

Judges Quiz Attorneys in Reapportionment Case

Members of Oregon's Supreme Court took a sharp look at times Wednesday with arguments of those who would wipe out the state's new legislative reapportioning.

The new procedure is in a constitutional amendment which the people passed in 1952.

A. S. Grant, Baker, attorney for State Rep. David Baum, La Grande, who filed the suit against the amendment, was subjected to barrage of questions after Grant said that "if this court allows the people to vote on measures they don't understand, the state government can't help but fail."

The case was heard by the Supreme Court on appeal from Circuit Judge Rex Kimmell, Salem, who ruled the amendment is valid. The high court is expected to have a quick decision, because the deadline for filing candidacies in the May 21 primary election is only 15 days away.

Grant said that the measure, which gives the state its first reapportionment of the Legislature since 1910, wasn't understood by the people.

"I didn't know myself," Grant said, "that the amendment provides that if the Legislature does not reapportion itself after each federal census, that the secretary of state should do it. I admit that I didn't read the measure before I voted."

Justice Hall S. Lusk interrupted to suggest that Grant should have read the title on the ballot, which mentioned the secretary of state's role.

Chief Justice Earl C. Latourette pointed out that the ballot title also mentioned that the Supreme Court should reapportion if the secretary of state doesn't. Grant had said the people didn't know that the court had any part in it.

The chief justice finally asked Grant if it isn't true that the people could adopt any form of state government, as long as it doesn't conflict with the U. S. Constitution.

Grant said he agreed with the chief justice. That appeared to narrow the argument down to Baum's contention that the 1952 amendment violates the principle of separation of the executive, legislative and judicial departments.

Justices James T. Brand interrupted with a question as to what evidence Grant has that the people didn't know what was in the amendment. Brand added "we already have the testimony of one witness (Grant) that he didn't know what he was voting for."

Grant then said he had no such evidence.

Grant also argued that he's being deprived of his right to vote for a state senator this year. He's moved into a district that has a holdover senator.

The packed courtroom enjoyed the constant stream of questions that the court tossed at the lawyers.

Baum's other attorney, George T. Cochran, La Grande, argued that the amendment violates the state Constitution because no act can contain more than one subject.

However, several court members challenged this, claiming that a constitutional amendment is not an act.

Atty. Gen. Robert Y. Thornton answered that the amendment does have only one subject—reapportionment.

As to Cochran's argument that the amendment unlawfully gives non-judicial duties to the Supreme Court and legislative duties to the secretary of state, Thornton cited several instances where such duties have been transferred.

Thornton said the people have the sovereign right to alter their government.

When Grant said that the Legislature would lose its right to reapportion itself, Chief Justice Latourette countered that the Legislature still would have the right. He said the secretary of state and Supreme Court would step in only if the Legislature didn't do its duty.

Past Commanders Will Be Honored

SILVERTON — Roy Davenport was named chairman of the arrangement committee for the annual past commanders' night to be observed Monday evening, March 22, by the Delbert Reeves post No. 7, American Legion, at the Monday evening meeting at Legion hall. Ronald Reed, local commander, presided.

The past commanders' observance is to stimulate interest in the history of the American Legion as an organization.

Members of the post joined the auxiliary members in their club room for the Americanism and National Security program, with Mrs. Larry Carpenter and Mrs. Robert Allen, unit chairmen, in charge, presenting five young folk from Victor Point school in patriotic program.

A reported membership of 172 is more than 35 under the assigned quota for this year. A gift from Vic David, a recording arrangement, was accepted, and will be used for program music and special dances.

Reports were given of the results of the District No. 2 conference held at Silverton when Governor Paul Patterson was the speaker, and also of the Mill City meeting of members of the Marion county council and assembly.

Ancient Sparta discouraged business transactions by issuing heavy, clumsy, iron coins.

IN THE MIDDLE



Brig. Gen. Ralph W. Zwickler, commanding general of Camp Kilmer, N.J., shown leaving his headquarters, is the central figure in the bitter row between Senator Joseph McCarthy and Army Secy. Robert T. Stevens. (UP Telephoto)

Englewood Tops In Flag Contest

Participating in the annual flag code contest sponsored by American Legion auxiliary units during the month of February were 23 Salem schools from which there were 726 entries.

The Americanism committee, Capital unit No. 9, headed by chairman Mrs. Carmelite Weddle, selected as the winning school with a registration of over 50 pupils the Englewood school. Two other schools in this class receiving honorable mention were Bush and McKinley.

Winning school in the second group—registration of less than 50—was Mountain View. Receiving honorable mention were Middle-Grove and Lincoln.

Mrs. T. J. Brabec, president of

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the unit, with Mrs. Mem Pearce secretary and Mrs. Fred Gahis-dorf, presented flags to the winning schools were appropriate programs had been prepared for the occasion.

Induct New Members At Dinner Meeting

West Salem Lions club inducted 13 new members at the dinner meeting of the organization held at the Golden Pheasant Wednesday night.

Welcomed into the club by the president, Glenn Wyatt were Dr. Felix Dilger, Lester Honey, Gale Merwin, Clarence Panther, Dean W. Tucker, James W. York, Robert Harman, S. H. Kellicott, Ronald Nichols, Stanley Rolfness, Robert Worrall, Deb Roseberry, Barnes Rogers and Glenn Scherick.

Shown the group during the evening was a color film "Tomorrow Meets Today," which followed the production of a modern automobile from the drawing board stage.

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