
VanCourt
Wayne VanCourt, at the residence 2620 Portland road, Wednesday, August 31, at the age of 58 years; survived by widow, Mrs. Lillian H. VanCourt, daughters, Mrs. Bernard Casey, Fargo, ND, Miss Viola Edmundson, Salem, son, Leonard, of Fargo. Funeral announcements later by Clough-Barrick.

Business Deal Is Suit Basis

Feed Firm Buyers Allege It Was Misrepresented, Want to Reneg

Misrepresentation justifying their reneging on the purchase of a Salem feed and seed business May 29, 1937, was alleged by Juef C. Thompson and H. E. King yesterday by way of estoppel to a circuit court complaint filed against them by Harry U. Miller.

In addition to the usual denials, the defendants' answer asserted the business was yielding Miller no profit instead of the \$500 a month represented to them, that two bins represented as capable of holding 40 to 50 tons of wheat or corn were in fact unsafe and condemned, that the building floor would not support the volume of grain claimed by plaintiff, that the business, contrary to vendor's statements, possessed no valuable, registered formulas for mixing poultry and cattle feeds and that machinery held to be serviceable actually was unfit and some of it condemned.

The defendants purchased the business for \$2890.40 but after two months offered it back to plaintiff, they further alleged, and maintained that plaintiff has rescinded sale of certain personal property for which notes were given. They ask that plaintiff take nothing from his court action.

— Circuit Court —
Evelyn Loe vs. C. W. and Della M. Russell; case heard by Judge L. G. Lewelling and decided in favor of plaintiff, holding her entitled to possession of real property at 1368 Fir street, Salem, and giving defendants one week in which to vacate.

Merchants Credit Bureau, Inc. vs. Mr. and Mrs. Roy Reeves; order of dismissal as settled, on motion of plaintiff.

Carrie Hochspeier vs. J. F. Ulrich; complaint for \$3375 damages for personal injuries consisting of multiple lacerations, abrasions and rib fractures allegedly suffered by plaintiff when automobile in which she was riding collided with car driven by defendant at Commercial and Bush streets July 27, 1938.

Marjorie Matheberg et al vs. James Johnson et al; order confirming sale of real property to plaintiffs for \$946.02.

W. D. McNary vs. A. C. John and Anna Laue; affidavit by J. Ray Rhoten, defense attorney, setting aside order granting judgment for plaintiff and repleading by him.

Harry Wiesenfeld, Inc. vs. Emil DuBain and Mike Steinbock as DuBain Fur company; eight motions to strike parts of answer.

Jacob F. Mollenkopf estate; petition of George Kaib, executor in Crawford county, Ohio, for order setting aside appointment of Grace Hoppes as administratrix and establishing ancillary proceedings, will being probated in Ohio, leaves one-quarter of estate to testator's daughter and son-in-law, Grace L. and Otto N. Hoppes, and three-quarters in trust with Ladd & Bush Trust company, Galois, for three grand-children, Keith E. E. Emerson and Richard A. Hoppes, until they attain their majority.

Jacob Weisel estate; order for F. A. Theuer, executor, to sell personal property to pay claims of Joseph Oster estate; claim of state board of control for \$54 for care of decedent at Oregon state hospital.

— Marriage Licenses —
Anton Leback, 22, laborer, and Bessie Banyard, 17, domestic, both of Gervais.

— Justice Court —
Peter Gillas; pleaded not guilty to charge of using "ice milk" at Coney Island restaurant in violation of state law by not printing fact of such use on menu or posting it; complaint signed by A. Hall of department of agriculture; Gillas released on own recognizance pending trial at 2 p. m. September 7.

Ted John Houck; waived preliminary hearing, bound over to grand jury on charge of assault and battery upon his wife; \$100 cash bail posted.
Adolph Hillman; fined \$25 after being found guilty by court of giving short measure wood; 24 hours' time granted in which to decide on appeal.
White Williams, Louis Klamath and Beattie Brown; \$10 fine each, not paid, on charge of being drunk on public highway; drunken driving charge booked against Klamath dropped.

California Twins' Convention Winners



Fae (left) and Rae Collamer are pictured as they won first prize at the recent annual Huntington Beach, Cal., twins' convention. Fae and Rae are four years old and were judged as the "cutest" set of twins. Other winners were the freckle champions of the conclave, Ruth and Ruby Haxton, while in the oriental section Itoko and Setsuko Katayama took the honors.

Counties Aim for SF Fair Exhibit

Willamette Valley Sector Will Try to Obtain \$16,000 for Show

Contingent upon the raising of approximately \$16,000 to finance, 10 Willamette valley counties will combine for a valley display at the 1939 world's fair in San Francisco, leaders agreed at a meeting of the Greater Willamette valley association here Tuesday night. Of the \$16,000, about \$3500 will be used for 500 square feet of exhibit space.

With the fair to last about eight months, the group sponsoring the exhibit will make efforts to keep the valley display up to date during that period, which factor is considered in the estimated \$16,000 outlay.

A committee will be named to consider financing methods. County agents present suggested it would not be well to ask for funds through the various county budgets, and there is apparently no recourse to the state, as \$27,000 of the \$30,000 appropriation for the state for an exhibit has been expended for space.

C. H. Woodcock of Corvallis, president of the greater valley group, presided at the session.

Dunne Leaves for UCC's Conference

T. Morris Dunne, chairman of the Oregon unemployment compensation commission, will leave Portland Thursday for Washington, DC, to participate in conferences on simplification of unemployment compensation administration and exploration of problems arising from enactment of the railroad unemployment insurance act.

Dunne, who is president of the interstate conference of unemployment compensation agencies, was invited by the social security board to head a group to discuss with federal agencies the proposed changes in unemployment administration and switchover next July of funds and coverage involved in addition of a federal unemployment compensation law.

Farm House Near Gervais Is Razed

GERVAIS, Aug. 31—The farm home of P. W. Seely, one mile north of here, was totally destroyed by fire Wednesday night. The Mt. Angel fire department responded and while it was too late to save the house, succeeded in saving the outbuildings.

The Seely family was eating dinner at the time of the fire's breaking out. It was believed the blaze originated in the kitchen, which soon was a mass of flames. Nearly all furniture in the lower portion of the house was saved, but a number of possessions on the second floor were destroyed. The Seely family was preparing to move into town.

Building Mark Is Shattered

New Record for Permits in Single Month Set During August

A record in number of building permits for a single month, and an increase in values of construction over July and over August of 1937, were recorded in Salem in the month just ended.

Total number of permits was 204, with total values of \$105,081. The July figures were 116 permits and \$83,133; values, and for last August, 133 permits and \$67,593 values. The August, 1938, values were below those of August, 1936, which amounted to \$181,417 on 149 permits.

New Building Heavy
New construction in the month which ended Wednesday amounted to 43 permits and \$72,898. There was also an item of \$10,000 for one-removal and relocation, so that the great number of repair and reroofing jobs represented less than \$15,000 of the total value.

For the reason that applicants for permits appeared at the building inspector's office in great numbers Wednesday, Inspector E. C. Bushnell was unable to compile the official monthly figures on that day and the figures given above are unofficial.

New Permits
Permits issued Wednesday included:
Enos Clutter, garage at 2249 Breyman, \$150; S. T. Anderson, re-roof garage at 494 South 17th, \$20; W. P. Canoy, re-roof dwelling at 335 Norway, \$30; E. G. Shattuck, re-roof garage at 1337 North Winter, \$20; Gertrude Cromwell, re-roof dwelling at 2217 State, \$45; Viola Sell, re-roof dwelling at 1350 A street, \$25; J. H. Rock, garage at 520 South 25th, \$75; Free Methodist church, re-roof dwelling at 1230 North Winter, \$75; Mabel L. Traglio, re-roof dwelling at 807 South Commercial, \$175; Otto A. Klett, repair building at 440 State street, \$45; Charles L. Sherman, re-roof garage at 835 D street, \$30; Maria F. Robertson, alter dwelling at 1240 Wilbur, \$40; Mrs. Charles Spainhouse, re-roof dwelling at 169 North Cottage, \$40.

The Call Board

Capitol
Today—Double bill, \$250, 000 movie quiz picture, Laurel and Hardy in "Blockheads" and "Outlaw Express" with Bob Baker, Hollywood
Today—Family night, double bill, "Women in Prison" with Wyn Cahoon and Scott Colton and Kent Taylor and Fay Wray in "The Jury's Secret."
Friday—Double bill, "Who Killed Gail Preston" with Don Terry and Wyn Cahoon and Bob Baker in "The Last Stand."
Grand
Today—State bill, Jane Withers in "Rascals" and Merle Oberon and Binnie Barnes in "Divorce of Lady X" all in technicolor.
Friday—Four acts eastern circuit vaudeville, Mickey Rooney in "Hold That Kiss" with Maureen O'Sullivan and Dennis O'Reefe.
Today—"Speed to Burn" with Michael Whalen and Lynn Bari.
Saturday—Barbara Stanwyck and Herbert Marshall in "Always Goodbye."
Elsinore
Today—"Give Me a Sailing" with Martha Raye and Bob Hope and Rudolph Valentino in "Son of the Sheik."

National Guard's Money Forgotten

Funds Deposited During World War Reported by Distant Banks

Funds deposited by Oregon national guard units during the World war and forgotten for 21 years were brought to light Wednesday by bank receivers in such widely scattered points as The Dalles, Or., and Hampstead, N.Y. Major-General George A. White revealed yesterday.

General White was informed by J. B. McCook, receiver of the First National bank, The Dalles, that bank records show a balance of \$23.47 in an account opened in 1917 by Captain C. A. Murphy of Company K, third Oregon infantry.

New York Bank Included
The receiver for the First National bank, Hempstead, N.Y., is preparing to return funds deposited in that bank just before the Oregon troops stationed on Long Island left for France. The receiver discovered an account of war time Company G, 16th infantry, with a balance of \$154.20 and an account of war time Company K, 162nd infantry with a balance of \$10.50.

The war department itself held more than \$3000 of unit funds for 10 years.

Fund for Site Buying Okehed

\$10,500 Authorized to Get Heating Plant Location by Control Board

The state emergency board, at a special meeting here Wednesday, authorized an appropriation of \$10,500, for purchase of the old people's home and Breitenstein properties, at 12th and Ferry streets, for construction of a central heating plant to serve all buildings in the state capitol group.

The appropriation was made on recommendation of the state board of control and the state capitol reconstruction commission.

Senator Dean Walker told members of the capitol reconstruction commission that he had heard three criticisms of their operations. One was directed at the overhead costs of the Portland office. Another was the cutting down of large trees on the capitol grounds. The third was omission from the plans of a south entrance to the new capitol building.

Alton Bassett, secretary of the commission, advised Walker that the overhead costs were only three-fourths of one per cent as against five per cent allowed by the public works administration. Members of the commission said it was necessary to have the principal office in Portland because the WPA and contractors offices were located there.

An effort by Walker to appropriate the \$10,500 on condition that it be returned to the general fund by the capitol reconstruction commission failed. "We have got to watch our expenditures," Walker declared in addressing other members of the emergency board.

"At the next legislature we will spend many nights discussing small appropriations and we will not talk in the millions. I predict a serious financial situation so far as the state is concerned." The cost of the heating plant was estimated at \$115,000, of which amount the federal government has granted \$53,000.

Tierney to Speak For Demos Friday

Frank Tierney, democratic state chairman, will speak here Friday night at an advanced date meeting of the Marion county democratic society at the courthouse at 8 p. m. Avery Thompson, president, announced yesterday. The date was set ahead because of the state fair next week.

GRAND NON OWNED THEATRE

14th and Last Day Fri.

Irving Berlin's ALEXANDERS RAGTIME BAND
—Tyronne Alice POWER FAYE AMECHE

NOTE: "Alexander's Ragtime Band" is one of the **BIG \$250,000 MOVIE QUIZ PICTURES** START EARLY! GET YOUR CONTEST BOOKS NOW AT THE GRAND THEATRE

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"Love Finds Andy Hardy" with **MICKEY ROONEY** JUDY GARLAND - LEWIS STONE

Short, Short Story PHILADELPHIA, Aug. 31—(AP)—Today police found the man they were seeking on an indictment for gambling. He was in the poorhouse.

CAPITOL Today-Fri.-Sat. 2 SMASH HITS Both in \$250,000 "Movie Quiz" Contest **FRAN LAUREL OLIVER HARDY** IN **Block-Heads** Plus 2ND BIG FEATURE **BOB BAKER** in **"OUTLAW EXPRESS"**

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The "courtly girl" will come again and again with hot bread and coffee (all you want)

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This dinner is available to children under eight years in half portions... 30¢

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Two Features **15c**

Women in Prison with Wyn Cahoon, Scott Colton, Kent Taylor, Fay Wray in "The Jury's Secret"

COMING SUNDAY **15c**

CONTINUOUS SUNDAY 9 TO 11 P. M.

IT'S GOOFY BUT GRAND! **DOCTOR RHYTHM** A Paramount Picture **BING CROSBY** Mary Carlisle - Beatrice Lile - Andy Devine