

Forecast: Tonight and Wednesday, cloudy. Warmer tonight.

Temperature table with columns for Highest yesterday, Lowest this morning, etc.

Twenty-fifth Year

No. 335

Today

By Arthur Brisbane. Ed Schieffelin's Grave. Tombstone's Bird Cage. The Biggest Grizzly. Chico Boca de Oro.

HIGH COURT SAYS PROHIBITION LAW VALID

Eighteenth Amendment Upheld in Government's Appeal From New Jersey Ruling — Justice Hughes Withdraws From Case.

WASHINGTON, Feb. 24.—(AP)—The supreme court today ruled persons convicted of violating the prohibition laws are exempt from prosecution under the internal revenue laws for the same offense.

NEWARK, N. J., Feb. 24.—(AP)—Federal Judge William Clark refused today to comment on the decision of the supreme court reversing his opinion on the 18th amendment.

WASHINGTON, Feb. 24.—(AP)—The 18th amendment was sustained as valid today by the supreme court.

Under the decision the government will continue its efforts to enforce the Volstead law. The ruling was handed down in the government's appeal from the decision of Federal Judge William Clark of New Jersey, who held the amendment invalid because improperly ratified.

Judge Clark contended that to be valid the amendment should have been submitted to state conventions for ratification rather than to state legislatures. This view the court found untenable. Law Held Invalid. When two men were brought to trial before Judge Clark on a charge of possessing and transporting 50 half barrels of beer, he quashed the indictment, holding the prohibition amendment invalid.

He held its ratification by state legislatures was insufficient to make it effective. The government appealed at once. Chief Justice Hughes withdrew from the case, stating he would take no part in its decision because he had filed a brief in a previous prohibition case which, in his judgment, disqualified him.

The controversy turned on the interpretation of Article V of the Constitution, which provides that amendments shall be valid when ratified by the legislatures of three-fourths of the states or by conventions in three-fourths of the states. "As the one or the other mode of ratification may be proposed by congress," he stated. Judge Clark held the language should be construed as modified by "principles of political science and that such amendments could be constitutionally ratified only by conventions in the states." The government contended the language of the article was entirely to the contrary.

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Students Swallow Toy Balloons For Campus Pin Money

HAMILTON, N. Y., Feb. 24.—(AP)—Toy balloons swallowed by students at Colgate university. "There is an opportunity for students desirous of earning 10 cents an hour to do so by aiding experiments now being conducted by the Colgate physiology laboratory," says a notice in the latest issue of the Colgate Maroon, student newspaper. "The work, which will be carried on in conjunction with some taste experiments, will consist of swallowing a small balloon with a tube attached."

WILL PROBE HUGE BRIBE TO SENATOR

Senate Lobby Committee to Investigate Charge Unnamed Solon Received Thousands From Sugar Company for Tariff.

WASHINGTON, Feb. 24.—(AP)—Chairman Caraway of the senate lobby committee announced today his committee will investigate charges a senator received from \$100,000 to \$150,000 from a sugar company while the tariff bill was before congress. The announcement followed demands on the senate floor for investigation of a published story that the lobby committee had evidence the money was given to an unnamed senator.

The demands were made by Senators Borah, Republican, Idaho; Robinson, Democrat, Arkansas; and Chairman Nye of the campaign funds investigating committee. Nye, in a statement earlier and on the senate floor, revealed his committee made a partial investigation of the charges, but turned the allegation and evidence over to the lobby committee when he became convinced it did not come within the jurisdiction of his inquiry.

Nye said his committee had concluded its investigation because of lack of jurisdiction and not because it felt it had completed the inquiry. Caraway said his committee would make its investigation immediate and there would be no necessity for continuing its authority beyond March 4, as suggested in the senate.

WASHINGTON, Feb. 24.—(AP)—Senator Davis, Republican, Pennsylvania, former member of the Hoover, Coolidge and Harding cabinets, announced today he had asked for a full inquiry of the charges a senator had received from \$100,000 to \$150,000 from a sugar company.

WESTERN RAILS GIRD FOR FIGHT ON GRAIN RATE

Appeal to Courts Planned if I. C. C. Persists in Order for Reduction Effective April 1.

PORTLAND, Ore., Feb. 24.—(AP)—A Washington, D. C., dispatch to the Oregonian says western railroads are prepared to make a "determined fight" against the interstate commerce commission order to reduce grain rates, effective April 1.

"It is anticipated," the article says, "the railroads will appeal to the courts if they do not consider the commission that rates should not be lowered, and in the court appeal the carriers are expected to contend the commission abused its discretion arbitrarily."

The reduced rates ordered by the commission would benefit grain producers and stockmen of Oregon, Washington and other western states.

Granted Two Delays. Twice the railroads have been granted delays. Grain growers had hoped, they say, to be able to market their 1930 crop under the new rates.

The article continued "among the reasons given by the western carriers why they should have a rehearing and prevent the operation of the lower rates are the showing of revenues. If the order is enforced, say the carriers, it will reduce revenues \$29,989,889 a year. The petition for rehearing asserts the aggregate gross revenues for 1930 showed a decrease of 14.32 per cent as compared with 1929."

In Buckley Murder Trial



Two of the three defendants to face trial for the slaying of Jerry Buckley (upper right), Detroit radio announcer, are Ted Pizzino (left) and Joe Bonmartio (lower right).

CHICAGO QUIET DURING HEAVY CITY BALLOTING

Mayorally Fight and Ideal Weather Bring Out Voters — One Fist Fight Only Excitement.

CHICAGO, Feb. 24.—(AP)—The quietest and the quietest primary election vote Chicago ever has seen was indicated today as the citizenry swarmed to the polls. The vigorous campaign waged by Mayor William Hale Thompson, Judge John J. Lisle, and Alderman Arthur F. Albert for the Republican nomination combined with ideal weather to bring out voters in unprecedented numbers.

A canvass of scattered precincts brought the estimate that nearly 400,000 ballots had been cast in the first four hours and the likelihood that the previous estimate of a 700,000 total vote would be far surpassed. Orderly Ballot. The balloting was as orderly as it was brisk. The thousands of poll watchers and dozens of roving police squads had little to occupy their time. At 11 o'clock no arrests had been made.

Two political workers calmed matters near one polling place with a fist fight. A report to the election commission said a gang of armed men administered a beating to Patrick Higgins, an alderman's worker, while three women kicked and beat the sluggers. The latter fled after a crowd gathered. Police found things tranquil, the election judges professing to know nothing of the disturbance.

FRAIL FILM STAR FEARS PNEUMONIA

HOLLYWOOD, Cal., Feb. 24.—(AP)—Constance Bennett, Hollywood's newest star of films, was confined to bed today from an attack of influenza.

At Pathe studio, where she recently signed a contract calling for a salary of \$30,000 a week for three weeks, it was announced that work on a picture starring Miss Bennett had been stopped.

The actress' physician advised her to remain in bed at least a week to prevent a possibility of pneumonia.

HEART TROUBLES HENRY CORBETT

PORTLAND, Feb. 24.—(AP)—Associates of Henry L. Corbett, president of the Corbett investment company, revealed today that he is seriously ill at his home in Dunthorpe. He suffered a heart attack Sunday. Corbett was a candidate for governor in the May primary.

Corbett was on the ski jumping hill at Mount Hood with his wife and two children when the seizure occurred. Friends drove him to his home immediately and he has since been confined to bed. The attack was the first he ever had.

FUND BILLS KNIFED BY COMMITTEE

Nine Measures Voted Down By Ways and Means Group in Legislature — Million Slash in College Appropriation Sought.

SALEM, Ore., Feb. 24.—(AP)—Out of nine appropriation bills referred to the ways and means committee and considered by that joint group of the house and senate last night it voted to report favorably on only one.

This was a bill introduced by Senator Charles Hall to change the personnel of the state emergency board by removing from it the governor, the secretary of state and the state treasurer, and substituting for them two representatives and one senator. The president of the senate, the speaker of the house and the two ways and means committee chairmen would remain on the board as at present.

Frown on Pen Fund. The committee voted adversely on Representative Herbert Gordon's bill to appropriate \$75,000 for fireproofing the penitentiary, and voted instead to sponsor a bill to install an automatic sprinkling system in the prison estimated to cost \$18,000. Senator Charles K. Spaulding wanted to put in a bill to appropriate \$116,500 covering prison improvements, but he was voted down.

Senator Spaulding said he had been informed that there were 250 convicts who should be paroled. "Why don't they parole them then?" Senator Strayer asked. "If Governor Meier or any other governor did that he would be recalled," said Representative Angell.

Rimner Tricked It. "Ray (Ritter) tried it, and see what it did to him," said Senator Staples. "And Ritter was right." Bills on which the committee voted to recommend adversely were: For Spanish war veterans' burial ground in Riverview cemetery, Portland, \$18,000.

Measure authorizing the board of control to enter into office building leases in Portland. A Bennett bill authorizing state to print \$50,000,000 in currency. For hydro-electric survey at The Dalles, \$25,000.

For survey of Columbia river through Columbia Valley association, \$50,000.

Increases in salary of state insurance commissioner. For promotion of agricultural settlement by Portland chamber of commerce, \$50,000.

Hydro Bill Report. The committee will report out without recommendation a bill providing for a \$50,000 appropriation to carry into effect the hydro-electric commission and water-power conservation bill, one of the administration power bills.

Senator Ed Schumacher again appeared before the committee and urged that it cut \$1,000,000 from the requested appropriation, made through the state board of higher education, for the University of Oregon and Oregon State College.

Schumacher said the institutions had failed to comply with the law requiring them to make itemized reports of expenditures and receipts. He mentioned that the two institutions are asking this legislature for a total of \$6,135,073, of which \$3,500,000 is for salaries.

Get Big Salaries. He said that the salary item alone had increased over \$1,500,000 in the last six years while the student enrollment has decreased. He said that in 1921 Oregon State College had 175 instructors and now has 296. He mentioned specifically the domestic science department.

The head of the department, he said, receives \$3,000 a year, with three months' vacation, and that she has seven assistants.

TRANSPORTATION PROBE APPROVED

WASHINGTON, Feb. 24.—(AP)—The house interstate commerce committee today approved the Parker resolution to authorize the interstate commerce commission to investigate all interstate transportation concerns operating in competition with railroads.

The inquiry would be made into coastwise and inland waterway, motor bus, pipe line and other systems. It would be conducted with a view of determining whether any of them should be regulated.

The commission would be directed to make recommendations with a view to bringing about legislation to control the competitive transportation facilities.

EXCISE AND INTANGIBLE TAX VOTED

House Passes Two of Major Taxation Measures—Will Be Referred to People for Effect On 1930 Incomes, Under Plan.

SALEM, Ore., Feb. 24.—(AP)—The house of representatives today passed two of the major taxation measures, with but one vote against one of these bills. The bills passed were those providing for an excise tax on corporations at a rate of 8 per cent, and the one on intangibles incomes, at 8 per cent. Allen Bynon of Multnomah county, protesting the high rate on intangibles incomes, voted against this tax.

Following the passage of these two bills and eight minor ones, the house then considered seven of the joint ways and means measures providing funds for various state departments to the amount of about \$600,000, all of which were passed. While the house was thus engaged the senate, by indefinite postponement, was killing various bills affecting appropriations of funds for different purposes, including the \$100,000 requested toward construction of a memorial at Champeen.

Two Changes. The excise tax bill provides for two changes. Representative Ralph Hamilton stated. One change increases the rate of tax from 5 per cent to 8 per cent, and lowers the minimum fee from \$25 to \$10. Hamilton stated the increased tax would not affect smaller corporations as much as it would banking institutions and stockholders.

The intangibles tax rate was placed at 8 per cent, which is an increase over the old tax, declared unconstitutional of 3 per cent. Bynon stated that a 5 per cent rate would be a fair levy on this "good will" tax, but that 8 per cent was too high. He opposed the bill.

In answer to questions, Hamilton stated that another bill would be brought out referring the tax to the people at a special election to make it effective on 1930 taxes.

Appeal Old Tax. He also stated the tax commission was moving to appeal the case of the old tax to the United States supreme court, the question to be settled whether the state may retain or must return the \$900,000 collected under the 1929 act.

Under special order of business the senate passed the commercial fishing code, providing for changes in the present net, increased catch and declared major, increased tax. The code was sponsored by the dairy industries of the state.

Budget Plan Lives. Notwithstanding a unanimous adverse report from the senate and house ways and means committee, the senate refused to kill by indefinite postponement the Crawford-Bailey bill which would place all self-sustaining state departments and activities on a budget basis. It would require their expenditures to be limited to legislative appropriations.

Senator J. O. Bailey declared the bill the most important that had been introduced at this session, and Senator Jay H. Upton said it

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COAST SEES EXPANSION IN BUSINESS

Higher Buying Power Significant—Depletion of Inventories Having Effect—Lumber Orders Show 'Speculative' Growth.

SAN FRANCISCO, Feb. 24.—(AP)—Signs that Pacific coast merchandising has been stimulated by depletion of inventories were seen in current business reports, the weekly Shillering Research Corporation bulletin said today. A slightly higher buying power in the coast states was cited as significant.

Location of many new plants along the coast was noted as indicating progress along industrial lines, particularly in manufacturing for export. The importance of this line in the possibility of solution of the coast's economic problems growing out of "excessive and poorly co-ordinated production, outside competition, and very low prices."

Favored By Resources. The industrial expansion, Shillering pointed out, was favored by abundant power and fuel, skilled labor and raw materials. Difficulties to which thoughtful consideration was recommended were: "inadequate facilities for securing capital; too large a number of unco-ordinated small units; and the recent decline in coast-to-coast shipping rates which it continued and extended to rail rates, may open the door to wider eastern competition."

In the Pacific northwest lumber orders have increased, but the improvement was called "speculative" rather than fundamental. The outlook for Seattle was mixed and for Portland and Spokane, better.

VENUE CHANGE TO BE SOUGHT BY TREASURER

La Grande Woman Enters Not Guilty Plea on Charge of Taking \$112,000 City Funds.

LA GRANDE, Ore., Feb. 24.—(AP)—Mrs. Emma Fowler, 19 years city treasurer of La Grande, today entered a plea of not guilty to a charge of larceny of public funds. City officials declare her accounts are short approximately \$112,000.

Circuit Judge Hall S. Lusk of Portland, presiding in the case, denied a defense motion to quash the information and overruled a demurrer.

Attorneys for Mrs. Fowler announced they will file a motion asking for a change of venue on the grounds that La Grande citizens and residents of nearby communities are prejudiced against the defendant. Arguments on the motion for a change of venue will be heard Saturday.

Defense attorneys said they expected to have an accountant inspect the city books.

EUGENE THERMOMETERS DROP TO 26 DEGREES

EUGENE, Ore., Feb. 24.—(AP)—The low temperature mark of the season was equalled here today when the mercury dropped to the 26 degree mark. Only four other days have been as cold this season. The ground was white with frost.

Abe Martin



A man likes to feel how cheap he got something, and his wife loves to boast about how she got things. Uncle Niles Turner was hit by a auto today, while he was passing a girl in a sweater.

WILL ROGERS says: BEVERLY HILLS, Cal., Feb. 24.—The senate is trying to get the Wickersham committee to tell them where they got all their dope from. What the senate really ought to ask 'em is where did you get your opinions from after you had received all your dope? The lamp duck bill comes up this week. A lame duck is a man that didn't bring home enough 'loot' from the national treasury to warrant his re-election but they let him stay there 13 months longer to see if he won't reform and bring home at least a few postoffice building or enough to widen Polsecat creek.

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