

DIVORCES INCREASE IN COUNTY BINGHAM TELLS ATTORNEYS

"Ninety per cent of the divorces in our courts are not contested and of that number, a large percentage are on the real cause. Divorce laws do not create the desire for divorce, but when the desire exists, people go whatever the law requires in order to obtain divorce.

Urging district attorneys of Oregon to work more in accord with the divorce laws of the state, and producing statistics showing that divorces are on the increase in Marion county, Circuit Judge George G. Bingham, said in this subject Friday before the county prosecutors in their annual convention here.

Fraudulent Divorces Scored

"While marriage is now generally considered as a civil contract, organized society is vitally interested in the preservation of the marriage relation," said Judge Bingham.

"The home is the corner stone of our government and anything that tends to destroy the home directly affects the country as a body politic. Fraudulent and unwarranted divorces tend to corrupt the morals of the community.

"The family which is the subject of marriage has two relations, the nuptial and the paternal. In a divorce proceeding both may be involved. In the case, at least, in every marriage there are three parties, the man, the woman and the state.

State Regulation Justified

"After the parties consent, the consent of the state must be procured by way of a license, and state imposes certain conditions, which must be met before the license may issue. State regulation is justified, because marriage is the basis of the home life of posterity, the foundation upon which both domestic and state government rests.

"Our supreme court has said that divorces are against public policy and also that the fact that husband and wife cannot live happily together, is no cause for a divorce. It is maintained by some that marriage being but a civil contract in principle, every act that would violate an ordinary contract would justify the setting aside of a marriage. This carried to its full length would mean that in every instance, it would be in the power of the contracting parties to avoid the marriage.

"While the open door to separation and divorce cannot be justified under our institutions, yet we must recognize that there are conditions which make divorce more desirable than marriage. The state has declared what these conditions are and it withholds its consent to a dissolution until some one of these conditions has been shown to exist.

Hasty Marriages Deplored

"The real evil is not the divorce, but the social and moral conditions that make divorces more desirable than marriages.

"One of the causes of divorce is hasty marriage between young and inexperienced people. If the law required the lapse of some time between the giving of a license, and the publication of such application, and the actual issuance of the license and the performance of the ceremony, it would undoubtedly be a benefit.

"I also think that a considerable length of time should elapse between the actual separation and the commencing of the suit. A year would not be too long, and this would allow the parties time in which to reflect upon their condition, to correct mistakes and possibly change their minds.

Records Show Increase

"The records of this county show that from October 1, 1918, to October 3, 1919, 84 divorce cases were filed in Marion county as compared to 331 marriages in the same time, and of divorce suits entered, the wife was the plaintiff in 61 cases, husbands being plaintiffs in the remaining 23.

"For the year 1918 there were 85 divorces to 266 marriages, the percentage of divorces to marriages are thus shown to have increased, notwithstanding prohibition. If the growing tendency to secure divorce is an evil, as many good people believe, the remedy is not with the officers of the law but with the legislature.

"The policy of the law is against divorces, excepting on grounds specified by statute. It is not for us to say whether stringent laws tend to immorality or freedom of divorces to respectability.

"As long as the law requires an investigation of divorce causes, the investigation should be a real one and not a fiction to be satisfied.

Opinions Cited

"The legal requirements are to be satisfied and the case is shaped and the evidence to support it is for the purpose of a legal separation and not the real grounds of complaint.

"The supreme court has said that a decree with out service of the summons on the district attorney and with out appearance by him at the trial is not valid. The law contemplates an appearance on behalf of the state to avoid collusion.

"I apprehend it is intended that the district attorney in default cases should be in a position to advise the court, yet do you ever make an independent investigation or know any more than what may be disclosed by the evidence at the hearing.

"In the ordinary case the court is quite as well informed as the state's law officer. If a man forges a check for a small amount, or holds a peddler up and secures but a few cents, you will bend all of your efforts to have him returned to the state to be prosecuted, and will prosecute him to sentence with vigor.

Duty Pointed Out

"Yet a man abandons his wife, fails to provide for his children, the innocent helpless offspring of a worthless wife, you let the matter pass, as a casual occurrence.

"Does your conscience tell you that you have been doing your official duty?"

"In my judgment you should be either relieved from appearance in all divorce litigation or your investigation should be carried on to such an extent that you will be able to advise the court whether there is statutory grounds for the suit or that it is simply a case where the parties do not want to live together.

"I am not advocating more stringent laws but simply the observance in good faith of statutory requirements."

WILLAMETT CLOSES UNTIL AFTER XMAS

Willamette university closed Friday and will not reopen until after the Christmas holidays, January 6. President Carl Doney, who issued the order, gave as his reason, the extreme weather conditions, and the inadequate heating facilities of Lusanna Hall. The pipes in the hall are all frozen, and there has not been sufficient heat in the girl's building since the first days of the storm. Other buildings on the campus are handicapped in the same manner, so it was deemed advisable to discontinue school until conditions improve. Many of the pupils left for their homes Saturday afternoon, immediately after the issuance of the order, and a number left yesterday.

TREE PREVENTS AUTO FROM FATAL PLUNGE

That Axel Peterson and his brother of this city were not instantly killed or seriously injured is due to a big log eight feet below the road which served as a support for the machine as it went over the road east of Scotts Mills last Sunday afternoon. The Peterson Brothers were driving a Chevrolet touring car from Silverton to the sawmill above Scotts Mills. As they were rounding a sharp turn in the road the steering gear bucked and the car went straight ahead eight feet over the embankment. The machine lodged against a large fallen tree. Only for this the machine and occupants would have pitched over the bank to the creek, a distance of several hundred feet. One of the boys sustained a broken nose but the other escaped without injury.

The machine was considerably demolished. A front wheel was broken, fenders and top bent and the windshield rendered to fragments.

The Silverton Auto company went out after the wrecked machine Monday.—Tribune.

The death of snow in the Umatilla national forest is four times the depth reached at any time during 1918.

Elmo Walden, a rancher living near Freewater, was fined \$25 and costs for having a beaver in his possession.



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SILVERTON KNIGHTS OBSERVE ANNIVERSARY

One of the most pleasant events of the Pythian order, and the one that all the members look forward to each year is the annual anniversary of the founding of the local order. This anniversary took place last Thursday evening in the K. of P. hall, when the Knights and their families, numbering about two hundred assembled. A most interesting and inspiring program pertaining to the good of the order was given, prepared by Mr. Fitzgerald who was chairman of the program committee. One of the most impressive numbers of the program was the flag ceremony, when colors were placed in the eight stars, representing the boys of the local order, who saw service for their country. Only one failed to respond to roll call and a gold star was placed by his name, that of Harold Dahl. A short memorial service was held in his memory at the close of which taps were sounded on the piano by Mrs. Helen Wrightman echoed by Charles Benson in the ante-room. The soldier boys who took part in this ceremony were Russell Sayre, Bus Hock, Edmund Ekman and Merlin Conrad, represent the sailors. The roll was called by E. R. Ewman. The officers march was given in a beautiful manner by the Pythian Sisters. J. W. Hyatt proved himself a fine elocutionist when he recited, "Your Flag and My Flag."

The last number on the program was the unveiling of Rathbone's picture, the founder of the order, the

inspiring address being delivered by George Custer.

Refreshments were served at the close of the evening by the Pythian Sisters.—Appeal.

FIRST INTERNATIONAL AIRLINE FROM CALIFORNIA TO MEXICO

Los Angeles Cal., Dec. 15.—What is believed to be the first commercial, international airplane line was

launched here when Captain T. C. Paine of Riverside was granted permission to operate an aerial mail and passenger line from southern California points across the border to Mexico and other Lower California cities. The permission came from Secretary of State Lansing and from Governor Establan Cantu of Lower California. The franchise requires that all passengers be forced to show passports before boarding the planes.

Robbers entered Alexander's department store at Pendleton Thursday night and escaped with \$500 worth of clothing.

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