

Capital Journal

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"With or without offense to friends or foes I sketch your world exactly as it goes."

Use of the Sky

The federal circuit court of appeals at San Francisco, in an opinion written by Justice Bert E. Haney, holds that the old doctrine that a man owns the sky "is not the law and never was the law," was never taken literally and, probably came from "some remote time in the past when the use of space above the land was confined to narrow limits." The opinion continues:

The sky has no definite location and the air like the sea by its nature is incapable of private ownership. In applying the rules of law we cannot shut our eyes to common knowledge, the progress of civilization or the experience of mankind.

The decision was rendered in a case brought by property owners against air transport companies utilizing an adjacent airport, who sought to restrain the companies from routing their airplanes over the property which disturbed their peace and constituted a nuisance. The plaintiffs claimed ownership of a stratum of air space 150 feet in height over their property and sought to restrain the companies from routing their planes over the land.

A layman is not competent to discuss the legal phases of the decision. But if the air, like the sea is "incapable of private ownership," so is the land. The nation claims ownership to six miles of sea adjacent to the land, and during the dry era, extended its ownership to 12 miles. Nations also claim ownership of the air above, and require license for its use, either by plane or radio. There is really no private ownership of land, it belongs to the state and is merely leased for taxes and reverts to the state when taxes are unpaid, to be re-leased to whoever pays the default and charges annually due.

Nominal ownership of the land, really on taxation lease, should carry with it, a strata of air immediately overlying it, especially when the air is appropriated for commercial purposes to the extent that operations impair land residential and business values as well as menace the lives of occupants. Such use constitutes a public nuisance for private profit and should be paid for.

It will be a long time before we evolve a satisfactory and fair code of the air.

Origin of the Isms

The statement, reiterated by the republican press, that the political isms of the day, such as those captained by Dr. Townsend, Father Coughlin, by Upton Sinclair, by the late Huey Long, and by Lemke are all inspired by Roosevelt's New Deal and owe their existence to it. Nothing could be further from the truth.

These movements, like the New Deal itself, owe their origin to the depression and economic collapse of the old order, the misery and discontent engendered. It enabled the self appointed prophets to devise new formulas of prosperity and capitalize discontent for their own profit by asserting it possible to create new wealth for millions by waving a magic wand at Washington. All of these movements owe much more to the republicanism of the 1920's than to the New Deal. The republicans industriously inculcated the doctrine that government policies alone were responsible for the economic welfare of the average American. Even the republican platform of 1928 flatly claimed that prosperity was due to government, which had "given to our people greater comfort and leisure," that "great public peace of mind which makes for material well being" made possible "the payment of high wages," etc., etc., and only "by holding fast to the plans and principles which have marked republican control" could these gains be retained.

So a large portion of Americans came to believe that it was the wisdom of government, rather than the hard work of the individual which creates wealth. And this faith has flowered in the various parties that united at Cleveland to chase rainbows.

Cluttering the Books

Sitting in the Salem city council chamber last evening one might easily have closed his eyes and have been transported back in fancy to the "blue nose" days of witchcraft in old Massachusetts colony. There were proposed:

An ordinance to fix by regulation the opening and closing hours of places of business in the city and subsidize the establishment of a ring of competitive stores just outside the city limits.

An ordinance to prohibit the shining of shoes in Salem on Sunday.

An ordinance to prohibit unnecessary noises, including the barking of dogs.

Perhaps by some miracle of divine dispensation the council hopes to invest the police with superhuman talents enabling them to enforce such nuisance regulations. Perhaps they propose to depend upon the practice of witchcraft for enforcement.

More likely the sum total of any accomplishment along such lines will be to clutter up the ordinance books with more senseless legislation that never will be enforced.

Engle Family Moves

Marjann—Mr. and Mrs. Marjann Engle have moved from their home in the Mount Hope district to Forest Grove, where they will make their residence. Mrs. Engle has been at the home of her mother, Mrs. S. C. Lyle of Marjann for several days. There are two daughters, Delores and Karleen, and the small son of Ines Engle, Gilbert Lyle, who are with the Engles at Forest Grove. Mrs. Lyle has accepted employment with a Grants Pass firm, doing clerical work.

Broadacres Guests

Broadacres—Mr. and Mrs. Will Meehan and son from Vancouver, B. C. arrived Saturday evening and are guests at the H. L. and T. A. Hunt homes.

Miss Baker Home

Independence—Miss Elizabeth Baker returned Saturday from her trip east where she visited her brother and other relatives in New York and Chicago.

Central Hill—Robert Bach of Fairbury, Ill., and Donald Sorenson

of Peoria, Ill., have been recent visitors at the home of Mr. and Mrs. J. S. Kaufman at Central Hill. While here, the visitors accompanied by Mrs. Kaufman and her children, Carolyn, Shirley and John, vacationed at the coast. The boys have gone to California where they expect to spend some time. Robert Bach is a brother of Mrs. Kaufman.

The Acid Test



AL SMITH URGED TO BACK LONDON

Baltimore, July 21 (AP)—The Baltimore Sun said today former Gov. Alfred E. Smith, 1928 democratic presidential nominee, and Chairman John M. Hamilton of the republican national committee conferred in New York yesterday, but Smith is not ready to reveal the course he will pursue in the campaign. In a copyrighted story by J. Fred Essary, its Washington bureau manager, the Sun said Hamilton "begged" Smith to join actively in the fight to defeat President Roosevelt in November. The story said the republican chieftain asked Smith to take the stump for Gov. Alf M. Landon, of Kansas, the republican nominee. "This writer is convinced, however, from all he could learn in New York," Essary wrote, "that Mr. Smith will make no speeches whatever under the auspices of the republican national committee. It is equally improbable that he will make any speeches directly urging the country to elect Gov. Landon. But it is in no sense unlikely that he will make one or more speeches warning the country against the peril of giving Mr. Roosevelt another four-year term of office." The story said Smith himself authorized the information that he and Mr. Hamilton had met and that they had discussed the politics of the campaign from all its important angles.

ODDITIES—LAND, SEA AND AIR

By C. Y. Renick

A COLT'S LEGS NEVER GROW IN LENGTH AFTER BIRTH—

THE GUILLEMOT (A COASTAL BIRD) IT LAYS ONLY ONE EGG A YEAR— NO TWO EGGS ARE ALIKE— SOME ARE DEEP RED WHILE OTHERS ARE GREEN AND WHITE.

THE LARVA OF A BOT-FLY IS RAISED INSIDE OF A HORSE'S STOMACH. THE EGGS ARE DEPOSITED ON THE HORSE'S SHOULDERS AND THE ANIMAL LICKS THEM OFF.

GENE THOMAS OF AUSTIN, TEXAS CAUGHT A BULL-FROG THAT HAD FIVE LEGS. (3 FRONT LEGS)

Fishermen of Iceland caught 80,000 tons of sea fish last year.

FOREIGN TRADE TREND UPWARD

Washington, July 21 (AP)—Summarizing May exports and imports, the department of commerce reported today that the United States had a "favorable trade balance" of \$2,556,000 for the month. This excess of goods sold over goods bought reversed the trend of three previous months, and compared with a \$10,160,000 excess of imports in April and a \$5,074,000 excess of imports for the same month a year ago. The department said exports in May totaled \$200,556,000 and general imports \$191,110,000. For the first five months of this year, it was reported, imports exceeded exports by \$3,669,000, the totals being \$972,837,000 and \$969,168,000. This compared with a \$16,155,000 excess of exports for the similar 1935 period. Total exports for those five months stood at \$853,867,000, with imports of \$837,712,000.

TABLE AIDS IN SERVING
Middletown, O. (AP)—Growing tired of the conventional "pass the gravy, please," or "some spinach," S. H. Kitchen, builder here, has constructed an electrically operating revolving table that requires no more labor than the pressing of a button to place anything on the table in front of your plate.

EX-SALEMITE SUICIDE VICTIM

Shanghai, July 21 (AP)—The military career of Orville M. Johnson, 52, ended today when he jumped or fell from the fourth floor of a hotel. Johnson, who was a native of Salem, Ore., was killed instantly. Police said a note addressed to his wife, "Mrs. Orville Johnson, San Juan Royal, Philippine Islands," indicated he planned to kill himself. Friends at Manila said he commented there, prior to leaving July 15 for the United States to visit his mother, that he might not return. He was an officer in the Philippine army. Officers said the note ended with the words, "Forgive me for having brought this upon you." Johnson was scheduled to leave for the United States today aboard the General Perahing. The officer entered the Philippine constabulary in 1901 and later served as superintendent of the Baguio Military academy. He also was once provincial governor of Lanao. His widow, Mary, formerly of Virginia, is in Manila. Mr. Angel—Miss Irene Zollner is spending a week's vacation in Portland. She is employed at the Benedictine Press.

BODY OF WOMAN THOT IDENTIFIED

Longview, July 21 (AP)—The body of an attractive appearing young woman, victim of an illegal operation, recovered from the waters of the Lewis river near Woodland city limits June 26, was tentatively identified last night as Mrs. Alice Sudora Knowles, 22, of Grand Coulee. Mrs. Ruth E. Anderson, operator of a photographic gallery in Prosser, made the identification at Sheriff H. T. O'Brien's office in Kelso. She is the mother of Mrs. Knowles. She stated positively that the clothing taken from the body found in the river was some owned by her daughter, while pictures of the dead woman were remarkable likenesses of her daughter, she said. Mrs. Knowles, according to her mother, had been missing from Grand Coulee since June 21. Mrs. Anderson said her daughter was wed January 25 to a Harry A. Johnson, automobile salesman, although already married to Ernest L. Knowles, now on naval duty in China. The sheriff said Mrs. Anderson told him her daughter was anticipating the birth of a child within five months and had contemplated an illegal operation, such as resulted in the death of the "mystery woman." Silverton—Michael Hannan and E. Bryson spent Sunday at Florence and other coast resorts.

'GREAT VAN-TAGE WORKED WONDERS FOR ME!' SAYS WELL-KNOWN OREGON MAN

Mr. Morrison Tells How Amazing New Compound of Natural Herbs Put a Stop to Years of Stomach Gas and Bloat, Regulated His Sluggish, Constipated Bowels— Urges Others to Get It and Take It!



Another Prominent Oregon Man, Mr. Carl L. Morrison, Is Now Praising VAN-TAGE. "It Ended All My Stomach Gas, Bloat, Relieved My Constipation," He Says.

From all over Salem — and throughout this entire section—Remarkable Statements praising and endorsing VAN-TAGE continue to pour in daily to where this "Amazing Compound of Nature's Finest Medicinal Herbs" is being introduced to the local public by a Special Van-Tage Representative, known as THE VAN-TAGE MAN, in person. For instance, just a few days ago, the following statement was received from Mr. Carl L. Morrison, of Independence, Ore. (near Salem). Every suffering person will read this widely-known man's statement with interest. It contains a message of hope and cheer for those who have been weak, sick and miserable for years without finding anything to help them. Read this statement carefully. See for yourself how this Amazing Compound can HELP YOU!

'Stomach Gas and Bloat, Awful Constipation!

"I had been troubled with gas, bloat and constipation for a period of five or six years," said Mr. Morrison. "After my meals it seemed that my food just refused to digest, but would form a knot in the pit of my stomach and cause me all kinds of suffering. The awful gas would form in my stomach and press up against my chest so hard it caused me to be short of breath. Besides this, I was always taking some kind of a drastic physic or laxative for constipation, but they gave me only temporary relief and then I would be as bad as ever.

How Van-Tage Relieved All His Suffering!

"I started reading about Van-Tage in the papers, and the people who endorsed this medicine seemed so honestly grateful for it that I decided to try it and see if it would help me. I have taken a lot of different medicines in my time, but I believe you can't imagine how grateful I became convinced that Van-Tage was certainly the medicine for me.

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LOVELY NEEDLEWORK DESIGNS BY ALICE BROOKS

New work for your hands, and satisfaction for your beauty-loving soul!

Starting today, we bring you the matchless needlework creations of that popular designer, Alice Brooks. Everything that's the fashion in needlework for your own wear! Everything that's lovely in needlework to dress up your home! Crochet, knitting, embroidery — every day a different design. Every design a thing of real beauty, an heirloom of the coming years.

Instructions for Alice Brooks needlework will come to you on large, clearly-printed sheets that show in word, picture and diagram how to proceed step by step. No guessing. No hitches. You'll work your way straight to beauty — with these sure-to-succeed Alice Brooks patterns.

Alice Brooks designs are created for readers of this newspaper exclusively.

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On Sale at Fred Meyer's 170 N. Liberty St.