

PORTLAND TAX COMMISSION HELD ILLEGAL

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feels, which amounted to more than \$400,000.

The opinion was unanimous, but Chief Justice Campbell and Justice Bailey did not sit in the case.

The statute creating the commission provided for its operation only within counties of 100,000 or more population, which confines it solely to Multnomah county. The members of the commission are appointed by the governor. The original act, passed in 1919, gave the commission only "advisory jurisdiction" over tax levying bodies, but the 1921 act was declared "far more drastic in its provisions and is plainly couched in mandatory language."

"The city of Portland at that time challenged the constitutionality of the act but the court sustained the statute, the opinion stated. Justice Belt, however, stated that 'no question should ever be deemed settled until it is settled right. Pride of opinion should never deter a court from confession of error.' It was on that basis the validity of the law was again considered by the supreme court resulting in a reversal.

At the conclusion of the trial in the lower court in which the act was held void and an appeal taken the city ruled to forego the additional levy for the current year to avoid confusion on the tax rolls.

"This court has upheld the legislature in delegating authority to a board to determine the qualifications of barbers and to a railroad commission to fix reasonable rates for common carriers and to various other boards to ascertain facts upon which the operation of the law depended," Justice Belt continued, "but we see no analogy between such cases and the one under consideration."

"In those cases where the delegated authority has been upheld the facts were reasonably susceptible of being ascertained. Determining the qualifications of a barber and the reasonable rates of common carriers is a far different matter from determining the governmental policy of a municipality."

"It is plain that . . . the act in effect authorizes the commission to substitute its judgment for that of officials elected by the people for the purpose of determining the governmental policy of the city. Such delegation of power is a departure from our Constitutional system of government. It is an attempt to vest in an appointive board an essentially legislative function."

In fighting the case the city was aided by F. C. Gleichman, representing the firemen and Gerald Royer, representing city employees, who intervened.

The three members of the supervising commission are R. T. Cox, Mason L. Bingham, and G. W. Weatherly.

Rev. O. Burnett vs. Mandell Weinstein

SON OF 'FIVE AND TEN' HEIRESS BAPTIZED



Count and Countess Haugwitz-Reventlow with their young son, Lance, are pictured as they left their Hyde Park Gardens home in London for the baptism of the baby. At the left is Franklin Hutton, father of the countess, the former Barbara Hutton, Woolworth heiress. (Associated Press Photo)

ACCIDENT THEORY IN CRAVEN'S DEATH

Redwood City, Calif., July 7 (AP)—Lack of any apparent slaying motive in the mysterious beach death of Junius Cravens led Sheriff James McGrath to express belief here today the 35-year-old art director and critic was an accident victim.

Coroner William Crosby, who took charge of the body after it was discovered on an ocean beach Saturday, indicated he was also inclining towards the accident theory.

"Mr. Cravens had many friends," Crosby, who first advanced the slaying theory, explained, "but, so far as we have been able to determine, no enemies."

The coroner said, however, he intended to interview acquaintances of Cravens in San Francisco before setting an inquest date.

Sheriff McGrath expressed the opinion Cravens fell from a rock off the beach, which he could have reached at low tide during one of his customary walks. This would account for the broken neck and crushed face, the sheriff said.

CONVENTION VISITORS

Scotts Mills—Several from the local Christian church attended the Christian convention at Turner tabernacle Sunday. Among them were

Mr. and Mrs. L. B. Shepherd, Charles Wade, Mr. and Mrs. O. H. Brouger, Mrs. Ivan Smith, Gale Smith, Mr. and Mrs. Vinnie Sowa, Evelyn, Edith and LaVonne Sowa, Ina Mae and Marybelle Heinz, Carl Millard, Eunice and Olenow Chun, Betty Whitlock, Paul Smithrud, Chauncey, Wiley and Billie Dimick.

Vacation Visitor Honored at Party

Bethel—Mrs. Clark R. Christie entertained, honoring her niece, Geraldine Getty of Dundee, on her ninth birthday. The little guests who were invited to meet Geraldine were Luella and Marilyn Nichols, Marcella and Eva Mae Wolfe, Minnie Spranger, Jamie Williams, Merritt Larsen and Ronald Nichols. Mrs. Christie was assisted in serving by Mrs. K. P. Getty of Dundee, mother of the little honor guest.

Bible School Ends

Mehama—Mr. and Mrs. F. A. Boyington spent the Fourth at Nelscott beach. Their daughter, Aleen, who has been working in Salem, visited over the week-end at her home here, returning Sunday evening. Alice Boyington who has been assisting with the daily vacation Bible school classes at Collins View near Portland, returned here Monday and will spend her vacation at the home of her parents.

SOIL PROGRAM MODIFIED FOR DROUGHT BELT

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es after an inspection tour of the drought areas.

Farmers in designated counties may comply with the soil conservation program under the modified regulations and still receive subsidy payments, it was said, or they may comply with the original regulations, depending upon drought damage on their individual farms.

Those invited to the White House meeting were Rexford G. Tugwell, resettlement administrator; Aubrey Williams, assistant works progress administrator; J. B. Huston, acting AAA administrator, and Jesse W. Tapp, chairman of the agricultural department drought committee.

The modifications announced were:

1. Farmers will be permitted to cut soil depleting crops (including sorghums and small grains, but not corn) and annual legumes, for hay or pasture use.

Under existing regulations crops in this classification must be plowed under or allowed to stand with reduction of benefit payments the penalty for violation.

2. Farmers will be permitted to cut nurse crops which previously could be pastured only or clipped green. This provision covers legumes or annual grasses seeded with nurse crops.

3. Planting of emergency forage and feed crops now for fall and winter would be permitted on any land on the farm without changing the land-use classifications.

This was done, it was explained, by changing the classification of such crops which under existing regulations have been classified as soil depleting.

Officials said that with the aid of a little moisture emergency forage and feed crops planted now would bring some return, at least, from land which otherwise would be non-productive because of drought conditions.

Farmers participating in the program under the modified regulations will receive benefit payments limited to one dollar an acre for 15 per cent of the soil depleting base acreage involved.

The soil building payment heretofore was one dollar for each acre planted in soil conserving crops.

The weather bureau said that no rain was indicated immediately for any part of the western drought area and that temperatures in the dry regions would "continue abnormally high."

Except for a few widely scattered showers in the south and some light local rains in the Ohio valley, the bureau said, no rain fell anywhere in the country during the last 24 hours.

Temperatures continued "extremely high" from the central

Myrna Loy Weds Producer



Myrna Loy, titian-haired movie actress, and Arthur Hornblow, Jr., film studio executive, were married at Ensenada, Mexico. They are shown together in a recent picture. (Associated Press Photo)

Mississippi valley northwestward over the Dakotas, Minnesota, and eastern Montana.

Record high temperatures were reported over "considerable portions of the northern great plains" with the thermometer reading five to six degrees above any previous mark.

Yesterday, the bureau said was the fourth consecutive day with extremely high temperatures and "scarcely a drop of rain" from the central Mississippi valley northwestward.

Contract is Played At Renfrew's Home

Aurora—Mrs. F. C. Renfrew was a contract bridge hostess following a 1 o'clock dessert luncheon Friday afternoon, to members of her club and several additional guests.

Bidden were Mrs. Willard Hunt, Mrs. L. G. Giesy, Mrs. P. O. Ottoway, Mrs. C. S. Calf, Mrs. John Kraus, Mrs. Claude Moreland, Mrs. M. H. Evans. High score honors went to Mrs. C. S. Calf, wife of a prominent Aurora business man, Mr. and Mrs. Calf were former Portland residents.

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CANADIAN CROPS INJURED BY HEAT

Winnipeg, July 7 (AP)—Intense heat that sucked moisture from prairie soil and robbed growing grains of nourishment prevailed today over Manitoba, Saskatchewan and Alberta.

Except for light scattered showers, the weatherman held no hope of relief from the hot spell that threatened fields which two and three weeks ago promised an abundant harvest.

With temperatures in the 90's prevailing yesterday after higher mercury readings the day previous, the weatherman forecast mostly fair weather for Manitoba with a little lower temperature. Mostly fair and warm with possibly a few light, scattered showers formed the forecast for Saskatchewan and Alberta.

The highest temperature of the week-end was reported from Estevan, Sask., where the mercury touched 110 and equalled the high record set at Dauphin, Man., in 1919. Several other points were around 100 or slightly higher.

Return to Yachats

Mehama—Mr. and Mrs. R. D. Phillips and Irene, and Keith Phillips who have been visiting friends and relatives here and in Stayton, returned to Yachats Sunday. Doreen Phillips, who has been visiting here and in Stayton for the past month, returned home with her parents.

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