

Oregon Statesman

No Favor Sways Us. No Fear Shall Awe. From First Statesman, March 23, 1851

Statesman Publishing Company CHARLES A. SPRAGUE, Editor & Publisher

Published every morning, Business offices 230 North Church St., Salem, Ore. Telephone 4-6811

Entered as the postoffice at Salem, Ore., as second class matter under act of Congress March 3, 1879.

Member Associated Press The Associated Press is entitled exclusively to the use for republication of all local news printed in this newspaper.

"Emergency Clause" On Tax Measure - II

Yesterday the Statesman recounted the history of constitutional provisions on the subject of taxation. In brief it showed that the 1857 constitution gave to the Legislative Assembly the authority to levy taxes, with the simple condition that taxation should be "equal and uniform." In 1910 an amendment was adopted which said no legislative measure on taxation should become effective unless approved by the people. This was quickly seen to be too restrictive and as a compromise the present provision of the constitution was submitted and approved in 1912. It removed that prohibition and substituted a provision that the emergency clause (which permits a bill to go into effect at once) could not be attached to legislative bills on taxation. The effect is to give opportunity for a referendum to be filed, which would hold up the bill pending the vote of the people.

Proposition No. One to be voted on Nov. 6th goes a step farther. It deletes the provision: "The Legislative Assembly shall not declare an emergency in any act regulating taxation or exemption." The result of this would be to permit tax bills passed by the Assembly to go into effect, unless referred to the people by the Assembly. It would not restrict the use of the initiative which might be invoked by the people for or against a tax measure.

The core of the issue is this: Shall the Legislative Assembly have power to enact tax legislation, freed from the possibility of reference to the people?

The Statesman feels that it should have this power, and therefore recommends that the amendment be approved. Its reasons are as follows:

1. The essence of our form of government is that it is representative, with the law-making power resident in a popularly elected assembly or congress. A major responsibility of a law-making body is to provide revenues for the support of government. It ought not to be stripped of this power, as was done in the short-lived provision adopted in 1910, nor have this power hamstrung as it is under the present provision of the constitution. No other state in the Union, so far as we know, puts such limitation on its legislature.

2. The existence of this limitation hampers the Assembly in the writing of tax legislation. Legislators can not do this with any degree of confidence, for they have to try to "second-guess" the people. The temptation is to dodge the responsibility either by referring some measure for popular vote or by patching up legislation which members think will escape a referendum.

3. Under modern conditions tax legislation needs to be carefully prepared. No longer is property, real and personal, virtually the sole source of revenue. In drawing on various sources of revenue it is extremely important that a balanced program be prepared which will conform as closely as possible to the canons of taxation. Where such a program is prepared, based on careful study, in consultation with informed personnel in the tax commission and elsewhere, and hammered out in the forum of the two houses of the Assembly, receiving the approval of the governor, it should be put into effect without the interruption of a referendum.

4. Ultimate control still rests with the people who alone have the power to elect members of the Legislature (and to recall them), and who still have power to initiate legislation on tax or other matters. The Statesman's support of this amend-

ment is based on its conception of how our form of government should operate. It believes in the legislative system by a representative assembly, and one having positive powers, in the exercise of which its members are accountable to the people.

The issue in this matter is clouded by the controversy over a sales tax. Those opposing the sales tax regard this amendment as just a first step toward a sales tax. The Statesman's support of the proposition is not based on support of a sales tax. Almost uniformly it has opposed the sales tax when it has been voted on. It is not at present disposed to support a sales tax in Oregon. The Statesman feels as our social and economic conditions become more complex we should put more reliance on the Legislative Assembly, and that full authority and responsibility in the matter of taxation should be vested in that body. That should be done by adopting measure No. One on the ballot.

Peter Welch and the Supreme Court

Peter Welch, a familiar figure in Portland veteran and political circles, announces himself a write-in candidate for justice of the Supreme Court. Peter isn't a lawyer, but neither was he an engineer when he was elected to the office of surveyor in Multnomah county. An attempt was made to prevent his taking this office. Peter went into court, but the Supreme Court ruled in Peter's favor. So Peter holds the job and draws the salary. Just who does the surveying work, if any, we do not know. Peter evidently reasons he is as well qualified to be supreme justice as he was to become county surveyor, which may be true.

The Welch case is reported in Oregon Reports: V. 198, p. 670, State ex rel Powers v. Welch. The high court reversed a decision of the Multnomah circuit court, Judges Loneragan, Bain and Crawford sitting en banc. The opinion was written by the late Justice Earl C. Latourette. It cited numerous precedents of other jurisdictions to support its finding that Welch should have the office.

Its reasoning was thus: The office of surveyor is listed by the state constitution among county offices. The constitution further provides that no one should be elected to a county office "who shall not be an elector of the county." That, ruled the court, set up the qualifications for the office, and the Legislative Assembly couldn't add to them. So the law limiting county surveyors to persons licensed as professional engineers or land surveyors was unconstitutional.

This question suggests itself: If Peter Welch could be elected to the Supreme Court could he take the office? State law—not the constitution—provides that a justice be admitted to practice law before the Supreme Court before being eligible to election to the office. If the decision in the Welch surveyor case fits, then the Supreme Court would be hoist on its own harpoon. There is a difference, however, which the judges doubtless were aware of when they handed down the decision in the Welch case. Though the constitution sets up the Supreme Court it lays down no qualifications for members of the Court. (Though original Article VII did, requiring them to be U. S. citizens who had resided in the state three years. Presumably this silence leaves the state law valid, and Peter Welch can't ride to a seat on the supreme bench on the decision which grafted him onto the Multnomah county payroll.

Not that we are worried over his chances at the polls. Even the friends who wanted Peter taken care of with a county office will stop before writing his name for the Supreme Court position. As for Peter himself, he is a friendly, genial fellow, one of those who likes to be on the fringe, if not the center, of what's going on, quite harmless, loyal to Church and country, to the American Legion and the Republican party. We wish him well—in such assignment as his qualifications may fit.

New registration figures show Oregon has deserted its political moorings. The Democratic lead of 36,000 is so wide that no longer can Republican victory be assumed. Only the first congressional district remains safely in the Republican column by the registration count. Nov. 6th will show whether the Democrats can convert this lead into vote majority.

GRIN AND BEAR IT By Lichty



"So maybe government promises less work for women... Is going too far organizing bridge clubs leading to no work at all, comrade social butterfly!"

Safety Valve

(Editor's Note: Letters for the Statesman's Safety Valve column are given prior consideration if they are informative and are not more than 300 words in length. Personal attacks and defamations, as well as libel, are to be avoided, but anyone is entitled to air beliefs and opinions on any side of any question.)

Ticket Splitting

To the Editor: The public opinion polls seem to be indicating that Oregon will re-elect both Morse and Eisenhower. I wonder how many voters realize what the effect of this ticket-splitting will undoubtedly be. Those Morse supporters casting a vote for Eisenhower are voting for a veto of the High Falls Canyon multi-purpose dam bill Morse will sponsor next year, and the President's disinterest in the many other aspects of conservation of our natural resources that Morse will be working for.

In addition, Eisenhower would be the first President constitutionally barred from seeking reelection, as a result of the 22nd Amendment enacted several years ago. His greatest strength, in the ranks of his own party, has been his enormous personal popularity and the coattails that popularity provided for Republican candidates who reject his views on basic issues. The fact that his running-mate, Dwight D. Eisenhower, is a Republican and Democrat. He ought to have the courage to face up to his opponents. It sure clears away a lot of smoke and hot air. Jess E. Schiemann, Aumsville, Ore.

Debating the Issues

To the Editor: I think it is a very good thing if candidates come before the voters and debate on their issues. Steve Anderson and Guy Jones, the Democratic candidates for representatives, and Representatives Chadwick and Ahrens gave us a very fine example of how it worked at a meeting at North Santiam a short while back. Things really got down to brass tacks in a hurry as those four argued about sales tax, restricting Marion County, and ballot title No. 1. Steve Anderson and Guy Jones made it very clear that Rep. Chadwick and Ahrens have not been fighting for re-districting as the voters demanded, and that they have been trying to fool us on sales tax issue.

And it was a very good thing to hear Democratic candidate Tom Enright and Republican candidate Hattie Brazel, discuss the district attorney's job. Personally, I think they are both good, but I like Enright's idea of the district attorney not handling any private practice at all. I think that is the best way to have it.

I don't care whether an office holder is Republican or Democrat. He ought to have the courage to face up to his opponents. It sure clears away a lot of smoke and hot air. Jess E. Schiemann, Aumsville, Ore.

'Extrapolated'

To the Editor: With regard to the headline "Milder Winter on Forecast by Engineer at Reclamation Meet" in the Oct. 20 issue, I would very much appreciate your publishing the following:

To the Editor: Your Farm Editor quotes me as saying, "There's only one chance in 50 that this winter will be as bad in the Willamette valley as last winter. This was extrapolated from my actual statement that 'the California-Oregon floods of last December had an estimated frequency at some points in the Willamette valley of once in 50 years.'"

In the words of the estranged, this is notice that I renounce responsibility for all debts incurred as a result of the above misquote. As an Oregon native, I hope for a mild winter, fear a wet one, and counsel "no bets."

COL. JACKSON GRAHAM, Corps of Engineers, Portland, Ore.

'Big Smile'

To the Editor: Your comment on the Eisenhower smile and its effect are certainly descriptive of the reaction of the part of a segment of the public.

True, Candidate Eisenhower has quite successfully grinned his way along the West Coast, and his supporters hope, into the White House. He seems to be operating on the theory that "if you can't explain it, laugh it off." The local slicker has a ready smile, a pleasant manner, and a broad grin. When his grin is the broadest, his activities require the closest scrutiny.

Let's not be fooled by the "Big Smile."

JOHN D. LIENHART, Woodburn, Oregon

Agrees With Adlai

To the Editor: I heartily agree with Adlai Stevenson on atomic tests according to the chapter of our Bible, Chapter 8 of Revelations:

"And the angel took the censer and filled it with fire of the altar, and cast it into the earth: and there were voices, and thunders, and lightnings, and an earthquake." v. 8.

"And the third angel sounded, and there fell a great star from heaven, burning as it were a lamp, and it fell upon the third part of the rivers and upon the foundation of waters." v. 10.

Wp. M. McAllister

Empty Classroom

To the Editor: Attention Mr. Wright, staff writer. I read with interest your front page article in Monday's (October 22) paper in regard to the crowded condition of Salem's school rooms. I do not feel that the West Salem situation was presented correctly. It is true that there are two large (over 300) fourth grade classrooms in the school. However, in all fairness to the Brush College pupils, this cannot be attributed to the fact that the Brush College group is using one of our classrooms and a teacher we had last year. There is an "empty" classroom available and not in use at the school. It has been formerly used as a small gym and is going under repairs for a classroom. This could have been done this summer, as some of us understood it was to be. Some "extra hours" work could have been done.

The need in West Salem elementary school is another teacher as we have the classroom. Would it not be ideal to have 3 Fourth grade classes of approximately 24 each? In such a good school system as ours are new teachers that hard to find.

MRS. H. W. ELGIN JR., 1530 Urban Lane

Not So 'Harble'

To the Editor: I want to congratulate Mr. Bethel of Aumsville on his humble letter of a week or so ago.

His (X) on the ballot next Nov. 6 won't be so (Harble) for the party he is boosting.

Lucretia Schiemann, Aumsville, Ore.

Farewell!

To the Editor: With apologies to Horace Mann.

"Lost somewhere between August and November, 'GIVE 'EM HELL HARRY!' No reward is offered for he is gone forever."

STUART JOHNSON, 1110 N. Winter, Salem, Oregon

IT SEEMS TO ME

(Continued from Page One)

nearly a tenth of families have two cars or more.

Water: Nine out of ten families have running water in their homes.

Television: Three out of four families have TV sets.

Refrigerators: Nearly every home has a mechanical refrigerator.

Telephones: Three out of four American homes have phones.

Appliances: Eighty per cent of households have washing machines; 81 per cent have vacuum cleaners; 66 per cent have electric irons; 71 per cent have electric toasters.

This is something to be proud of. Nor will we be satisfied until the remaining homes are supplied with the essentials of conveniences and comforts of modern living.

This mass distribution is the peculiar genius of the American economy. Industrialists learned that greater profits were to be had by tapping the mass market, and put their inventive and managerial talents to work to reduce costs so that their goods would find ready purchase. This has stopped the drift to Socialism dead in its tracks.

The wide dispersal of products of our economic mechanism is primarily an economic achievement, but this requires a favorable political climate. This includes a stable fiscal system, equity in taxation, freedom of enterprise with an incentive of reward, protection for labor. Regardless of names of candidates or of party labels, Americans should strive to preserve this favorable climate for the continued wellbeing of the masses of our citizens.

Time Flies

FROM STATESMAN FILES

10 Years Ago

Oct. 25, 1946

William Monroe Hamilton announced his plans for retirement as Salem division manager for the Portland General Electric company, a position which he has held for 34 years.

25 Years Ago

Oct. 25, 1931

Mr. and Mrs. J. L. Murdock of Monmouth observed their 53rd wedding anniversary this week at their home. They have lived in Oregon 35 years and were pioneers of frontier Nebraska.

40 Years Ago

Oct. 25, 1916

The sororities of the Oregon Agricultural college at Corvallis have closed their rushing season. Some of the Salem girls pledged were: Gertrude East, Grace Holl, Frieda Spitzberg, and Vivian Hargrove.

the third part of the rivers and upon the foundation of waters." v. 10.

Woe, woe, woe, to the inhabitants of the earth by reason of the other voice of the trumpet of the three angels which are yet to sound." v. 13.

ROY L. MORRIS, Box 106, Jefferson.

Editor's Note — Not all the angels sounded such doom: "And I saw another mighty angel come down from heaven, clothed with a cloud; and a rainbow was upon his head, and his face was as it were the sun, and his feet as pillars of fire." Ch. 10, v. 1.

Judge Cites 'Error'

To the Editor: I am writing to correct a rather serious error in the news story with regard to my talk at the Forum Luncheon of the Salem Chamber of Commerce at the Marion Hotel on Monday, Oct. 22, 1956.

I did not recommend the compulsory retirement of judges but merely pointed out that this subject had been included in a study made by a committee of the Oregon State Bar.

I had written out my talk in advance of the meeting and quote directly from it as follows:

"In 1955, the Board of Governors of the Oregon State Bar appointed a committee to study this problem. The committee reported to the 1956 annual meeting of the Oregon State Bar at Gearhart last month and recommended several changes in procedure. The committee urged (1) an increase in the number of Justices from seven to nine (2) the appointment to the court of special commissioners who could hear cases and write opinions (3) the abandonment of the present system under which the office of Chief Justice rotates among court members, and adoption of a plan under which the governor would appoint as Chief Justice the member he believes best qualified as an administrator (4) more study of the problems of compulsory retirement for judges, the condemnation of opinions and the limiting of supreme court review in some cases."

Thanking you in advance for your consideration in publishing this letter, I am,

Sincerely yours,

Wp. M. McAllister

United Fund Drive Drafts Expert Squad

(Story also on page 1.)

United Fund campaign chairman William H. Hammond has drafted a squad of "experienced expert solicitors" of Salem volunteers, who during the remaining seven days of the campaign will exert a maximum effort to obtain additional funds.

Hammond made the announcement Wednesday at a meeting of the U.F.'s board of directors and members of local agencies who are participating in the drive.

In some instances, he said, a personal friend of a contributor who has fallen behind, will be asked to contact him.

Another group that will play an important part in the closing days of the campaign, Hammond said, are business and community leaders, whose prestige might influence groups and individuals who have fallen behind.

He stated that the various divisions that fell below their quota would still be responsible for meeting their goals, only this time they would have the "expert squad" to help them.

The use of soliciting dynamo, was the only definite plan passed by the group which included representatives from YMCA, YWCA, Campfire Girls, Boy Scouts, Salvation Army, Red Cross, Girl Scouts, Oregon Chest and Catholic Charities.

Other ideas suggested, but on which no action was taken, included a Salem U.F. Day, booths on street corners where money could be dropped in, a \$5-a-plate Victory dinner with proceeds to go to the fund, pretty girls carrying baskets tagged "Buck for a Bucket," Boy and Girl Scouts canvassing homes, and a special Sunday to be held by Salem churches with collections to go to the United Fund.

Several leaders felt that the suggestion of youngsters going out to collect money wasn't a sound one, and added that it was a job for grown men and women.

Newbury Cites Violations of Campaign Law

Two pieces of campaign literature which Secretary of State Earl T. Newbury said appear to be violations of law have come to his attention.

Both pieces of printed matter fail to indicate the name and address of the author and publisher. The law provides, Newbury said, that no person shall write, print, publish, post or circulate any letter, circular, bill, placard, poster or other publication relating to any election or to any candidate at any election unless it bears on its face the name and address of the author and publisher.

Newbury said one of the posters advocates a vote against the cigarette tax and reportedly was found on the counter of a Portland grocery store. The other is a poster relating to the presidential election which was said to have been circulated in Washington County.

Conviction for violation of this law is punishable by a fine of not less than \$25 nor more than \$1,000 or by imprisonment in the county jail for not more than six months or both.

Newbury said he is advising the district attorneys in the counties where the material was distributed.

Paul T. Rowell, market development chief of the State Agricultural Department, Wednesday advised agricultural groups they may write to Public Utilities Commissioner Charles H. Helzell here and express their position on the proposal to increase freight rates in Oregon and other states 15 per cent.

Helzell already has announced he will oppose the freight rate increase and so has advised the Interstate Commerce Commission.

Dog Cause of Salem Wreck

A dog strolling in the street was the apparent cause of a rear-end collision Wednesday morning at Pine and North Liberty streets.

Investigating officers were told that a line of several cars had stopped for the dog when the accident occurred about 7:20 a.m., they said.

Drivers were listed as James W. Schuck, 1180 Parkway Dr., and Donald H. Vaeisch, 4725 Hazel Green Rd. No injuries were reported but considerable damage was done to the cars, officers said.

Political Telecasts

By THE ASSOCIATED PRESS The schedule of political telecasts for Thursday, Oct. 25, as reported by the candidates or their representatives:

Douglas McKay, KFOR, 8-8:15 p.m.

Oregon Statesman

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School Reporter Report Card Response Varied

By KAREN HARRIS

Many "Oh's", "Ah's", and "Ugh's" were heard throughout South Salem High School halls Wednesday as report cards were handed out at the end of each class, thus marking the end of the first six weeks of school.

Salem high schools distribute report cards every six weeks while junior highs distribute them every nine weeks.

The faculty scholarship committee has chosen 16 high honor students to take the Merit Scholarship Tests without paying the usual fee.

The tests are taken in order to show the student's chance of getting a scholarship. Other students who want to take the test must pay the fee.

The senior students picked were Mary Mitchell, Bob Treland, Charles Loggen, Julia Quiring, Brenda Aschrenner, Mavis Malbon, Pete Erickson, Denise Miller, Bill Jacobson, Bill Richter, Karen Ringnald, John Harvey, Kay Smith, Pat Thor, Marcia Humphrey and Marilyn Zeller.

Pep Club Offers Dance The South Salem High School Pep Club is sponsoring an all-school noon dance today entitled, "Witches' Wobble."

The president of Pep Club, Joan Osko, has appointed Carolyn Milne as general chairman of the dance. Working with her are Barbara Gerlinger, Colleen Nelson, Kenzie Ruth Carlson, Janet Davenport and Sue Wilson.

Leslie High School Fetes Foreign Youths For this United Nations Week, Leslie Junior High School is honoring the foreign students throughout the school.

These students were all born in foreign countries. They are: Seventh graders—Dita Luers from Westerland, Germany; Mary Stein, Augsburg, Germany; Mary Karkins, Riga, Latvia, and Robert Schwusow, Tegucigalpa, Honduras.

Eighth graders—Georgia Brody, Toronto, Canada; Maren Hayden, Aiea, Oahu in the Hawaiian Islands, and Kenneth Mar, Hong Kong, China.

Ninth graders—Janey McMillan, Manitoba, Canada; Barbara Ellis, Juneau, Alaska, and Ron Greison, Saskatchewan, Canada.

Open House Tonight Leslie Junior High School will have its first open house of the year tonight for all seventh graders' parents.

Eighth and ninth graders' parents will have a chance to view their children's work at an open house Nov. 1.

Travel favors are being made by Leslie students under the direction of Red Cross representatives, to be distributed on Halloween at Fairview Home.

Over 500 tiny favors of owls, jack-o-lanterns and ghosts are expected to be made.

State Vehicle Auction Dated

Oregon State will auction 45 used vehicles, ranging from 1940 to 1955 models, on Nov. 1 at 1 p.m. at the State Fairgrounds livestock pavilion. The sale includes trucks, pickups, handtrucks, jeeps, delivery sedans, coupes, and two-door and four-door sedans.

Equipment will be available for inspection between 9 a.m. and 5 p.m. from October 30-31, and from 8 a.m. to 1 p.m. on November 1. Successful bidders will have to deposit 10 per cent of their total bids and must complete payment no later than November 7.

Bid information sheets are available in Room 123, Finance Building, 1225 Ferry St., and at the sale location.

RUBBER PIONEER DIES LONDON, Oct. 24 (AP) — Henry Nicholas Ridley, founder of Malaya's modern rubber industry, died here today. He would have been 101 in December.

Our Treat for You! Mon., Oct. 29, All Day... The Great Alexander Magic Show! Free Pony Rides • Balloons • Coloring Contest • Prizes Capitol Shopping Center WAIT A FEW DAYS... BE 3 YEARS AHEAD! On October 30 you'll see a car so advanced it will make so-called "new" cars seem three years out of date. On October 30 you'll see year-ahead features like Torsion-Aire Ride, Flight Sweep Steering, TotA Contact Brakes, a Fury "301" V-8 engine. On October 30 you'll see one car leap three full years ahead of the low-price field when you see and drive PLYMOUTH