

# SCHOOL LAW OF LANE UNDER FIRE

### Four City Districts File Action Declaring Statute Not Constitutional

## BOARD IS DEFENDANT

### County Officials Sued; Attempt Made to Halt Collection of Taxes Under Law

Declaring the so-called Wheeler law unconstitutional, the expected complaint of four Lane county city school districts was filed in circuit court Saturday.

Eugene, Springfield, Junction City and Cottage Grove districts are the plaintiffs in the case brought against the county school board composed of the county court and the county school superintendent.

The county assessor, sheriff and treasurer are also named as defendants in the effort to stop assessment and collection of taxes under provisions of the Wheeler law.

The case has been pending for some time since the four city districts opposed the action of the board last July when a decision was reached to operate under this law for another year.

Plaintiffs in the case are Mrs. Warren D. Smith of Eugene, C. A. Beidler of Cottage Grove, Elmer Hentze of Junction City and Tom Swartz of Springfield. All plaintiffs are taxpayers and members of the school boards in their respective districts.

Lane county is the only county to operate under the Wheeler law which provides that school funds to high schools are distributed on a basis of attendance of students from non-high school districts. The alternative law provides that is adopted by other counties, is known as the high school tuition law.

All county officials named as defendants in the suit are strongly in favor of the Wheeler law which was drawn and introduced in the legislature by H. C. Wheeler of Lane county some seven years ago.

## TRAINS TO GET EXTRA EQUIPMENT FOR SALE

All Trains on S. P.'s Western Lines to Carry Additional Coaches for Dollar Event

Anticipating a rush of travel in response to its new offering of roundtrip "cent-a-mile" transportation on October 9, 10, and 11, the Southern Pacific company had completed arrangements yesterday to furnish extra equipment for its trains in six western states.

The October excursion program, it was emphasized, is featuring a Sunday sale date, the first in the series of six cent-a-mile sales staged by the company since last February. Week-end travel particularly is expected to reflect the results of the Sunday offer.

Covering the territory from San Francisco to Ogden and Salt Lake City and from Portland to El Paso, the low-fare excursions will have a final return limit of Monday, October 19, according to Fred A. Smith, agent, thus providing ample time for travel between widely separated points.

## MANY ARE HONORED AT EASTERN STAR MEET

Seventeen of the original 20 members of Cascade chapter, O. E. S. organized here six years ago were present at the annual charter night session held Tuesday evening.

None of the charter members have died, but two have moved away. Mr. and Mrs. John F. Ketels presided over the meeting and all officers of the original group took their places as they did when the group was organized.

More than 50 people were present and this included many visitors from other Star groups. Mrs. Janie Cruzan was given the floral degree. Mrs. W. K. Barnell sang, and Mrs. Ketels gave a reading after which she distributed gifts to each of her original officers.

Mrs. Gertrude Wilson, present worthy matron, was general chairman of the affair. Mrs. Nell Pollard, Mrs. W. N. Dow, and Mr. and Mrs. W. E. Buell had charge of refreshments.

## BAPTISTS HONOR PASTOR AT RECEPTION TUESDAY

Rev. William G. Taylor, new pastor of the Baptist church and Mrs. Taylor were honored with an official welcome and reception at the church Tuesday evening. Short talks were given by representatives of most of the organizations and a social time with refreshments was enjoyed. Mrs. Norton Pengra, Kenneth Tobias, and Mrs. Roy Carlton were in charge of arrangements for the event.

## BAPTIST BOYS MEET AT CHURCH MONDAY

A regular meeting of the Royal Ambassadors, boys organization of the Baptist church, was held with their leader, John Benton, Monday evening. Routine work was carried on.

## PREDICTS FUTURE FOR PEPPERMINT GROWERS

One of Largest of These Farms Located Near Salem; Price Down Considerably

"With bright prospects for an excellent annual yield of peppermint oil on Willamette valley lands in western Oregon, the immediate future of the mint-flavored chewing gum industry would seem secure," declares a writer in the N. A. R. D. Journal, official publication of the National Association of Retail Druggists.

"What is believed to be the largest Oregon tract devoted to the mint industry is located in the Lake Labish district near Salem. It is here that 250 acres of black mint is under cultivation from late March to early August. It is expected that this field will yield more than 15,000 pounds of the oil, all of which will be absorbed by the gum industry," the article states.

This particular district is peculiarly adapted to peppermint growing. It was drained about ten years ago. During the hundreds of years previous beavers built dams in its waters until the lake contained countless layers of wood. This, it is said, accounts for the richness of the soil, the texture of which creates the illusion that large quantities of fine wood chips have been scattered about.

Great care must be exercised in growing a clean crop as oil tainted with weed is valueless.

Peppermint oil for the gum industry finds its way into market through galvanized drums having a capacity of 400 pounds and weighing 112 pounds. With the price consistently receding during recent years, the peppermint oil industry is no longer the profitable venture that it was during war times when a single pound commanded \$25 to \$30, adds the writer. Today the market price is about \$1.65 a pound and the production cost is about \$75 per acre.

## TOWN AND VICINITY

### Visits Fair—Miss Maxine Snodgrass spent Sunday at Salem viewing the exhibits at the state fair.

### Has Bad Cold—Wilfred Cooke was suffering with a bad cold the first part of the week.

### Leaves for Eastern Oregon—Mrs. Paul Brattain left Sunday for Paisley, Oregon, to spend some time on the Brattain ranch there.

### Visiting in Portland—Mrs. Kate Brumette is spending a few days in Portland visiting with her son, John Walsh.

### Returns to Newport—Mrs. Jack Yocum left Friday for Newport after visiting at the home of Mr. and Mrs. R. L. Sears.

### Visits Mother—Virgil McPherson teacher at Dallas, spent the weekend here visiting with his mother, Mrs. Stella McPherson.

### Toledo Resident Here—Mrs. Esther Monico of Toledo was a guest at the home of Mr. and Mrs. M. B. Huntly last week.

### Son Born—Mr. and Mrs. Harold Nenow are the parents of a baby son born to them at the Eugene hospital on Sunday, October 4, 1931.

### Visits Parents—Lucille Richmond spent the week-end here from Portland visiting with her parents, Mr. and Mrs. Sam Richmond. She returned to Portland Sunday evening.

### Visits Relatives—Mrs. Thomas Patrick has been visiting here several days with her parents, Mr. and Mrs. A. J. Schnetzky, and with her sisters, Mrs. Al Pohl and Mrs. R. P. Mortensen.

### I'll be Home—Lee Brockman is reported to be seriously ill at his home on south D. street. He was injured about a month ago and is suffering from injuries sustained at that time.

### Class Meeting Postponed—The social meeting of the Ergatha class of the Methodist Sunday school has been postponed until October 21, it was announced this week.

## LANE HAS FOUR COURT ACTIONS

### Efforts to Acquire Right-of-Way for Road Construction Lead to Civil Suits

## ANSWERS ARE FILED

### County Officials and Land Owners Fail to Agree on Price of Property

In Lane county's efforts to acquire land for right-of-way for road construction there are now under way or pending four circuit court actions.

In three suits answers were filed in circuit court by defendants last week.

J. P. Christie who owns property where the Siuslaw highway is now under construction near Cushman asks \$8931 for the land needed. This land leased from E. H. Hill is the site for a single mill. The former mill on the property was destroyed by fire some time ago.

Vernon F. Caldwell for his land on the McKenzie states in his answer to the complaint of the county that the property desired by the county is worth \$2640.

An answer is also filed by Ralph G. Miller, Lucy B. Miller and H. V. Christenson. The defendants make a claim for \$126.75 damages to their property as a result of the McKenzie highway construction.

It is an open question whether women in general are in poorer health than men," declares the athletic health bulletin issued by the Headquarters committee of the Lane County Medical society and the Southern Willamette District Dental society today. "The exclusive participation of men in major athletics will not solve the problem, because a relatively few men enter the sport."

"If, however, we accept for argument that they are less healthy, is one of the contributing factors the strenuous athletic program indulged in by some men, and by many people, considered too heavy for women? It is scarcely likely that such is true. In the first place, we have no means of determining whether or not the usual competition sports ordinarily deemed strenuous are beneficial to health. It is probable that too small a proportion of men, even in colleges and universities, engage in such sports to make definite conclusions possible. Then, too, the comparatively small number of individuals in major athletics usually constitute a superior physical group whose health rating, barring injury and contagion, is high.

"Almost everyone will admit that many underpart individuals can be greatly benefited by exercise and sport carefully prescribed for their particular needs. The value of exercise, especially of the recreational type, cannot be underestimated neither can the harmful effect of too strenuous competition in certain sports for some individuals be under-emphasized. In the past two decades, particularly we find many

"It seems impossible to make definite comparisons between the health of men and women in general in relation to their participation in athletics, for one reason because so many of both sexes engage in similar sports. Most physicians and physical educators believe that girls should be permitted to indulge in whatever sports and activities, no matter how strenuous, suit their fancy if their physical state warrants. It is generally recommended, also, that they continue with their usual activities."

## Upper Willamette

Verna and Shirley Wiley of Portland, Oregon, visited at the home of Mr. and Mrs. E. E. Kilpatrick last week. Shirley returned to Portland Monday and Verna will stay at Pleasant Hill until October 12.

A number of families took their dinners and gave Mrs. J. A. Phelps a birthday surprise dinner at her home Sunday noon October 4. A long table was placed on the lawn from which the dinner was served, cafeteria style.

Mr. and Mrs. Jack Dent and daughter, Margaret of Roseburg drove to Pleasant Hill to help Mrs. J. A. Phelps celebrate her birthday.

Interclass basketball has started at the Pleasant Hill high school. The senior boys defeated the freshmen boys 52 to 12. The senior girls defeated the freshmen girls 24 to 22.

## HUNTERS, TRAPPERS OF OF COUNTY START WORK

Hunters and trappers are increasing their activities now as the coming of fall shows an improvement in the quality of pelts of cougars, bobcats, coyotes and other predatory animals.

During the summer months there were but few bounties paid. In September, according to a report at the office of the county clerk bounties were paid on two coyotes, six bobcats and three cougars.

## SHEEP CLAIMS PAID BY LANE DOG BOARD

Claims for 12 sheep killed by dogs were allowed at a meeting of the county dog control board Monday.

The sheep were killed during the past month. The board now meets once each month to consider claims.

## Michigan Peach Queen Visits Hoover



Virginia Aller, chosen queen at the peach festival in Romeo, Mich., presented two choice baskets of the fruit to the President.

## Are Women Healthier Than Men Is Question

Eugene, Oregon—Failure of women to participate in strenuous major athletics is no indication that they are less healthy than men. For many years colleges and health authorities have been attempting to decide whether men or women as a class were the more healthy.

Wife Asks Decree on Cruelty Charge

Not sufficient support and cruel and inhuman treatment are alleged in a divorce complaint filed in circuit court Friday by Carrie E. Baker against her husband Clair W. Baker.

The couple married in Eugene December 29, 1906, and have two children.

Estate of Olive Ethel Allgire, Dec'd

Notice is hereby given that Martha C. Key has filed in the County Court of the State of Oregon, in and for Lane County, her final report as executrix of the last will and testament of Olive Ethel Allgire, deceased; and that ten o'clock in the forenoon of Saturday, the 7th day of November, 1931, at the courtroom thereof in Eugene, Oregon, have been by the court fixed for hearing objections to said report and for the final settlement of the estate of said deceased.

Martha C. Key, Executrix of the Last Will and Testament of A. E. Wheeler, Attorney of Olive Ethel Allgire, Deceased.

## CROSS-COMPLAINT IS FILED BY DEFENDANT

Answer and cross-complaint in the divorce suit of O. H. Gilbert against his wife, Lottie P. Gilbert, sometimes known as Dorris Gilbert, was filed in circuit court Monday by the defendant.

The couple were divorced once but remarried at Kelso, Wash., February 13, 1924, and have one child.

The cross-complaint alleges cruel and inhuman treatment and states that all property rights have been settled.

## REQUEST MADE FOR ROAD WORK

County Court Asked to Raise Grade to Eliminate Floods on Long Tom Route

Request that the county provide for the raising of the grade on about three-quarters of a mile of the road west of Junction City through the Long Tom district was made by a delegation of residents of that area who met with the county court Friday.

This part of the road during times of high water is sometimes flooded to a depth of two feet or more. It is not probable that the county can arrange for this work this year but it will probably be completed next spring. It is too late in the season now, members of the county court said.

## REPAIRS MADE TO SPAN ON ELMIRA ROAD; FUNDS NOT SUFFICIENT NOW, IS REPORT

Installation of a new bridge on the Elmira road which was planned for this fall has been postponed owing to lack of sufficient county funds available for this work. The present bridge has been redecked and other repairs made.

The county bridge crews are now at work on erection of a new bridge on the Notli road which will be completed within a week, says A. C. Striker, county bridge superintendent.

## DESERTION ALLEGED IN SUIT FOR DIVORCE

Desertion is charged in a divorce complaint filed in circuit court Thursday by Thelma Wells against her husband, Harry H. Wells. The couple married in Eugene, October 1, 1928, and have one child.

Custody of the child is sought by the plaintiff. The alleged desertion is stated to have been September 22, 1930.

## REPORT ON ESTATES PROBATED HERE MADE

There were 43 estates entered for probate in Lane county for the three months of July, August and September, according to the quarterly report completed at the office of the county clerk.

Of the estates probated none was more than \$10,000 and no estate inheritance tax was paid. The report shows 13 guardianships and two adoptions in the three months.

**VERY LATEST**  
By Mary Marshall

**THE SCRAP BOOK**

**THE DEATH OF THE FLOWERS**  
By William Cullen Bryant

The melancholy days are come, the saddest of the year,  
Of wailing winds, and naked woods, and meadows brown and sere,  
Heaped in the hollows of the grove, the autumn leaves lie dead;  
They rustle to eddying gust, and to the rabbit's tread;  
The robin and the wren are flown, and from the shrubs the jay;  
And from the wood-top calls the crow through all the gloomy day.

The wind-flower and the violet, they perished long ago,  
And the brier-rose and orchids died amid the summer glow;  
But on the hill the golden-rod, and the aster in the wood,  
And the yellow sunflower by the brook, in autumn beauty stood.  
Till fell the frost from the clear, cold heaven, as falls the plague on men,  
And the brightness of their smile was gone, from upland, glade and glen.

And now, when comes the calm mild day, as still such days will come,  
To call the squirrel and the bee from out their winter home;  
When the sound of dropping nuts is heard, though all the trees are still,  
And twinkle in the smoky light the waters of the rill,  
The south wind searches for the flowers whose fragrance late he bore,  
And sighs to find them in the wood and by the stream no more.

**TUREL-ALLEN NUPTIALS EVENT OF SATURDAY**

A wedding of considerable interest to people in this vicinity was that of Miss Mary Allen of Eugene to Ted Turel of Portland which was observed at Vancouver, Washington, on Saturday evening, October 3, 1931. Miss Hazel Edmiston was bridesmaid, and Ray Casteel, formerly of Springfield, was best man. Rev. Gade performed the ring ceremony. The couple will make their home at Port Orford where the groom is employed. He was formerly employed by the Southern Pacific company at Eugene.

CLERK'S OFFICE HAS INCREASE IN REVENUE

Although business in other lines may not be up to that of last year, the office of the county clerk announces that September income this year ran ahead of that for the same month in 1930.

The total return for the month just past is \$1854.75. The total is segregated as follows: Recording fees, \$700.10; circuit court fees, \$811; county court and probate court fees, \$140.50; marriage license fees, \$114; miscellaneous fees, \$59.15.

Estate to Be Probated—Hazel H. Malpass has been appointed administrator of the estate of John Alfred Malpass.

**AMERICAN LEGION'S OPENING.....DANCE**  
Thurston Sat. Oct. 10  
Good Music

**A Generous Allowance on your old heater**  
—trade it in on a **NEW MONTAG CIRCULATOR HEATER**

Take advantage of our big "Trade In Your Old Heater" sale, for during our demonstration of the famous Montag Circulator Heater, we are allowing a generous "trade in" value for it when applied on the purchase price of a Montag.

Never before have we been able to offer such rock-bottom prices on this famous Northwestern Product. Our stock is complete... the right size, type and price for your home, and in addition, a generous allowance for your old heater.

**TERMS II Desired**  
**Wright & Sons**  
HARDWARE — FURNITURE — PAINTS

See our window display of this famous Montag Circulator Heater... let us help you to real heating comfort.

**There is a MONTAG CIRCULATOR for every heating requirement**

**Special for Springfield Women Only**  
42-Inch Stamped  
**PEPPERILL**  
Pillow Case  
in a Variety of Beautiful Designs. Regular 63c pair.  
**2 Pairs 99c**  
PLEASE NOTE: This offer is only made to Springfield women, so it will be necessary for you to mention you saw this ad.  
**Williams' Self Service Store**  
77 E. BROADWAY EUGENE, OREGON

**WE RING BELLS**

There is something about the ringing of bells that gladdens the heart. That is the reason they are put on cash registers. However, anyone can push the lever—but only a customer can make it mean anything. Good printing tells your story better to the possible customers for your product. Good printing, consistent with your good product, conveys the right impression about your company. Good printing rings the bell on your cash register — with meaning. The oftener good printing makes your register ring, the less each sale has cost you in advertising. The most effective advertising is always the cheapest. Let us sell you sales through good printing. We are expert in the printing of catalogs, booklets—leaflets, folders, handbills, posters and letterheads. No job is too large — no job is too small — for us. Our estimator will call promptly.

... The ...  
**Willamette Press**  
"Business Printers"  
OFFICES:  
119 E. Broadway, Eugene, and 4th St. Springfield  
Phone 1046 Phone 2