

HILLSBORO INDEPENDENT

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FRIDAY, MARCH 6th, 1933.

Congress adjourned at noon on Wednesday.

The blockade of Venezuela by the English and Germans has been raised and all the captured ships have now been returned. On taking possession of the returned ships a dynamite discovered a charge of five minutes in the coal. This made the Venezuelans angry at the Germans.

President Roosevelt has called a special session of the U. S. Senate to meet, March 5th, yesterday. The business to be considered is thought to be the Cuban treaty and the Panama canal treaty. In addition to these items, the Senate will have opportunity to confirm a number of federal appointees to office.

Senator-elect C. W. Fulton last week went to Washington, D. C., and was on Tuesday last introduced by Senator Mitchell to the senators and representatives with whom he is to associate. He was sworn in yesterday and takes his seat at the special session of the senate which convened at noon, March 5th.

Governor Chamberlain has made the following appointments: Dr. H. L. Henderson, health officer at Astoria; Dr. E. E. Stram, health officer at Coos Bay; Rabbi Stephen S. Wise, H. G. Kaudrét, Mrs. Millie R. Trumbull, of Portland, and Mrs. Belle M. Wright of Union, and Mrs. Sarah A. Evans, of Oregon City, members of the board of inspection of child labor.

The members of the House of the late legislature, are classified as follows: Of merchants there were eight, two newspaper men, two manufacturers, two millers, three druggists, one cannery, one railway conductor, one marbleman, three bankers, three printers, one commission man, one stationer, one barber, one county assessor, one real estate man, one logger, one lumberman, one painter and oil dealer and one miner.

It was urged in the last campaign that a democratic governor would hold a republican legislature in check—that he would act as a balancing element with his vetoing power. Apparently these words were not uttered at random. A democrat is occupying the executive chair and he is striking blows—democratic blows—with a vengeance. The cutting down of expenses always has to be done through democratic power.—Portland Journal.

Exactly. But a moment. The salary of the governor's private secretary was raised \$300, and a like sum of \$300 was demanded for the Governor's stenographer she got it. But 'pose those two officers had been republicans?

The Oregonian has taken an inventory of candidates for Congress in the First Oregon District, who are seeking nominations. The special election, though not yet called, will probably be held early in June, perhaps the first Monday, June 1st. The Oregonian list contains these names:

Binger Herrmann, Roseburg, Republican; Frank Davey, Salem, Republican; Claud Gatch, Salem, Republican; George C. Brownell, Oregon City, Republican; L. T. Harris, Eugene, Republican; B. L. Eddy, Tillamook, Republican; W. I. Yawter, Medford, Republican; A. E. Reames, Jacksonville, Democrat; J. W. Hamilton, Roseburg, Democrat; J. K. Weatherford, Albany, Democrat; W. A. Miller, Lebanon, Democrat; R. A. Miller, Oregon City, Democrat.

At the 1931 session of the legislature a commission was appointed to codify the laws of the state. To pay for this work and to print 1,000 copies, \$10,000 was appropriated. The act authorizing this work provided that the books are to be distributed, but made no provision for their sale, but ex-state printers made some kind of an arrangement with a Salem firm by which more paper and, it is said, of a cheap grade was put on the press and a second edition printed from the same type. These sheets have been bound and the books are now offered to the trade at \$12 per set of two volumes. Perhaps the firm that has done this has only exercised honest thrift, but the legislature that authorized the codification work was not sharp. Had it authorized 500 additional copies which the state could have sold at a profit and thus got back \$6,000 of the \$10,000. Perhaps the extra 500 books might have cost \$2,000 additional, but the state ought to have retained a monopoly in the sale of these books. As it is, the outside firm has the monopoly. Is this matter properly called a graft?

SPECIAL ELECTION.

Gov. Chamberlain has called the special congressional election for Monday, June 1st. Our law requires that congressional candidates must file with the secretary of state their acceptance of nomination, at least 15 days before the election. The 15th day before the election is April 17, wherefore the congressional nominating convention must be held before that date. Of course if it could be known that a nomination would be made the first day of the meeting of the convention, that body might meet on the 16th, but there may be balloting, wherefore time should be allowed, and the meeting ought not to be called for, later than April 14. Chairman Harris of the Congressional Republican Central Committee, will call his committeemen together for the 12th, instant. This committee will fix the time and place for holding the republican nominating convention, and suggest how the delegates are to be selected.

CAN EVADE REFERENDUM.

Attorney-General A. M. Crawford has rendered an opinion in which he holds that the referendum does not preclude the Legislature from putting an act into immediate effect by attaching to it an emergency clause in the form used prior to the adoption of the amendment. The opinion was rendered in passing upon the Indian War Veterans' appropriation act, which the Attorney-General holds is now in effect. This view of the law practically nullifies the referendum clause of the constitution, for, if an act can be put into immediate effect by attaching the old form of emergency clause, the Legislature can defeat the referendum upon any act. Attorney-General Crawford said tonight that he disliked to render an opinion which will have this effect, but that, in construing the constitution as amended, he could not do otherwise.

The emergency clause on the Indian War Veterans' bill declares that the Territory of Oregon promised to pay the Indian War Veterans, but that neither the territory nor state has paid them, and many of them have died without being paid, therefore, an emergency exists, and the act shall be in effect after its approval by the Governor. Section 28, article 4, of the constitution provides that, "No act shall take effect until 90 days from the end of the session, at which the same shall have been passed, except in case of emergency shall be declared in the preamble or in the body of the law." Section 1 of article 4, as amended, provides among other things, "The second power (reserved by the people) is the referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety) either by petition signed by 5 per cent of the legal voters, or by the Legislature Assembly as other bills are enacted. Referendum petitions shall be filed with the Secretary of State not more than 90 days after the final adjournment of the session of the Legislative Assembly which passed the bill on which the referendum is demanded."

The opinion of the Attorney-General, after setting out all facts, says that the question which arises is whether the Legislature has the power to put the act into immediate effect, under the two sections of the constitution just quoted. He first lays down the well-known rule that in construing the constitution, effect must be given to the whole instrument if possible, and that the effort must be to ascertain the intent of its framers. The opinion then says that in construing the constitution, it is the duty of the court to construe it according to its language, is unambiguous, the court is not at liberty to conjecture what may have been the intention of its framers.

Applying the foregoing principles to said two sections of the constitution and upon the point under consideration, they read: "The second power reserved by the people is the referendum, and it may be ordered, except as to laws necessary for the immediate preservation of the public peace, health or safety, and except also such laws as are passed with an emergency clause as provided by section 28."

This principle of construction is maintained in the case of State vs Bacon, 14 S. D., at page 493, and further that such was the intention of the Legislature in submitting the amendment and of the people in adopting it is manifest from the fact that no amendment was made to section 28. Such view is further strengthened by the fact that the referendum applies only to laws not in force. It reads: "Any measure referred to the people shall take effect and become a law when it is approved by a majority of the votes cast thereon and not otherwise." Also referendum petitions must be filed with the Secretary of State not more than 90 days after the adjournment of the Legislative Assembly which passed the bill, and that is the same number

of days which must elapse after adjournment of the Legislature before a law can go into effect under said section 28, unless an emergency is declared in the preamble or body of the act.

"The amendment to section 1 was made to harmonize in that respect, with the provisions of section 28, and the Legislature must have had the latter section in mind when acting on the former. We might also with very good reason claim that the legislative and executive branches of our state government have so construed the sections for the reason that many of the laws passed by the recently adjourned Legislative Assembly were passed with an emergency clause declaring that they should be in force and effect from and after their approval by the Governor, and they received executive approval."

The opinion holds that the Legislature is the sole judge of whether an emergency exists, and that in the bill in question the emergency is declared in proper form to make it effective. Upon another question raised the Attorney-General holds that the Indian war veterans' appropriation applies to veterans only, and not to their widows or heirs-at-law.

DECISION AGAINST THE BEEF COMBINE.

In overruling the demurrer of the Chicago packers in the "beef trust" case Judge Grosscup has given new vitality to the Sherman anti-trust law and has encouraged the belief that the law is adequate to reach combines of this character if it is properly enforced.

In the case of the packers, the demurrer was based largely that they were not engaged in interstate commerce under a strict construction of the Sherman act and hence the alleged agreement among the packers could not come within the meaning and intent of that law. In disposing of this contention, the court's argument is lucid and apparently conclusive. Judge Grosscup holds that the body of the transactions in meats is two-fold, reaching back to the purchase of cattle that come to defendants from states other than those in which defendants manufacture and reaching forward to the sale of meats after conversion to parties dealing with them from other states. This constitutes interstate commerce. In the case of meat sent to agents in another state and there sold from their stores, the court holds that the transaction as a commercial entity includes the packing firm "as dealing from its place of business" through an agent, thus fulfilling the conditions of interstate commerce.

The demurrer of the packers having been overruled, the injunction granted by the federal court last May against the further operation of the "combine" is made permanent. If the defendants appeal to the supreme court, it will be decided on the questions of law involved. If they elect to answer the original allegations in the bill filed last May, however, an exhaustive inquiry into the inside workings of the alleged combine will follow.

If the case should go to the supreme court and the decision of Judge Grosscup be sustained it means the dissolution not only of the combine but of all others working under "agreement" of this nature.

DESERVED RECOGNITION

It is a source of gratitude to The Reporter and to many of its readers in Yamhill county, that the unflinching fidelity manifested by Hon. Chas. W. Fulton to his friends and the republican party in Oregon for over twenty years, has been met by like fidelity in his election to the United States senate. He had the key to the situation from the start and his election depended alone on the loyalty of the 33 friends. All honor to them! They stayed to the finish, and at the finish a number of opponents who had been fighting him hard, joined the grand rush to get a seat in the band wagon.

There is no room, and never was any, for doubt that Mr. Fulton will make a most creditable and able senator. In him are united all the requirements for the position. He is a man thoroughly respected at home and abroad. Such is his magnanimity, that the silly effort of Maitinmah to cheat him out of his just rights on the presumption that he would work for sectional interests to their damage will be buried in the dead past, and he will prove a man for the whole state and the whole north-west.—McMinnville Reporter.

The Benefit of a Change.

We are like house plants. We need a change of soil now and then to be replanted. New scenes, new experiences, new surroundings, a change of climate, dry air instead of moisture, sun-shine in place of cloud. This is sometimes essential to health. There are conditions near at hand that are better than Europe can offer. Take a month or two in California. Plant yourself for a time where there are no irritations, where the hotel is beyond criticism, the landscape pleas-

ant, and where warm sunny weather invites walks and drives. Pure and dry air, and the increased electric influences of sunshine are vastly helpful.

You can make this trip at very little expense, and enjoy a ride over the scenic Siskiyou and Shasta mountains, which, at this time of the year with their snow-covered peaks, are unsurpassed for their grandeur.

For complete information regarding rates, points of interest, and delightful hotels in California, address W. E. COMAN, General Passenger Agent, S. P. Portland, Oregon.

CITY COUNCIL.

At the regular meeting of the city council held last Tuesday evening, the following claims were presented and allowed:

Table listing city council claims: Wm Wolf labor at water plant \$.75, O B Gates, labor, 10.65, H T Bagley, sal and supplies, 13.20, Portland Viscol Agency, 1.75, R S S & Co, box for engine, 8.64, S G Morgan, sal, 38.65, O G Wilson, salary & freight, 39.22, W J Bonker, repairs, 2.50, N W Electric Engineering Co, 40.00, W A Williams, labor, 1.45, Po Genl Electric Co, supplies, 93.25, Hillsboro Argus, printing, 3.00, H T Bagley, recorder fees, 11.80, Crane & Co, 67.31, Johnson Bros, lumber, 20.22, L W House, supplies, 2.25, W P Atkins, salary and labor, 24.00, M I Butler, labor, 2.50. Total \$896.05.

An ordinance was passed repealing the old ordinance fixing the salary of city treasurer. The treasurer asked to have the salary increased to a sum that would compensate, and stated that rather than serve for a half stipend he preferred to get no compensation. The council repealed the ordinance paying \$25. An ordinance was passed requiring the superintendent of the light and water plant to give an indemnifying bond in the sum of \$1500.

An ordinance was passed amending the ordinance prohibiting peddlers selling trinkets within the city limits. The new regulation authorizes the mayor and recorder to issue license to peddlers who have resided in the city continuously for a period of six months, next preceding the application for such license.

The ordinance regulating the storage of explosives was read the third time and laid on the table 'till the next regular meeting which will be held April 7th.

The street committee was instructed to advertise for bids to furnish lumber for plankling Second street. The committee will open the bids and award the contract.

The council adjourned to meet next Tuesday evening, March 10th.

A telegram that passed between H. W. Scott of the Oregonian and Pres. Brownell, during the evening of the last day of the session of the legislature, has been published. It is proving to be a thorn in the pillows of the two people interested. Mr. Scott asserted that he had not asked for the support of any legislator, while the Portland Journal, democrat quotes this telegram to prove that he did. Mr. Brownell denies that he gave out the message for publication and says he does not know how the Journal came to possess the bit of canary colored paper. Men are sometimes careless and do not keep a tight grip on confidential correspondence. There was much excitement in the House that Friday night. The message may have fallen from the President's desk to the Journal reporter's table that was near by. The Journal reporter is a man that knows the value of such documents, and would be apt to keep what appeared to have been cast away as waste paper. There was another message seen the next morning, among the bits of paper with which the floor was liberally strewn. It was a telegram to Hon. A. M. LaFollet from Hon. H. W. Corbett asking Mr. LaFollet to vote for Mr. Scott for United States Senator. The message was received between 8 and 6 o'clock as evidenced by the receiving date. So "now is the time" must have been understood by all parties at about that hour.

When the bill making appropriations came up for consideration in the Committee of the Whole Representative Gault moved to eliminate the appropriation for Ashland, Drain and Weston normal schools. There was no second. One was afraid, the other dare not. Gault was the only brave man among them. But there was a limit to even Gault's bravery. He was afraid to include in his motion the Morrow normal school. Woodburn Independent. Not so, Gault wants one normal school. The state has need of trained professional teachers, and a better equipped training school is needed. But that cannot be had as long as the policy of scattering the state's efforts is followed.

The state senate, when it refused to pass the logging bill because of the

Little Creatures About Our Homes By LE ROY WELD

Continued from First Page.

are all workers, and when mature relieve the queen mother of further labor. Additional broods increase the number rapidly. The males and perfect females are not hatched until late in the season. Some species build their nests in the ground, others in the branches of trees or the timbers of buildings. The nests of the true wasps are very ingeniously built of pulp made from wood resembling paper.

A Giant Bee. There is one more inhabiting the Philippines which will be a welcome visitor to America, and it will be afforded every facility and inducement to emigrate to the United States and engage in the skilled labor in which it has no peer, says the Washington Post. This is the giant East Indian honeybee, and investigation of its work and immense capacity for making honey and wax has induced the department of agriculture to make an effort to introduce it into the United States.

To scientists this bee is known as Apis dorsata, a species common throughout the tropical regions of the east. In the Philippine Islands the very largest variety of this species is found. It is nearly one-half larger than our native honeybee and builds a comb, heavy with wax and honey, five or six times as large as the ones that are found in American orchards and forests.

The INDEPENDENT now opposes taking a referendum on the act creating a mining bureau for the state, because the Governor has vetoed the proposed law. The Governor vetoed another bill by which he did a good job. That was the appropriation bill authorizing the purchase of a house for the Governor's residence. It is really hoped that the old Cook property will be sold in the open market and therefore not subject to sale to the state.

REAL ESTATE. T E Lester and A B Vodd et ux to John W Anderson, 14 acres in Horace Parsons d 1e \$1500, M M Delaney et ux to C W McNamer and Edon Keen, 151 acres in Walt Bronson d 1c 8000, Joseph Redont to Cad Husemolder et ux, 6 acres in Josua Dixon d 1c 650, Lillie M Porter to L S Porter, lot 1 blk 4 city of Forest Grove 400, W N Barrett to J H Hoffman, 100 acres in 12 s r 3 w 200, James T Young et ux to F C Francis, 150 acres in Noah Job and wife d 1c 1500, O E Lest et ux to Mery Wheeler, lot 2 blk 6 city of Hillsboro 300, Jacob Wismer et ux to John F Forbes, 160 acres in Horace and Matilda Parsons d 1c 6000

Treasurer's Notice. All county warrants of Washington County, State of Oregon, endorsed "not paid for want of funds" prior to January 1st, 1933, will be due and payable on and after March 1st, 1933. INTEREST will cease at that date. W. M. JACKSON, County Treasurer.

Administrator's Notice. The undersigned has been, by the County Court of Washington County, Oregon, duly appointed administrator of the Estate of M. A. Donks, deceased. All persons having claims against said estate are requested to present them to me with proper vouchers at the law office of S. B. Huston in Hillsboro, Oregon, within six months from this date, this Feb. 4th, 1933. Administrator of the Estate of M. A. Donks, deceased.

Sealed Proposals Asked. Sealed proposals will be received by the County Commissioners, at their court room, March 4, 1933, up to 2 o'clock p.m., for furnishing board for all Washington county prisoners in the county jail, for the period of one year from the time of entering into contract. The successful bidder must enter into bonds in the sum of \$200 for faithful performance of contract. J. A. ROOTH, County Judge. By order of Commissioners' Court. Dated at Hillsboro, Or., Jan. 14, 1933.

ONION SEED—Choice Oregon Yellow Danver Onion Seed for sale by Joseph Bachmann, Stone, Oregon.

Who Fills Your Prescription? If we fill your prescription or recipe it is filled with the best quality of drugs and full-weight without over charge for honest service. We pay no one to send you to us and therefore, it PAYS YOU to bring your prescription here. A goodly number of people are already aware of this and a trial will convince you. Bailey's Pharmacy.

DEADLY NARCOTICS Any honest, intelligent druggist or pharmacist will tell you that narcotic poisons such as opium, heroin, deadly nightshade or cocaine and mercury are and have been since the Dark Ages used in all File Medicines, and that such medication really perpetuates Piles. Verus File cure is not a relic of the Dark Ages, hence contains no narcotics or mercury. \$5000 Reward if Verus fails to cure any case of Piles. If you dare mosquitoes, \$50 Reward if Verus fails to cure any case of Piles. Worst cases cured with one box of Verus. Over 10,000 permanent cures in five years. Sold in Hillsboro by the Twentieth Century Store.

The Hillsboro Pharmacy. J. F. DAVIES, PRESIDENT. C. T. BELCHER, SECY AND TREAS. St. Charles Hotel INCORPORATED Front and Morrison Streets, Portland Oregon. Electric Lights, Electric Bells and Hydraulic Elevator. 150 Rooms at 25 to 50c, Suites, 75, to \$1. Good Restaurant in Connection. Give us a call. DAVIS & BELCHER, Managers.

5th Annual Clearance Sale Great Reduction for Short Time Only. My prices have always been as low, and on some articles even lower than Portland prices, but until February 1st I will offer every article in my store at prices never before offered in this county. WATCHES are going at prices that cannot be duplicated anywhere in the state. \$9.00 Dueber Hampden watches in fine case for \$5.85, \$10.00 Waltham or Elgin watches in good case for \$6.30, Ladies' Waltham or Elgin watch in fine 14-k gold filled case for \$9.80, \$15.50 Waltham or Elgin watch in fine 14-k gold filled case. Gents' size only \$10.40. Every article in my stock at the same great reduction. I give you the best stock west of Portland to select from. A very fine assortment of cut glass, sterling silver and plated ware. A full line of the celebrated Rogers table ware. Silver novelties in endless profusion. 1 DOOR WEST OF BANK. Laurel M. Hoyt.

Acker's Dyspepsia Tablets are sold on a positive guarantee. Cures heart-burn, raising of the food, distress after eating or any form of dyspepsia. One little tablet gives immediate relief. 25 cts, and 50 cts. The Delta Drug Store.

Notice of Intention to Withdraw Insurance Deposit by the Imperial Insurance Company Limited. In accordance with the requirements of the laws of the State of Oregon, relative to insurance companies, notice is hereby given that the Imperial Insurance Company Limited, of London, England, desiring to cease doing business as within the State of Oregon, intends to withdraw its deposit with the Treasurer of said State and will, if no claim against said Company shall be filed with the Insurance Commission within six months from the 6th day of September 1932, the same being the date of the first publication of this notice, withdraw its deposit from the State Treasurer. IMPERIAL INSURANCE COMPANY LIMITED. W. J. Landers, Manager. Dated at San Francisco, this 1st day of September, 1932. 16 42

Portland Markets. Wheat—Walla Walla, 70c; Bluestem, 80c; valley, 75, @76. Flour—best grades, \$3.35@3.65 per barrel; Graham, \$3.20@3.50. Oats—No. 1 white, \$1.15@1.17; grey \$1.12; & 1.15 per cental. Barley—Feed, \$2.35 per ton; \$24; brewing, rolled, \$24.50 per ton. Millstuffs—Bran, \$18@19; middlings, \$25@24; shorts, \$19@20; chop, \$18. Hay—Timothy, \$11@12; clover, \$9; clover, \$9; wheat, \$9@10 per ton. Butter—Fancy creamery, 27@30c; dairy, 26@28c; store, 15c @18 per pound. Eggs—fresh 25@30c. Cheese—Full cream twins, 16@17c; Young American, 17c @18c per pound. Poultry—Chickens, mixed, \$3@4.25; hens, \$4@4.50; dressed, 10c per pound; springs, \$3.00@3.50 per dozen; ducks, \$5@6; per dozen; geese, 6@6.50 turkeys 11@12; dressed, 15c. Mutton—Lamb, \$3; gross; dressed @6.50 per pound; sheep, \$5; gross; dressed, 7c per pound. Hogs—Gross, heavy, \$6@6.25; light, \$4.75 @5; dressed, 7@7.25 per pound. Veal—Small, 7@8c; large, 7@7.5c per pound. Beef—Gross top steers, \$4.00@4.75; cows and heifers, \$3.00@3.70; dressed beef, at 7c per pound. Hops—25@28 1/2c per pound. Wool—Valley 12@15c; Eastern Oregon, 8 at 14; mohair, 26 at 28c per pound. Potatoes—\$3.50 @ \$4.00 per sack. Onions—\$1.50 est. Shippers price.

How is This When in want of furniture, carpets, rockers wall-paper and maiting in fact any thing in my line, step in and get prices. I am satisfied that we can suit you and as far as prices are concerned they will surely please you as I sell at and below Portland. A trial is sure to be a customer. Donelson's Furniture Store. Cor. 3d and Main.

To Cure a Cold in One Day Cures Grip in Two Days. Take Laxative Bromo Quinine Tablets. This signature, E. W. Brown on every 25c. Seven Million boxes sold in past 12 months.