

COURT HOLDS OREGON FARM ACT ILLEGAL

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under the act.

Inasmuch as the future of the state agricultural code and marketing agreements under the adjustment act depends on an ultimate, final decision, the case will be appealed to the Oregon supreme court without delay. Meanwhile it was agreed that the Fren Meyer company will abide by the code price pending the supreme court's decision.

The company had been accused of selling ice cream at 25 cents a quart, 11 cents under the code price. Attorneys for Meyer contended the sale of ice cream at 25 cents a quart gave a sufficient profit to the dealer and allowed fair return to the producer and manufacturer, and at the same time benefited the consumers. The defendant demurred to the complaint, attacking the constitutionality of the adjustment act.

Attorneys for the area committee insisted the sale of ice cream below the code price threatened to wreck the entire structure of the marketing agreement.

All marketing agreements promulgated and adopted under the agricultural adjustment act for Oregon will be nullified if the state supreme court sustains Judge Winter.

Among the agreements affected are those regulating the ice cream business, restaurants, bakers, butter makers and tomato, cantaloupe, nut, melon, prune and berry crops, and nursery operators and bulb growers.

The Oregon agricultural adjustment act was adopted at the special session of the 1933 legislature. It was amended by the 1935 legislature. The 1935 statute gave the governor authority to declare the emergency ended, but the 1935 amendment removed that privilege and the statute now runs by its own terms until June 15, 1937.

In stating his opinion today Judge Winter said "the law contains no standard limiting the authority of the majority who proposed the agreement regulating the price, and no guide by which their discretion is controlled. It is a well recognized principle of constitutional law that no act of the legislature delegating powers to an administrative body is valid unless that act contains some standard prescribing limits beyond which the administrative body cannot go."

"The present act contains none. The question of price fixing and other regulations is left to the uncontrolled discretion of those having a majority in amount of any business covered by any agreement. Furthermore, neither the governor nor the director of agriculture is governed by any express or implied limitation contained in the acts. These officers only determine whether or not a contract is inequitable to the producers or contrary to the interests of consumers—that is, whether the contract is inimical to general welfare."

"If the act contained some provision in any way limiting the amount of profits to the manufacturer, wholesaler or retailer to a reasonable amount, or guiding the administrative officers or those controlling a majority in amount of the business in fixing price, a different question would arise."

"The supreme court of the United States, in the recent case of Schechter Poultry Co. vs. United States, declared the national industrial recovery act unconstitutional for the reason that it contained no standard or defined legislative policy limiting the authority of the chief executive in making regulations governing business."

Silverton—Mr. and Mrs. Ed H. Banks had as over the Fourth guests their son and daughter-in-law, Mr. and Mrs. Fred Banks and the parents of Mrs. Fred Banks, Dr. and Mrs. F. W. Clark of Portland.

Silverton—Mrs. B. J. Meyers has as her houseguest for a week her daughter, Mrs. Dave Cagle of Portland.

Mill City—Mr. and Mrs. C. B. Haywood of Portland were guests at Van Dahl's Tuesday.

The Virginian



Gary Cooper in "The Virginian" starts Sunday in a double feature program at the Capitol theater with Barbara Stanwyck in "The Secret Bride." The complete Sunday show will be presented at a midnight matinee Saturday night starting at 11:30 o'clock.

Life Of Army Pilot Filmed



Robert Young and Wallace Berry in a scene from "West Point of the Air," starting Sunday at the Hollywood theater

Continuation of— Third Party

(From page one)

solid foundation then you can be assured of the support of the liberals in the senate."

While Nye spoke, A. Hazard Perry, of Cousshatta, La., mingled with the delegates and passed out cards, "Huey Long for president in 1936."

Opinion among the leftists was divided as to whether they should launch a presidential candidate next year or build an organization in preparation for the 1940 election.

Nye said a third party might easily congeal all liberals without regard to previous party affiliations.

"If one democrat in Washington should be eliminated," he said, "democracy would return to the same stand and stalwart course it once followed with the same selfish and greedy forces dictating our national policies in both parties."

Nye said in conclusion that, in his belief, a third party presidential candidate "couldn't get to first base today."

Chicago, July 6 (AP)—Delegates to the third party "invitation" conference today adopted resolutions favoring a new national political party, based upon the principle of production for use, and calling for a national convention in time for the 1936 elections.

By acclamation the delegates decided to adopt the name "American Commonwealth Political Federation" as the temporary party designation. The permanent name was to be left to the national convention.

The first point approved by the delegates was:

That the conference go on record as favoring a new national political party, based upon the principle of "production for use."

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Among the signatories are those of Mrs. Mary Lloyd Harrison, wife of President Benjamin Harrison; Thomas A. Edison; Archbishop Joseph F. Rummel of New Orleans; Charles A. Lindbergh; Alfred A. Smith; former Presidents Taft, Coolidge, Hoover and Theodore Roosevelt; Alice Roosevelt Longworth; Thomas N. Garner; President Franklin D. Roosevelt and Mrs. Roosevelt; and former Governor Charles W. Bryan of Nebraska.

Begin in 1928, Miss McCarron recently completed the quilt. She mailed quilt blocks to each person asking for a stenciled autograph in the corner. They then were embroidered and "pieced."

Continuation of— Infantile Paralysis

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California shortly after completing a special course of study at Johns Hopkins and Dr. Deering after studying public health at Harvard. Dr. Lake has been in charge of infantile paralysis work for many years.

Reports from North Carolina show the disease has caused relatively few deaths. Doctors said the germs apparently have been spread by local automobile traffic.

"In view of the precautions taken and advised by the North Carolina state board of health, summer camps in the western part of that state should be relatively safe from poliomyelitis (infantile paralysis)," said a public health service statement.

"In the areas where the disease has become prevalent, also, the advice to prevent fatigue and strain in children has probably been a most effective preventive. In case of illness, protection of the muscles against activity or stretching is very important."

Compromise Name Honors Dr. Dysart

Columbia, Mo. (UP)—County Physician W. P. Dysart doesn't want any children he brings into the world named for him.

But a family on welfare that he helped was particularly insistent that their child be named Dysart Junior. Mrs. Bertha Fisher, county nurse, came to the rescue and the lad was christened Dysart Junior as a compromise.

Aurora—Miss Selma Carothers, daughter of Mr. and Mrs. Glenn Carothers, is taking the summer course at the Portland medical school. Miss Carothers will return to O. S. C. next September as a junior.

U. S. LEGATION ISSUES ORDERS TO NATIONALS

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a war is anticipated. Unofficial sources there said the United States had prevented an embarrassing situation.

Great Britain, which has tried to prevent a conflict, was expected to clarify her stand next week. The Manchester guardian described Ethiopia's appeal to Washington as "a pathetic comment on the state of Europe."

In Washington the state department pointed out that the charter d'affaires actually could not order the departure of American citizens from Ethiopia but he had been authorized to advise them to leave whenever he considered it necessary to insure their safety.

By Andrew Harding

Associated Press Foreign Staff
Salerno, Italy, July 6 (AP)—Premier Mussolini, mounted on a cannon, told 12,000 blackshirts ready to depart for East Africa today that "we have decided upon a struggle in which we as a government and people will not turn back. The decision is irrevocable."

Earlier, enroute here from Rome, the wireless antenna of Il Duce's big seaplane had been struck by lightning but none of the occupants of the plane was injured. The wireless operator, signaling the occurrence, reported the plane had ploughed through a heavy storm all the way.

Today's speech was addressed to the volunteer blackshirts of the "January 3" division who are expected to sail shortly for Africa. Il Duce told them the eyes of Italy were upon them and exhorted them to do their duty.

"Remember," he said, "that Italians have always defeated the blacks. Adda where Italy suffered a severe defeat in an invasion of Ethiopia in 1896 was an exception only because of the difference in proportion between the forces. There were only 4,000 Italians against 100,000 Ethiopians."

While the volunteers cheered him enthusiastically the premier, dressed in the uniform of chief of the Fascist militia, declared:

"Italy today is rewriting a heroic page of her history."

All Italy, he declared, is "behind her sons who are leaving for Africa. Every Italian prefers a life of heroism to a life of uselessness."

Washington, July 6 (AP)—The United States deposited the Italian-Ethiopian troubles back on the other side of the Atlantic today, but said it was "loath to believe" either nation would resort to other than pacific means to settle the dispute.

A note which Secretary Hull sent to Emperor Haile Selassie in response to the Ethiopian monarch's plea that the United States invoke the Kellogg-Brand peace pact to prevent threatened war in Africa, was interpreted widely today as an effort to avoid any entanglement in the dispute.

Although the United States in effect declined to interfere, it did point out that both Italy and Abyssinia signed the Pact of Paris, otherwise known as the Kellogg-Brand treaty, which renounces war as an instrument of national policy.

Thus, most observers felt, the purpose of the note dispatched last night was two-fold. It sought to keep the United States out of the border dispute which is troubling Europe, and reassured American belief in the sanctity of treaties. The note suggested that the League of Nations, which already is arbitrating the dispute, continue.

It said that the United States "interested as it is in the maintenance of peace in all parts of the world, is gratified that the League

BREWSTER'S MILLIONS BRINGS BEAUTIES



The star, Jack Buchanan, surrounded by a few of the beauties in "Brewster's Millions," the Herbert Wilcox production, which United Artists presents Sunday at the State theater. Upper right Lili Damita and upper left dimpled Nancy O'Neil.

GIRL DISPLAYS FEATS OF MIND

Paris (UP)—The metaphysical Institute of Paris has just announced after extensive tests that it has discovered the most accurate mathematical memory on record in the brain of a girl of 22 named Mile. Osaka.

Mile. Osaka can raise a number to its tenth power by mental arithmetic, and can extract the root of a number of the same power in less than a minute. Twenty persons may each give her orally a number running into billions or trillions, and after she has heard them all, she will repeat, in any order desired, their numbers. If you would like to know the number of days, hours, minutes and seconds you have lived, give her the date of your birth, and she will tell you almost instantaneously.

Of Nations, with a view to a peaceful settlement, has given its attention to the controversy which has unhappily arisen . . . and that the controversy is now in process of arbitration."

London, July 6 (AP)—Diplomatic circles this evening said they had heard Britain was following the United States' lead in advising her nationals to leave Ethiopia, as the British government faced the next step in her efforts to avert an African war.

The British were given advance information of the action of the American legation at Addis Ababa in counseling American residents there to depart at once, the diplomats said, and planned to follow suit.

HAMLET FIGHTS FOR AUTONOMY

Paris (UP)—Feisal shall not vanish from this earth!

That is the unanimous determination of the inhabitants of Feisal (Bassas Alps), who are prepared to resist all attempts to attach their community to the adjacent township of Authion, which has voted its willingness to be enlarged.

There are four houses in Feisal. Three of them are falling to pieces, but the fourth (which is the city hall, the postoffice and the rest of the public buildings as well) is the private residence of the population, which includes the mayor, the postmaster, the mayor's wife and the town's only private citizen, (the mother of the mayor). There once were two others but they moved to the country.

Feisal has 10 municipal councillors, the minimum for a French community. The mayor is the only one who lives in Feisal. The others own land there but live far, far away. It has seven registered voters. Three of them voted at the last municipal elections.

Its expenses are small, consisting almost entirely of salaries, which are low in virtue of the fact that all of the community's three able-bodied citizens hold several of them. The community is, therefore, wealthy. But the prefecture wants to save the salaries of the mayor, the ten municipal councillors, the postmaster, the police, the telephone service and even the day laborer by abolishing the community of Feisal (pop. 4) and attaching it to Authion (pop. 50).

Strong and unmistakable the Feisalians answer as one man: "No. Never!"

OREGON GIVEN TITLE TO WHALE

Portland, Ore., July 6 (AP)—The state of Oregon must have a whale or \$1000.

So declared Circuit Judge Hay of Lakeview today as the result of the replevin action filed by the Oregon attorney general's office and heard by Judge Hay in Portland.

The case is an aftermath of the harpooning of "Robert," sea-going mammoth who met his fate several years ago in the Willamette river at the hands of Edward O. Lessard and Joseph Lessard.

Present whereabouts of the carcass did not enter the brief issued by the circuit judge—it was either pungle up or else.

Egbert at last reports was in a mutilated condition somewhere in Oregon. Following his demise, he entertained almost as many people at so-much a throw as he did when disposing himself in the usually whale-less waters of Oregon's largest inland river.

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RIOTS FEATURE REOPENING OF LUMBER MILLS

(Continued from page 1)

tions without union sanction several days ago.

Several beat-ups were reported in scattered sections today but picketing in the main remained peaceful. Six mills continued to operate in Portland, three of them with full crews and three at slow-speed. Combined employment was estimated at 500 men. Two of the mills are under union agreement.

Portland union officials indicated labor disputes bill by the president they believed signing of the Wagner yesterday would force employers to negotiate, although as far as could be learned operators do not plan further offers of settlement.

National guardsmen remained on duty in Tacoma, where 11 mills continued to operate today. Three others were continuing their July 4 holiday until Monday.

WPA DIVISION HEADS NAMED

Portland, July 6 (AP)—E. J. Griffith, state head of the works progress administration—the federal government's new relief unit—Friday night announced Oregon department directors.

Griffith said a meeting of directors to formulate plans for the WPA will be held next Friday. Other states are not scheduled to begin operations until late in August.

Directors named are:

John C. Albright, assistant administrator. He was borrowed from the Union Pacific company, where he was an assistant to the general manager.

Henry W. Hughes, director of finance. He is president of Hughes & Co., Portland investment bankers.

Robert G. Dieck, Portland civil engineer, director of projects.

James Redmen, director of personnel. He was loaned to the organization from the Pacific Telephone company, where he was plant employment supervisor.

Walfred Shuhlin, director of labor management. He is a member of the state relief committee.

Miss Mary Jane Spurlin, former district judge and former deputy district attorney for Multnomah county, director of women's work.

The new organization will alleviate the state relief administration by transferring employables from the state relief rolls to the national re-employment service headquarters at Portland, where they will be sent out on projects, Griffith said. The organization will take over all work projects now being supervised by the state relief administration.

Aurora—Mr. and Mrs. Julius Zimmerman, Maxine, Catherine and Donald of Eugene were recent visitors at the home of Mr. Zimmerman's brothers, Ralph and Allen, and at Mrs. Louis Weber's home, a sister of the former.

Silverton—A houseguest recently of Mr. and Mrs. George Steelhammer for three weeks was Steelhammer's niece, Bernice, daughter of Dr. and Mrs. W. H. Steelhammer of Portland.

STATE THEATRE Today Only! Bob Steele —in— "The Tombstone Terror" Frankie Darro —in— "Phantom Empire"

STARTS SUNDAY—Midnight Show Tonight 11:15!

FIRST SALEM SHOWING!
THE WORLD'S FUNNIEST BOOK IS THE YEAR'S FUNNIEST PICTURE!

Now it's set to JOYOUS MUSIC!
Written and Played by Ray Noble and his orchestra

BREWSTER'S MILLIONS
with JACK BUCHANAN and LILI DAMITA

He Had to Spend 2 Million in 6 Months—so that He Could Inherit \$10 Million More.

Directed by THORNTON FREELAND
who directed "Whoopee," "Flying Down to Rio"

It's a Real Laugh Show!

Mickey Mouse in Color—"THE BAND CONCERT" It's Disney's Greatest!

A Home Owned Theater HOLLYWOOD
LAST TIMES TODAY
Two Features 15c

Buck Jones
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—And Second Feature—

The Winning Ticket
with Leo Carrillo - FAZENDA
TED HEALY
—ADDED—

JOHNNY MACK BROWN
Rustlers
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Sunday - Monday - Tuesday
Continuous Sunday, 2 to 11

FLYING ROMANCE!
Watch the "Hot" new picture of a new young star!

WALLACE BEERY
West Point of the Air
Hots