

SUPREME COURT ISSUE NOT DEAD SAYS DEAN MORSE

The supreme court controversy is not settled; rather, this is a period of truce, said Dean Wayne L. Morse of the University of Oregon law school in a talk to the Rotary club, Tuesday noon.

"It might be suggested that an American citizen keep in mind that the issue is not settled," he said, adding, "it is an inherent part of democracy that there be continual differences between the judicial, legislative, and executive departments, a check and balance set-up."

"As the country grows older the complex become the social problems and those in the legal profession must keep abreast of the times," Dean Morse declared. Excluding mention of any specific change of group, it can be said in a general statement that there is doubt in giving power in time of a great crisis to any group to call a stop to those abuses of the times which look to those things that mean improvement in social conditions, the speaker said.

Other Phases Discussed

While there have been no great number of the 5 to 4 decisions there is this to consider: but just one such decision in an important matter could change the history of the country, whereas such decisions have little effect, it was stated.

The divided opinions have weakened the court in public opinion, Dean Morse said; adding the resignation of Justice Van Devanter, such decisions as the Wagner act, and the effectiveness of Senator Wheeler stand, all have had their effect, too.

"While in Washington, I heard much about the 'staggered term of office' the speaker commented further on the supreme court issue. "There is no such thing as a free country, a greater obligation than they sometimes sense," was another comment by the speaker as he went on to say that it was a dream of his for the University of Oregon law school that that department become one of the great schools of law and administration. Those trained in law should have training, too, in correlating the disciplines of political science, social science, economics, and other sciences to be equipped to meet the many complex problems that come; just the same as a liberal arts education should combine economics with the cultural that those graduating are able to stand on their feet and make their living as soon as they leave the schools, the speaker said.

Impressions Given

Most of the talk was on impressions during his seven months in Washington, D. C., as director of the department of justice project for prison release procedure.

Through that work he was able to see much of the "inner workings" of the department of justice, and Dean Morse paid high tribute to Attorney General Cummings as one of the great attorneys of the nation and one of the most conscientious public servants.

He said he returned with the impression there will be more government all the time, rather than less government, and because of this and the ever increasing complex social problems felt that it was more important than ever that those in charge be guaranteed as broadly trained people.

While directing the project, Dean Morse had occasion to visit every important section of the country and to study social conditions. "As result, I do not feel in despair over the situation, since this country is much better off than many others, and there is much to give the feeling that the future is bright. Yet there is much, too, to tell you not all is rosy in this country," he commented.

Dr. George P. Winchell introduced the speaker.

Dr. W. B. Neal was welcomed back from a trip to Europe. For the program next week he and W. T. Gordon will report the Rotary International convention at Nive, France.

Dr. J. E. Richardson expressed the club's regret in H. R. Gould that the latter is leaving soon to accept a new position in Tacoma as superintendent of schools there. Mr. Gould as a past president of the Eugene Rotary club.

Westfir Road Will Be Oiled at Once

Arrangements to oil the county road leading from the Barnard bridge over the Willamette to Westfir were made Tuesday by Walter J. Holland, county commissioner, and Edwin Tuller, county road supervisor. The oil will be obtained from the Westfir Lumber company and it will be pumped from a tank out there instead of hauling it from Eugene. This road is quite dirty and during a windy day, especially, the dust is very annoying. The company is erecting 25 or 30 new houses for its mill hands along the road.

FROZEN PEAS

ASTORIA, Aug. 10.—(AP)—Successful experiments with frozen peas resulted in the first shipment of the cold-packed vegetables to Chicago. Two other carloads of Clatsop peas are being prepared.

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New York..... 1 6 2
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Brooklyn..... 7 14 2
Philadelphia..... 3 9 1
Henshaw and Spencer; Walters, Jorgens, Crawford and Atwood.

AMERICAN
Philadelphia..... 7 10 3
Washington..... 15 12 4
Caster, Turberville and Brucker; Conroy; Weaver and Millies.

AIRLINER FALLS; FOUR ARE KILLED

(CONTINUED FROM PAGE 1)

Light company as a temporary measure because of power failure an underground cable.

The plane had risen about 40 feet when it hit the line. The flier fluttered crazily for more than 100 yards, then struck the earth. It plowed up the ground for another 150 feet before coming to rest against a small tree.

Both motors were enveloped in flames for a moment after the impact, but the plane died quickly and the cabin was not touched by the fire.

Airport employees said survivors probably owed their lives to the fact the rear part of the cabin was almost intact. Not so the fore part — the twisted wreckage looked like a battered tin can.

BATTLE RAGES IN NORTH CHINA PASS

(CONTINUED FROM PAGE 1)

Emergency war taxes to include the empire's colonies.

TRY PROPAGANDA

TIENTSIN, China, (by radio to Manila and New York), Aug. 10.—(AP)—The Japanese authorities who control Tientsin plastered the city today with posters proclaiming that Chinese Generalissimo Chiang Kai-Shek "will never fight Japan and is now only deceiving the northern Chinese" with promises of help.

"The Japanese army is the world's best and strongest," said the posters and handbills. This was an effort to placate Chinese in Hopei province and alienate them from the central government in Nanking.

A similarly disseminated statement that "the North China people must build their own country on a firm foundation" was believed to mean the establishment of a new North China state like Manchukuo under complete Japanese domination.

S. P. PASSENGER IS FOUND UNCONSCIOUS

M. A. Lawhead, a passenger on the Southern Pacific from Los Angeles to Portland, is in the Eugene hospital with a possible fracture of the skull, having been found Tuesday morning near the railroad track at the summit of the Cascades, according to the attending physician. The exact cause of his injury is not known. Mr. Lawhead was unconscious at the time he was found by a trackwalker and until late Tuesday afternoon had not regained consciousness. Whether he had fallen from the train, or had tried to get off, was not known.

The aged man, the doctor stated, is a pensioner of the Southern Pacific company. When the train reached Junction City, the conductor realized he had not seen Mr. Lawhead since the train was in the vicinity of the Cascade summit, and immediately started a search for him. The trackwalker found him shortly afterward.

MARRIAGE LICENSES

Application for marriage license was made Tuesday by Peter Ness and Frances Cordelia Bogdals, both of Eugene, and Victor Margeson of San Francisco and Mary F. Dennis of Eugene.

Tests in the Safety Council show that only 25 per cent of the automobile drivers of the United States have perfect vision.

At the World's Fair to be held in New York in 1939 there will be an auto trailer camp costing \$3,000,000 and accommodating 30,000 cars and trailers.

USE CHINESE HERBS WHEN OTHERS FAIL

Charlie Chan Chinese Herbs Remedies are non-poisonous, their healing virtue has been tested hundreds of years in following: S. B. Fong, chronic ailments: nose, throat, sinusitis, catarrh, ears, lungs, asthma, chronic cough, stomach, gall stones, colitis, constipation, diabetes, kidney, bladder, heart, blood, nervous, neuritis, rheumatism, high blood pressure, gland, skin, sores, male, female and children disorders.

S. B. Fong, 8 years practice in China. Herb Specialist, gives relief after others fail. 708 Wilamette St., Eugene, Ore. Office hours: 9:30 to 4:30 Sundays and Wednesdays only.

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Osteopathic Physician
Women's Diseases—Obstetrics
207 Tiffany Bldg.
Ph. Office: 3130 Res. 3142

PINBALL POLICY 'UP TO COUNCIL'

(CONTINUED FROM PAGE 1)

the legal situation on pinball machines before the council, pointing out that there was no objection to repeal of the licensing ordinance if the council so desired. He traced the history of pinball legislation, culminating in the recent dismissal of an appeal from two pinball operators.

(In that instance, Ralph Moody, special prosecutor for Marion county, had prosecuted the operators on the ground that the machines were lotteries. He had further stated that the licensing act was unconstitutional if the machines were lotteries.)

As a result, the council left the matter at status quo until the fourth-quarter licenses from pinball machines are due.

"We must play fair with these pinball operators," Mayor Elisha Large declared. He said that it would be unfair to revoke licenses after the third-quarter license fees had already been paid.

Mr. Calkins said that the district attorney could go ahead against pinball operators if he chose—regardless of what action the council took.

Ministers Make Request

Rev. Herbert Higginbotham presented the request from the civic committee of the ministerial association. Quoting a recent talk by Dean James H. Gilbert in which he said that Eugene was losing \$100,000 annually via the pinball route, Rev. Mr. Higginbotham declared that it was "the duty of the council to take a definite step in this matter."

Despite the action of the council, however, it was apparent that when the topic came up in September, there would be a strong bloc organized against renewal of licenses.

Harry Johnson of the United Workers league also presented a petition from that group urging rescinding of the ordinance.

E. A. Farrington moved that the council take no action until the expiration of the third quarter. His motion was adopted.

"Nearly overhauling the pinball issue were two sharp verbal clashes, with Cal M. Bryan, city recorder, as the storm center."

Analysis Made

A "morning-after" analysis disclosed that:

1. Mr. Bryan was largely instrumental in defeating a request of Mrs. W. H. Maxham, park board member, that the council reimburse the board \$264.50 for alleged "misappropriation" of park board funds on the Villard and Agate street parking strips.

2. The city recorder had been sharply reprimanded after he had informed the council of billing Lane county industrial firms for fire service.

Mrs. Maxham put her plea before the council on the ground that the park board had not authorized the expenditure of \$264.50 for the care of parking strips. It seemed that the requisition was made out by a park board member without consultation with Mrs. Maxham, but by the time the mistake was discovered, the council had approved the requisition.

The council—and particularly Mr. Bryan—replied to Mrs. Maxham by saying that the park board had received an unexpected \$300 additional to its budget, and that it could afford to pay for the parking strip repairs.

Joins in Battle

Councilman Fred Carlson participated in the verbal battle that followed between Mrs. Maxham and Mr. Bryan.

"May I ask if this sort of thing is to continue indefinitely?" Mrs. Maxham inquired.

"If the park board can't care for that \$168.50 out of the extra \$300, it is too bad," Mr. Bryan replied. Carlson put in the proposition that the park board should care for the parking strip permanently, anyway.

"The park board would like to reserve the right to care for only those projects that it can afford," Mrs. Maxham replied, insisting that as a matter of principle the council should either pay the park board the \$168.50 or else put on the records

the definite refusal of the park board to assume responsibility for the parking strips.

The council eventually denied her request.

The dispute over fire service to outside industrial firms came after Mr. Bryan informed the council that he had billed those firms serviced by the fire department during the past six months.

Mr. Bryan billed the firms on a set charge under an old ordinance. P. J. Hanns, chairman of the fire and water committee immediately objected on the grounds that Mr. Bryan had overbilled his estimates.

Assumed Authority

Mayor Large jumped into the battle and sided with Mr. Hanns on the ground that Mr. Bryan had wrongfully assumed authority.

Mr. Bryan defended his action on the ground that the ordinance provided a certain rate and that Mr. Hanns' estimates had not conformed to these rates.

"Let's get this matter straightened out," Mr. Carlson demanded. "Either the set rate is right or Mr. Hanns is right. If Mr. Hanns has the inside track, abolish the rate schedule and leave it up to the fire and water committee."

Sam Bond, committee member, said that he had not been informed of Mr. Hanns' estimates.

The matter was left until the next meeting, when the council will make its choice.

Councilman Arthur Hendershott discussed bills received on a number of city properties. All were rejected, pending further negotiations.

An incident move to outlaw a woodyard on Eighteenth and Jefferson was checkmated by Mr. Calkins' warning that although the woodyard might be a "nuisance," it was still a business firm and entitled to legal rights. The issue will be cleared at the next meeting.

E. F. Mack was named to the plumbing board.

In a reply to a request from the planning commission of Eugene, the state highway department wrote a letter to the council stating that no route through Eugene had been definitely planned as yet.

An invitation to the Route 6 picnic Aug. 22 was received by the council from Billy McLaughlin, Veneta.

Several protests on noise made by automobiles were voiced, particularly by Mayor Large. The complaints were referred to the street committee.

Funerals

Mrs. Margaret Hoffman

The rosary service for Mrs. Margaret Hoffman, who died Sunday at her home in Goshen, will be said Wednesday evening at 7:30 o'clock, at the Pooles chapel. Funeral services will be conducted Thursday morning at 9 o'clock, with Rev. Francis P. Lepore officiating. Interment will be in Mt. Calvary cemetery.

\$250 REWARD

PORTLAND, Aug. 10.—(AP)—Automobile dealers offered \$250 reward today for vandals who damaged the paint on more than 100 automobiles parked in used car lots Saturday. They sprayed acid on the finish.

SPANISH LOYALIST TROOPS IN DRIVE

MADRID, Aug. 10.—(AP)—Madrid's western front rumbled into new life today in what appeared to be the start of a second big insurgent push to hammer a rearward wedge out of insurgent rearward territory.

Generalissimo Francisco Franco's infantrymen, based in shell-ripped villages and on the sun-baked plains west of this besieged city, renewed their attack on Villanueva de la Canada, the point of Gen. Jose Miaja's spearhead.

Although the onslaught lacked the intensity of the former counter-offensive, it seemed to be the first move in a new attempt to regain all the towns which Miaja's sweating "Milicianos" seized during the first two weeks of July.

In that drive the government actually reached and for several days held Brunete, about 15 miles west of Madrid, but was driven out of the town, and forced to backtrack about four miles north to Villanueva de la Canada under fierce land and air assaults.

The government command asserted that the Madrid troops repulsed today's onslaught.

A tremendous explosion could be heard above the confused undertone of rifle and machine gun fire when an insurgent munitions depot, not far from the government's trenches, was blown up. Many insurgents were believed killed or wounded by the splintering shells.

When the battle was at its height six insurgent soldiers crept across the no-man's-land and joined the government ranks. Five of their fellows were taken prisoner several hundred feet away.

(Franco's daily communique reported artillery duels in several sectors but gave little detail on the fighting anywhere in Spain).

The government forces on the Teruel front in eastern Spain worked feverishly at a widespread system of fortifications even while Franco's artillery tried to blast further openings for his month-old thrust toward the strategic Madrid-Valencia road.

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PORTLAND, Aug. 10.—(AP)—Hear-

ing in the case of Henning Pierce,

27, teamster, charged with being involved in the beating July 27 of a driver for the J. E. Hazeltine company, was set for August 17. The attack allegedly was connected with a labor controversy.

DIRECTORS' SESSION SET

A meeting of the board of directors, Eugene chamber of commerce, is scheduled for Tuesday evening at the chamber rooms, beginning at 7:30 o'clock. Representatives of a freight line will appear to urge that the chamber protest a recent order of the P. U. C. putting the line off the roads for one month. The P. U. C. order came as a penalty for alleged violations of road regulations.

Trainman, Logger Hurt in Accidents

Charles A. Gilmore, railway brakeman suffered severe injuries to the lower spine, and slight head injuries late Monday afternoon, when struck by a projection on a railroad car. He was taken to the Eugene hospital.

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BREVITIES

(CONTINUED FROM PAGE 1)

17, who was stricken with cramps, and both drowned. Their mother and other members of the family witnessed the accident. The family came here from Perkins, Okla., to pick hops.

KETCHIKAN, Alaska, Aug. 10.—(AP)—W. B. McDonald, of Olympia, Wash., arrived here today on the cruiser Saratan, enroute to Juneau on a fishing cruise with a party of friends. The group included Zola M. Volchok, Salem, Ore., and Martin Johnson and George H. Godfrey, both of Eugene, Ore.

CARLTON, Aug. 10.—(AP)—Mr. and Mrs. Henry Walker and their two small children narrowly escaped death early Monday when they awakened to find their dwelling half destroyed by fire. Mrs. Walker and one child received minor burns in escaping from the flames, and the husband's hair was singed.

WASHINGTON, Aug. 10.—(AP)—A bill providing that a \$500 fine paid by Robert Gordon Duncan, self styled "Oregon Wildcat" on charges of violating the radio act of 1927 be refunded passed the senate and was sent to the house.

PORTLAND, Aug. 10.—(AP)—Twenty women recently dropped from WPA sewing projects canvassed Portland business establishments today for jobs, in an effort to prove their contention that private industry cannot absorb those released by the federal relief agency. They asked executives of the firms visited to sign a statement that no work was available.

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TWO MAIL ROUTES MAY BE EXTENDED

The probability of extending the Crow stage mail route and Eugene R. F. D. about a mile each on a side road is seen in the request of Postmaster F. L. Armitage to the Lane county court to improve the lane that extends between the Crow road and the Elmira roads, four miles west of Eugene. This is the road that leads from the old brick yard on the Crow road north across a slough and then on to the Elmira road.

Mr. Armitage said that there is a demand for mail delivery service on this road and that if it were improved the request probably will be complied with. The postoffice department requires that all mail routes be improved before routes are established. If this improvement is made the county will be compelled to use considerable gravel for surfacing.

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