# BUTTER PRICE SAME ALONG COAST TODAY

Portland, Feb. 13 (UP)—There were no changes in price of butter today. The market appeared fully steady.

There was again a lack of general change in the egg market price and situation for the day. Storage operations are slowly getting under way but the general movement is not due to start until next week.

All country meats showed well sustained prices for the day with a continued acute shortage suggested in old mutton and lambs. No spring lambs have been reported as yet.

With former buyers more or less determined to clean up and take their loss on speculation, the market for onions is practically stagnant at Oregon primary points. Local jobbing trade very slow.

Prices are being fairly well held for potatoes here but little activity is suggested at Oregon, Idaho and Washington sources although relatively speaking the best business is in the Deschutes.

Considerable activity is showing for spinach here with both Walla Walla and Texas contributing. Prices are generally held steady. Local offerings are of limited volume.

Rhubarb trade is active with chief demand for choice.

Sugar prices are tightening up somewhat.

Columbia river smelt is at greater offering and lower priced.

Cauliflower-broccoli is firmly held for Roseburg stock.

Hothouse mushrooms are easy at 30-35c lb. carton generally.

Apple trading continues chiefly of the sorts selling around 50c box.

# SETBACK TODAY IN WHEAT PRICE

Chicago, Feb. 13 (UP)—Wheat tumbled back late today, following the leadership of cotton and more than lost moderate advances which had been effected after downturns at the start.

Dealings in wheat were not large, and the market was easily influenced. The grain trade is anxiously awaiting adoption of a national grain exchange code and the specific provisions of a proposed bill at Washington to regulate commodity exchanges in general, establishing a system of licenses.

Wheat closed irregular, at ¼ cent decline to ¼ advance compared with Saturday's finish, corn ⅛-⅜ up, oats unchanged to ¼ higher, and provisions showing 5 to 10 cents gain.

A rise of about a cent a bushel for wheat compared with Saturday's finish took place later, influenced by a strong rally in the cotton market and by advances of securities. Tending somewhat also to aid the wheat price upturn were adverse crop reports from Ohio and Indiana accompanied by word that rural holders had quit selling wheat, and there was a big demand for clover seed. Corn and oats largely paralleled the action of wheat.

Provisions were responsive to hog market upturns.

Grain prices averaged a little lower early today. Downturns of values were associated with announcement of proposed new congressional restrictions on future delivery trading. Opening unchanged to ½ lower, wheat afterward held near the initial limits. Corn started unchanged to ¼ down, and subsequently altered little.

# MILK CONTROL TO MEET AT PENDLETON

Portland, Feb. 13 (UP)—Members of the Oregon milk control board will meet in the Pendleton chamber of commerce rooms tomorrow at 7:30 p.m. for a discussion of milkshed problems there, it was announced today by E. G. Harlan, chairman of the board. On Thursday morning the board will meet in La Grande, and Thursday night a session will be held in Baker.

Milkshed boundaries and price schedules for Benton, Linn and Lincoln counties are being prepared and will be announced soon, Harlan said.

Final legal touches on the pooling agency order for the Portland milkshed were being made today, Harlan said this order will eliminate "chiseling" in disposal of milk and cream surpluses here.

# BETHEL CHURCH HOST TO COUNTY CHURCHES

Woodburn—A large crowd attended the North Marion county Sunday school district convention which was held at Bethel Presbyterian church Sunday afternoon. All Woodburn churches were well represented. A splendid address was given by Dr. Emory W. Pettycord, pastor of the First Evangelical church of Salem and Mrs. P. Shanks, county president of the children's division, gave a talk on "The Duties of a Teacher."

Rev. Carl Blackler of Marquam, president, asked to be released from his office but was unanimously elected to continue in his position. Musical numbers were given by Ruth Ingalls of the Woodburn Foursquare church, the lyric trio of the Methodist Episcopal church, by the Church of Christ Sunday school by Peter Larsen of the Presbyterian church of Woodburn, a chorus from the Bethel Sunday school, a song by the state training school boys, orchestra from the Aurora Presbyterian church and a duet by Lois St. Helen and Jewell Blackler of Donald. The next meeting will be held at Donald June 10.

Silverton — Mrs. Mary Welty, mother of Mrs. Will Graham, is reported as becoming weaker. Mrs. Welty has been seriously ill at the Graham home for nearly a year as the result of a stroke of paralysis.

# NEW YORK STOCKS

Closing Quotations by Associated Press

| | |
|---|---|
| Alaska Juneau | 22¼ |
| Al Chem. & Dye | 151 |
| American Can | 104½ |
| American Commercial Alcohol | 50 |
| American & Foreign Power | 11⅛ |
| American Smelt. & Ref. | 40 |
| A. T. & T. | 120⅞ |
| American Tobacco B | 77⅛ |
| Anaconda | 16⅛ |
| Atchison | 68⅛ |
| Atlantic Ref. | 30⅞ |
| Bendix Aviation | 20 |
| Bethlehem Steel | 45⅞ |
| Burroughs Adding Machine | 17⅛ |
| California Pack. | 28½ |
| J. I. Case | 78½ |
| Caterpillar Tractor | 28½ |
| Chrysler | 36 |
| Commercial Solvent | 20⅛ |
| Continental Can | 79½ |
| Corn Prod. | 75½ |
| Curtiss Wright | 5⅛ |
| Du Pont | 99½ |
| Eastman | 86½ |
| General Electric | 22½ |
| General Foods | 34⅞ |
| General Motors | 39⅛ |
| Gold Dust | 20 |
| Homestake Mining | 327½ |
| International Harvester | 42⅞ |
| International Nick | 34 |
| I. T. & T. | 15⅛ |
| Johns Man | 62 |
| Kennecott | 21½ |
| Libbey-O-Ford | 30½ |
| Liggett & Myers B | 92½ |
| Liquid Carb. | 28⅛ |
| Montgomery Ward | 33½ |
| Nash Motors | 28½ |
| National Biscuit | 42½ |
| National Dairy Prod. | 14⅛ |
| National Distillers | 26⅛ |
| Pacific Gas & Electric | 20½ |
| Packard | 4 |
| J. C. Penney | 64 |
| Penn. R. R. | 36½ |
| Phillips Petroleum | 13 |
| Public Service N. J. | 42 |
| Pullman | 34⅞ |
| Sears Roebuck | 46⅞ |
| Shell Union | 10⅞ |
| Southern Pacific | 36½ |
| Standard Brands | 22⅞ |
| Standard Oil of California | 40⅞ |
| Standard Oil of New Jersey | 47⅞ |
| Studebaker | 6½ |
| Trans-America | 7½ |
| Union Carb. | 56½ |
| Union Pacific | 131⅞ |
| United Aircraft | 21½ |
| United Corporation | 7½ |
| U. S. Industrial Alcohol | 51½ |
| United States Rubber | 20½ |
| United States Steel | 56½ |
| Western Electric & Mfg. | 43 |
| Woolworth | 51 |
| **CLOSING CURB QUOTATIONS** | |
| Cities Service | 7⅛ |
| Electric Bond & Share | 19⅛ |
| Swift & Co. | 102⅛ |

# MARKET QUOTATIONS

**PORTLAND EASTSIDE MARKET**

Portland, Feb. 13 (UP)—Demand for spinach continued excellent during the Tuesday session of the eastside market but there was no further general change in values with the exception of one lot of borals which moved at 60c orange box.

Only No. 2 broccoli was offered and it sold 55-60c crate. Potatoes about steady but dry onions were slow.

Green onions from The Dalles sold up to 20c doz. bunches. Rhubarb was in steady call and at late prices. All root vegetables held their own.

General prices ruled:

Beets—Local 30c doz. bunches.

Carrots—Local 15c doz., bags 25c.

Turnips—Local white 15c, purple top 15-20c doz. bunches.

Rutabagas—No. 1 25-30c, ordinary 25c bag.

Potatoes—Deschutes $1.75; Yakima No. 1 $1.65-70; No. 2 $1.25 cental; Local No. 1 $1.35 cental, 90c-$1 crate box.

Cabbage—Local 40-50c crate, red 40c.

Cantaloupe crate, Chinese 70-75c.

Celery—Local 50-60c doz. Hearts 65c-$1.10 doz. bunches.

Radishes—Local spring 20c, winter 10-15c doz. bunches.

Onions—Green 20-25c doz. bunches; dry Ore. No. 1 $2; No. 2 $1; Yakima $1.40-50 cental.

Brussels sprouts—No. 1 30-35c box, 40-45c crate.

Apples—Local jumble pack 45-60c a box, packed offerings 75c-$1.35 box.

Spinach—Local 60-65c, Walla Walla 75-90c crate.

**PRODUCE EXCHANGE**

Portland, Feb. 13 (UP)—The following are prices named to be effective today:

Butter—Cube extras 23½c, standards 23c, prime firsts 22c, firsts 22c lb.

Cheese—92 score Ore. triplets 12c, loaf 13c lb. Brokers pay ½c less.

Eggs — Pacific Poultry Producers' selling prices: Fresh extras 17c, standards 16c, mediums 15c doz.

**PORTLAND SUGAR, FLOUR**

Portland, Feb. 13 (UP)—Cane sugar, granulated $4.55; fruit or berry $4.75; beet sugar $4.45 cwt.

Domestic flour—Selling prices, mill delivery 25-bbl. lots: Patent 49s $6.50-$7.20; blended $6.15-$6.70; bluestem $6.30-$6.40; soft white pastry $5.80-$5.95; baker's hard wheat $5.90-$6.95; rye $5.60-$6.10; whole wheat $5.00; graham $5.40.

**EXPORT WHEAT**

Portland, Feb. 13 (UP)—The emergency export corporation today offered 75c bushel for soft white wheat for foreign shipment.

**PORTLAND WHOLESALE**

Portland, Feb. 13 (UP) — These are prices retailers pay wholesalers except where otherwise stated:

Butter—Prints, extras 25½c, standards 25c lb.

Butterfat—Portland delivery, Grade A 22-23c lb. Farmers' store delivery 19-20c lb.

Cheese—Selling prices to Portland retailers: Tillamook triplets 17c, loaf 18c lb. Tillamook selling price to wholesalers: Triplets 15c, loaf 16c lb.

Eggs—Buying price to wholesalers: Fresh extras 14c, firsts 12c, mediums 12c, undergrade 11c, pullets 10c doz.

Milk—Contract price, 4c, Portland delivery, $1.95 cwt., B grade cream 37½c lb.

Live poultry—Port. delivery, buying prices: Colored fowls, under 5½ lbs. 12-13c, over 5½ lbs. 11-12c, spring pullets 2-2½ lbs. 13-14c, roasters over 3½ lbs. 13-14c lb. Leghorn fowls, over 3½ lbs. 9-10c, under 3 lbs. 8-9c, broilers 1½-2 lbs. 14-15c, over 2 lbs. 13-14c, stags 6c, roosters 5c. Pekin ducks 12c, colored 10c lb. Geese 10c lb.

Turkeys—Buying price dressed, dry picked young toms 14 lbs. down 18½c lb., hens 6 lbs. up 16c lb., old toms 12-13c lb. Selling price: No. 1 toms 19-20c lb., hens 19c lb.

**FRESH FRUIT**

Oranges—Calif. navels, fancy $2.65-$3, choice $2.40-65 box.

Cranberries—Northwest, McFarlane and Howes $2.25 ½ bbl. box, eastern late Howes $2.95 ½ bbl.

Apples—Delicious: Ex. fancy 125s and larger $2.25; f. and f. ex. fancy $1.40. Newtowns: Ex. fancy 113-135s $2, fancy 138s and larger $1.85, choice 138s and larger $1.60. Romes: Ex. fancy 88-100s $1.90, f. and f. fancy, large 75c. Spitzenbergs: Ex. fancy $1.75, combination $1.65, extra fancy, fancy, f. and f. 75c. Winesaps, ex. fancy 138s and larger $1.60, fancy 138s and larger $1.75, f. and f. 90c.

Grapefruit—Imperial valley $2.25-50 case. Phillips $3.75 case.

Lemons—Box of 300: $1.15-25.

Lemons—California $5.50-85 case.

Bananas—5c hands 5½c lb.

**FRESH VEGETABLES**

New potatoes — Florida Triumphs $4.25 per 50 lbs., 10c lb.

Potatoes—Local white or red $1.25-$1.35 cental, Yakima $1.45, Deschutes $1.75, bakers $2.

Peppers—Calif. 16-18c lb.

Asparagus—Sacramento 30c lb.

Onions—Yakima $1.60-50; Oregon $2-$2.25 cental.

Cauliflowers—Northwest 30-35c per crate, Calif. 75-85c crate.

Broccoli—Roseburg No. 1, 50-90c a crate, No. 2, 40-50c crate.

Cucumbers—Hothouse, local 90c-$1.25 doz.

Rhubarb— Hothouse 15c **XF** 85c, fancy 75c, choice 50c box.

Sweet potatoes—California $1.90-$2 crate, southern yams $2.10-15 bushel, Calif. $1.85 40-lb. crate, Tex. $1.50 per 20-lb. box.

Spinach—Local 75-80c orange box, Texas $1.50, Walla Walla 90c box.

Celery—Local 50-60c doz., hearts 90c-$1.25 doz. bunches.

Cabbage—Red 4c lb. Local 75-80c crate.

Lettuce—Imperial $2.60-75 crate.

Tomatoes—Hothouse 10s $1.25-$2 a box, Mexican $3.75-$4 lug repacked.

**MEATS AND PROVISIONS**

Country meats—Selling prices to retailers: Country killed hogs, best butchers under 150 lbs. 9-9½c, vealers 80-100 lbs. 10c, light-thin 6-8c lb. Heavy calves 5-7c lb. Lambs 15c, heavy ewes 4-7c lb. Medium cows 14-15c, canners 2½-3c lb. Bulls 4½-5c lb.

Leaf lard—Tierce basis, 6½c lb.

Bacon—Fancy 20-20½c lb.

Ham—Fancy 19c, picnics 12½c lb.

**HOPS AND WOOL**

Hops—1933 clusters 25-30c lb.

Wool—1934 clip nominal, Willamette valley 22-25c lb, Eastern Oregon 20-26c, Southern Idaho 16-20c lb.

**PORTLAND LIVESTOCK**

Portland, Feb. 13 (UP)—Cattle 175, calves 10. Fully steady.

Steers, good, common and medium, $2.25-$6; heifers, common, medium $3-$5.25. Cows, good, common, medium $2.75-$4; low cutter and cutter $1.50-$2.75. Bulls, cutter, common and medium $2.25-$3. Vealers, good-choice $6-$7.50, cull, common, medium $3.00-$6. Calves, good-choice $4.50-$5.50, common-medium $2-$4.50.

Hogs 600. Lower.

Lightweight, good and choice $4.00-$4.85, medium weight, good-choice $4.50-$4.85, heavyweight, good-choice $4.00-$4.65; packing sows, good $3.60-$3.75; slaughter pigs, medium $3.50-$3.90; feeder and stocker pigs, good-choice $2.50-$4.15.

Sheep 30. Quotable steady.

Lambs, good and choice $7.50-$8.25; common-medium $5.50-$7.50; yearling wethers $4-$6; ewes, good and choice $3-$4, common-medium $2-$3.25.

**PORTLAND GRAIN**

Portland, Feb. 13 (UP) — Wheat futures:

| | open | high | low | close |
|---|---|---|---|---|
| May | 74 | 74 | 74 | 74 |
| July | 74⅛ | 74⅛ | 74⅛ | 74⅛ |

Cash: Big Bend bluestem 75½; dark hard winter, 12% 79, 11% 75½; soft white western white, hard winter, northern spring, western red 70½.

Oats, No. 2 white $23. Corn, No. 2 yellow $22.75. Millrun standard $19.

Car receipts: Wheat 98, flour 8, corn 2, oats 1, barley 1.

**BOSTON WOOL**

Boston, Feb. 13 (UP)—With liberal supplies of quarterblood tops available at slightly lower prices, the price of Ohio ¼ blood fleeces was easier in the Boston market today. The going price is now 41c lb. and sellers who have asked 42c or more were actually offering to sell at 41c today, which was considered significant in the trade. A little business was being done in Ohio, territory and Texas wools, with prices fairly steady. Quotations other than those for the Ohio quarterbloods were unchanged.

**CHICAGO GRAIN**

Chicago, Feb. 13 (UP)— Wheat No. 1 dark hard 91⅛; No. 2 hard 88½-90¼; No. 3 hard 89.

Corn: No. 2 mixed 49¾; No. 3 mixed 48¼-49; No. 2 yellow 49¾-50¾; No. 3 yellow 47¾-49; No. 2 white 49½-¾; No. 3 49-49¾; No. 2 yellow cobs 50½.

Oats: No. 2 white 37½-39½; No. 3 white 36¼-37. Rye, No. 1 Iowa 63; No. 1 Illinois 65¼. Barley 50-61.

Timothy seed $7.25-50 cwt. Clover seed $11-$14.35 cwt.

Lard $6.42, loins $6.07, bellies $7.62.

**SAN FRANCISCO BUTTERFAT**

San Francisco, Feb. 13 (UP)—Butterfat, f.o.b. San Francisco 28c lb.

**SAN FRANCISCO DAIRY**

San Francisco, Feb. 13 (UP)—Butter-92 score 24c, 91 score 23½c, 90 score 23c lb. Eggs—Extra large 16½c, med. 14½c, small 13½c doz. Cheese, fancy flats and triplets 13½c lb.

**NEW YORK HOPS**

New York, Feb. 13 (UP)—Hops steady. Pacific coast 1923 prime to choice 37-39c, medium-prime 36-37c lb. 1932 prime to choice 33-34c, medium-prime 31-32c lb.

# Salem Markets

**Compiled from reports of Salem dealers, for the guidance of Capital Journal readers (Revised Daily).**

Wheat, No. 2 white 59c, red marked 57c bushel.

Feed oats $15 top milling oats $19, milling barley No. 1 $19 ton.

Clover $11, oats and vetch $11, valley alfalfa $13 ton.

Hogs—Valley Packing Co. top grades 140-180 lbs. $3.85-$4.05; 180-200 lbs. $4.05; 200-225 lbs. $4.25; 225-250 lbs. $4.10. Sows $2.75-$4. Lambs $6.50-97; steers $3-$4.50. Cows $1.30-$2.50. Bulls $2-$2.50.

Hogs—Midget Market: top grades 140-180 lbs. $4.00; 180-200 lbs. $4.75; 200-225 lbs. $4.50; 225-250 lbs. $4.25. Veal 8c lb. dressed.

Top Hogs, 180 lbs. $3.85 dressed.

Poultry—Light hens 6c, medium 7c lb. Heavy hens 9-10c, colored fryers 10c. Leghorn broilers 10c. Colored broilers 10c. Stags 5c, old roosters 4c.

Eggs—Medium 8c, extras 11c, pullets 8c doz.

Butter—Cubes 26½c, prints 24½c. Butterfat—25c lb.

**WOOL, MOHAIR**

Wool—Coarse 21c lb. medium 28c, combs 21c lb.

**CLARK BENEFIT PLANNED**

West Stayton—The recreation club will hold open-house Wednesday night for benefit of the Clark family. Anyone will be admitted to the dance if they have something to give at the door. Women will also bring pies to be sold.


**Help Kidneys**

- If poorly functioning Kidneys and Bladder make you suffer from Getting Up Nights, Nervousness, Rheumatic Pains, Stiffness, Burning, Smarting, Itching, or Acidity try the guaranteed Doctor's Prescription Cystex (Sis-tex) Must fix you up or money back. Only 72¢ at druggists

**Cystex**



**FARMERS' GRAIN WAREHOUSE**
Liberty at Trade Sts.

**Grain Dealers**

| | |
|---|---|
| 100 lbs. Egg Prod. | $1.75 |
| 100 lbs. Egg Mash | 1.45 |
| 50 lbs. Dairy Feed | 1.00 |
| 100 lbs. Chick Mash | 1.95 |


# STOCK GAINS MODERATE IN DULL SESSION

New York, Feb. 13 (UP)—Weakness in alcohol stocks and strength in mining issues marked a dull stock market session today. A majority of stocks registered moderate gains.

Pressure on the alcohol group resulted from proximity of the senate investigation into the sharp rise in the group prior to repeal. Buying of the silver mining shares was predicated on anticipation of some government aid for silver metal. Copper shares benefitted by formulation of a code for the industry.

Aviation stocks still were under the influence of the cancellation of all air mail contracts. They rallied from their early lows, however, and selling lightened in all sections, including United Aircraft which at one time touched 17 5-8, off 4⅛ from the previous close. Amusement share gains ranged to more than a point on outlook for improved earnings. Rails firmed on technical grounds. Steels were steady to firm on a rise to nearly 40 percent in the nation's steel operations. Oils gained fractionally. Utilities, motors, can stocks, and rubbers were higher.

Trading was around 2,000,000 shares of the smallest full session since the second week in January.

Bonds were dull with stocks but prices ruled firm. United States government issues were firm despite announcement of another government offering, this one to total $300,000,000.

Commodities were irregular. Wheat was off ⅛ to up ⅛ cent; corn up ⅛ to ¼ cent and others slightly higher. Silver futures were higher.

Stock sales today totaled approximately 2,060,000 shares against 3,340,000 shares Friday. Curb sales were 307,000 today against 498,000 shares Friday.

Dow-Jones preliminary averages showed: Industrial 166.10, up .63; railroad 50.37, up .71; utility 28.43, off .12.

# "THE BLUE PENCIL" GROUP ORGANIZED

"The Blue Pencil" is the name selected for the new writer's section of the Salem Arts league that the organization is offering to those interested in creative writing. This new section is being formed on account of the demand for membership in the original writer's section, the membership of which is limited.

It is felt by officers of the league that a new group should be formed to accommodate those who have been waiting an opportunity to join the older section. It will be the object of this new group to study market conditions. It will be under the leadership of Perry Prescott Reigelman, one of the first members of the old section.

A cordial invitation is extended to those interested by the Salem Arts league to meet this evening in the auditorium of the Salem Public library. At this time Col. C. A. Robertson, internationally known political writer and economist, will talk on conditions in present-day Europe. On account of the exciting events that are happening in Europe, his talk is expected to be more than usually interesting.

A short business session of the league will be held at 7:30 o'clock. The program will commence at 8 o'clock.


Continuation of—
**Klamath Shooting**
— From Page One


McCulloch, his law partner, who said he did not believe Horan owned a gun or possessed one when he went to Manning's office Monday in response to a call from the latter.

The shooting caused intense excitement. Horan was 30 years old and had become exceedingly popular here in the six years he had lived here and practiced law. He was elected a member of the state house of representative at the last election. Manning is a member of a pioneer Klamath county family, 55 years old, and has been a prominent attorney here for a generation.

First news of the shooting was received when Deputy Sheriff Alex McMillan received a telephone call from Manning, saying that there had been a shooting in his office and asking McMillan to come there. The deputy and State Trooper W. S. Walker rushed to the office.

They found Horan lying dead on the floor. A bullet had entered his chest and passed all the way through the body. In his dead fingers he still clasped a .38 revolver with two empty cartridges in the cylinder.

Manning offered no resistance. Neither did he offer any detailed explanation. He said that Horan took two shots at him, and that he fired in self defense. He did not know, he said, whether Horan was dead until the officers arrived.

Manning was held in jail without bail pending further investigation.

Horan was a graduate of Vanderbilt university at Nashville, Tenn. He is survived by his widow, a three-year-old son and a two-year-old daughter.

Until about two years ago, both were members of the law firm of Manning, McCulloch, Driscoll and Horan.

# MRS. LELA R. KING DIES IN CALIFORNIA

Funeral services for Mrs. Lela Riches King, former teacher in the Garfield school here, who passed away in San Francisco last Sunday, will be held from the chapel of A. J. Rose and Son, East Sixth and Alder streets, Portland, Wednesday afternoon at 2:30 o'clock. Interment will be in Riverview cemetery.

Mrs. King began her teaching career in Salem in 1927. Owing to ill health she was given a year's leave of absence in 1932-33 and resigned her position in November. Prior to coming to Salem she taught in the grade schools at Vale and Silverton.

Survivors of Mrs. King include a son, William Paul King, aged 12 years, her mother, Mrs. T. W. Riches of Silverton, and the following sisters and brothers: Miss Doris Riches of Salem, Mrs. A. J. Carmard and Mrs. L. M. Whitley of Portland, Lloyd T. Riches of Portland, Harold C. Riches of Vancouver, Wash., and George H. Riches of Salem.

# ROWELL WARNS OF DICTATORSHIP

Portland, Feb. 13 (UP)—Declaring the United States has the choice of paying the price of liberty or of paying with liberty for a dictatorship, Chester H. Rowell, editor of the San Francisco Chronicle, warned last night in a Lincoln day banquet address here, that a real threat exists to the future of the United States supreme court and to the constitution.

Although he did not refer by name to the cancellation by President Roosevelt of all airmail contracts, he denounced "the recent conviction of one of the greatest industries in this country without a trial."

He observed that "power frequently brings abuses."

Rowell said the test of the future of the supreme court will come when the court has before it the constitutionality of some of the measures which have been resorted to by the administration. If the constitutionality of these acts is sustained, he said, "nothing can be questioned in the future."

# SCOUTS OBSERVE 24TH ANNIVERSARY

The 24th anniversary of scouting in the United States was appropriately observed by more than 170 boys of Cascade area council Monday night through a program of games held in he gymnasium at Willamette university, observance of latest methods of life saving as demonstrated by a group of Y.M.C.A. workers in the Y pool, and talks and refreshments at the First Christian church.

A special feature of the evening was the awarding of a scout ax to Frank Page, whose 13th birthday came on February 12.

The exhibition in the Y.M.C.A. pool included the demonstration of swim strokes by Tom Wiper, Wif Needham and Bill Sexton and general life saving tactics by others, including Irving Hale and Gus Moore.

In the absence of A. C. Haag, president of Cascade area council, Clifton Mudd presided during the church portion of the observance. O. P. West, former scout executive, talked to the group, urging them to make all possible advancement in scouting.

**GERVAIS BEATEN**

Mt. Angel — Gervais town team was defeated by Mt. Angel townies Sunday afternoon on the local floor. Marx and Mucken were high point men with 26 and 18 markers respectively. P. Bigler refereed.

| Gervais (21) | | (31) Mt. Angel |
|---|---|---|
| Bowley 2 | F | 26 Marx |
| Batchellor 6 | F | 18 Mucken |
| Stehx | G | 3 Burger |
| Schwab 4 | G | Kehoe |
| Lelack 4 | G | Welton |
| De Jardin 3 | S | 4 H. Mucken |
| Page 2 | S | |

**PRUNES STEADY**

Prunes are, in California, very steady under the pool control of the field market and prunes outside of the United Prune Growers' holdings are now practically entirely cleared so far as growers are concerned, says the California Fruit News. Prune quotations this week are definitely higher. Most of the sizes are ¼ cent up over a week ago. It looks as though they would do the same again.

# LINDY PRAISED AND BLAMED IN 200 TELEGRAMS

Washington, Feb. 13 (UP)—The White House said today more than 200 telegrams, representing about an equally divided opinion, had been received after Charles A. Lindbergh's protest against cancellation of air mail contracts had been described there as "primarily for publicity purposes."

Stephen Early, a secretary to President Roosevelt, told reporters about 50 per cent of the messages supported the protest of Lindbergh while the other half upheld the position of President Roosevelt.

Lindbergh was both criticised and defended on Capitol Hill as a result of his telegram to the president.

Chairman McKellar (D., Tenn.), of the senate postoffice committee told newsmen Lindbergh "never should have written such a protest under the particular circumstances."

"I think he made a mistake," McKellar said. "He was connected with an air concern that gave him $250,000 in stock and he was interested in that concern. If he had been wholly distinterested his protest would have been proper."

On the other hand, Senator Vandenberg (R., Mich.), said:

"I decline to reject him as America's premier aviation authority simply because he happened to disagree with an executive order. He is entitled to his day in court as everybody else.

"I am emphatically in favor of this drastic investigation into the air situation. I hope they run the laundry to the bitter end. But it seems to me there should be a rule of fair play and the acceptance of the usual American theory that men are innocent until proved guilty."

Senator Nye (R., N. D.), said it was "unfortunate that Lindbergh had become involved in the inquiry in a way that deprived him of the great influence he ordinarily would have had."

"I don't know why this whippersnapper of a kid should take a beanshooter and aggravate the president," said Representative Shoemaker (F.L. Minn.).


Continuation of—
**Liquor Decision**
— From Page One


per cent alcohol exclusively in Oregon, will be opened in Portland tomorrow and that other such dispensaries will be opened in Salem, Eugene and other principal cities of the state in rapid succession during the next week or 10 days.

The opinion declared the law did not contravene the home rule section of the state constitution, around which the plaintiff attack was centered, and that the statute "has the attributes of a criminal law in that penalties are provided for violation of its provisions."

The new statute "is a general law applicable to all municipalities and repeals by implication all charters and ordinances in conflict therewith."

Assuming the home rule provision, granting cities the right to regulate traffic in liquor, is still in effect, the opinion stated that "notwithstanding the power delegated to cities under the home rule amendment, they are still instrumentalities for the administration of the general laws of the state within their corporate boundaries. Under our constitutional system of government, a municipality is an agency of the state. In delegating authority under the home rule amendment, it was not contemplated that a state be created within a state."

Relative to the home rule amendment itself, the opinion of Justice Belt held that "since the clear intention of the people in the adoption of the prohibition amendments has been ascertained, the court should function by giving effect to such intention and not invoke a somewhat shadowy rule of construction frowned upon by a coordinate branch of the government.

"Therefore having reached the conclusion that Article XI, section 2 of the constitution, relative to the control and regulation of alcoholic beverages by municipalities, was repealed and that it was not revived by repeal of the prohibition amendments, we might well conclude our consideration of this phase of the case."

The opinion further held that the title of the act was sufficient to cover the subject matter of the statute, which contention on the part of the city of Klamath Falls was disposed of with the statement that "the title need not constitute an index to all matters contained in the act in order to meet the requirement of the constitutional provision."

"Finally," the opinion held, "it is argued that the act is a revenue measure and for that reason does not become operative for 90 days after it is approved by the governor. The main purpose of the act is to control and regulate traffic in alcoholic beverages. The provisions relating to revenue are only incidental to the main purpose of the act and are necessary in order properly to administer the same."

In emphasizing that the criminal right of the state supercedes the home rule amendment, Justice Belt declared that "the heart and soul of the home rule amendment pertaining to the delegation of rights to municipalities is expressed in the provision that such rights are "subject to the constitution and criminal laws of the state of Oregon."

The opinion held with Judge L. G. Lewelling virtually throughout.

The suit was brought to enjoin the defendant officials from enforcing the law on grounds that it was unconstitutional. Appeal from the circuit court was taken by the plaintiff, represented by Attorney Elton Watkins. Attorneys Jay Bowerman and George Neuner represented the commission.

Prior to the enactment of the state law, Klamath Falls had passed a city ordinance purporting to regulate, license and control sale of intoxicating liquor within its boundaries. The opinion held such ordinance was by implication repealed as it was in direct conflict with the state law. The question revolved around the issue of whether the "ordinance of the city of Klamath Falls supreme, or is it subordinate to the general law of the state?"

Justice Belt, in considering the matter of liquor control, stated "the control and regulation of alcoholic beverages always has been and no doubt ever will be a vexatious question, so long as mortal man is prone to err. It is a social problem which has long been before the people for solution."

# WILLIAMS FILES FOR COUNCILMAN

Fred A. Williams, Salem attorney, today became a candidate for alderman from the sixth ward to succeed Watson Townsend. W. D. Evans, it was announced, will be a candidate to represent the fourth ward position now held by Alderman A. S. Henderson.

Townsend had intended to run again, but the highway department has put an inhibition on its staff members holding public office, though they are allowed to complete any terms they may now be serving. Townsend is serving out about his eighth year as a member of the council. He has been one of the most active members and has served chairmanships of some of the most important committees.

Petitions were put in circulation today for both Williams and Evans. Williams formerly served as a member, but resigned to serve as city attorney, which position he served during the Livesley administration. Evans served on the council, filling out an unexpired term and retiring in January, 1933.

# BITTER ATTACK ON NEW DEAL BY GOP CHIEFS

New York, Feb. 13 (UP)—The bitter denunciation of the Roosevelt new deal last night by two republicans prominent in the Hoover administration was accepted in political circles today as another G.O.P. move to strengthen its position for the next congressional elections.

The attack was delivered at the 46th annual Lincoln day dinner of the National Republican club by Representative James M. Beck, Pennsylvania, and Arthur M. Hyde, secretary of agriculture in the Hoover administration. Meanwhile, in Boston, former Senator George H. Moses of New Hampshire, was launching an arraignment of Roosevelt policies, even more severe than the Topeka, Kan., speech of Ogden Mills, former secretary of the treasury.

Hyde asserted that the American people never had voted for the new deal as promulgated by the Roosevelt administration.

"No majority could have sanctioned it," he declared. "To the people, the new deal was merely a campaign catchword. Only from the vague implications of the philosophy underlying campaign utterances could the shadowy outlines of the new deal be discerned."

Only one person, Hyde said, "saw the danger and was warned," that was Herbert Hoover, he said, "who some day will be understood and acclaimed. Not only for the high patriotism of what he did, but for the lofty devotion to American institutions in what he he refused to do."

The NRA, the former Cabinet officer declared, was a surrender by the states of their independence, "there has been a regimentation not only of men," he said, "but of thought."

Beck also attacked the NRA as unconstitutional and called upon all Republicans to fight the policies of the Democratic administration "which have compromised the honor of the nation by violating its solemn promises, or are destructive of the form of government under which this nation has grown great."

# LIVESTOCK MEN TO MEET FRIDAY

Portland, Feb. 13 (UP)—Livestock growers from all sections of the state will meet here Friday.

J. H. Schoenover, president of the Production Credit Corporation of Spokane, has been invited to attend the meeting and will be asked why the corporation refused to issue a charter to the production credit association of Oregon, which was organized here in November at the invitation of the corporation.

Mac Hoke of Pendleton said similar associations have been chartered in Washington, Idaho and California, and that 90 percent of the livestock growers of Oregon favor a statewide association, instead of local credit associations.

The meeting is sponsored by the Oregon Cattle Growers' association and by the Oregon Wool Growers' association.

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