

# Supreme Court Passes Through Many Changes Since Inception in 1844

By Clayton V. Bernhard, Associated Press Staff Writer. SALEM, Dec. 7.—(AP)—The manner in the selection of the chief justice of the Oregon supreme court in effect in recent years, and the change in the election of justices operative for the first time this year, recalls that the type of appeals, suits, form of election and makeup of the court have altered constantly since the court's first inception in the territorial days in 1844.

Today justices of the supreme court are elected on a non-partisan ballot, and the chief justice is chosen every two years from those having the least time remaining in which to serve. If more than one has but two years' of their six-year term remaining, then the oldest in years is chosen for the highest honor.

John L. Rand, for the second time, will be chief justice after January 1. He will succeed Henry J. Bean, who was the 24th chief justice of the court. This year also saw two justices elected for the first time on a non-partisan ballot, Henry J. Bean re-elected and J. O. Bailey named to succeed George Brown.

Sixty-two attorneys in Oregon have been on the supreme court bench, records in the hands of Arthur Benson, clerk of the court, reveal. At the time Oregon was admitted as a state in 1859, three justices comprised the supreme court, while seven at the present time make up the personnel.

Musty records reveal that in the frontier days, when whiskers were a thing of beauty, it was not an uncommon thing for some of the hell-catchers to settle their personal differences by dueling. It sometimes happened, however, that the challenges, required in the ceremonies accompanying such combat, were not accepted, but were referred to the local grand jury for action.

In the court records from 1844 to 1848, a suit over the sending of a challenge resulted in a fine of \$600, but it appeared not so serious to engage in actual fistie encounter, as on the same day as the above opinion was handed down, another citizen was fined \$5 for assault. Other crimes at that time consisted of tearing up promissory notes and disturbing families at night. The record of opinions is contained in 135 volumes of Oregon reports, replete with stories of tragedy and romance.

W. E. Wilson was the first supreme court judge, chosen 87 years ago, but he did not serve. He was succeeded by O. Russell, who held the first term beginning January 15, 1844. The term of court was held at Tualatin plains in April of that year. O. Russell was succeeded by Dr. Ira L. Babcock, who was a physician and not an attorney.

After the admission of Oregon as a state, the first justices were Matthew P. Deady, Wiley E. Stratton and Reuben P. Boise. Deady, however, was appointed to the federal bench and P. F. Prim was named in his place.

The present tribunal was created and established as a separate court from the circuit court in 1878 and the positions were filled by appointment. In 1909 the membership was increased to five judges, and in 1913 it was increased to seven.

During the year just ending, the court has handed down more than 800 opinions, decided more than 250 cases on merit and handed down many oral opinions. The results show that more than 60 per cent of the decisions affirmed the lower court, leaving less than 40 per cent for reversal and modifications.

Chief justices who have served in Oregon, in the order of their terms, include: William P. Bryant, Thomas Nelson, George H. Williams, Aaron E. Walt, Reuben P. Boise, Brammton D. Shattuck, W. W. Upson, E. F. Bonham, P. O. Prim, James K. Kelly, Edward B. Watson, John B. Waldo, W. W. Thayer, Reuben S. Strahan, W. P. Lord, Charles E. Wolverine, Robert S. Bean, Robert Eakin, Frank A. Moore, Thomas A. McBride, George H. Burnett, John L. Rand, Oliver P. Coshaw and Henry J. Bean.

The personnel of the Oregon court after January 1, 1933, will be: John L. Rand, chief justice; Henry J. Bean, H. H. Belt, J. O. Bailey, J. U. Campbell, P. R. Kelly and George Rossmann.

Buy Christmas Seals.

## STRICKEN CAPTAIN STICKS TO POST

NEW YORK, Dec. 7.—(AP)—Capt. Nicolaus Johnson, skipper of the North German Lloyd line's giant speed liner Europa, died today of complications following an attack of appendicitis.

The commander, veteran of sailing ship days, stuck to his post, despite severe pains, until last Saturday, when he collapsed and was operated upon while the ship was making a westward crossing of the Atlantic.

## DAYLIGHT BURGLARS AT WORK IN SALEM

SALEM, Dec. 7.—(AP)—Local police were checking every possible clue today in an effort to curb a surge of daylight burglaries here and to apprehend the culprits. One youth is held as a suspect.

Three houses were entered Saturday, with a reported theft of a diamond stickpin, a wrist-watch, some money and incidentals. Yesterday tenants of three more houses reported thefts. A 15-year-old boy was apprehended Tuesday night by the watchman in the St. Vincent De Paul church.

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## Rope-Skipping Champ



Tommy Thompson, former boxer, skipped rope 113 minutes for an average of 177 skips per minute in Pueblo, Colo., and now he claims the rope-skipping championship. (Associated Press Photo)

## SUE HEIRS OF DAHACK ON \$6750 MORTGAGE

Suit was filed in circuit court late yesterday by W. E. Thomas of this city against Ernest Dahack, Mrs. Everett Dahack and Frank Dahack, a minor, as heirs of the estate of the late Eli Dahack, pioneer resident of the Eagle Point district, for the foreclosure of a \$6750 mortgage, interest and attorney's fees allegedly due. The mortgage was issued, the complaint sets forth, in 1930.

T. J. Enright appears as attorney for Thomas.

## PARENT STUDY GROUP WILL MEET TOMORROW

"Parents are aware that the job assigned them this twentieth century is one of big business. It takes 24 hours for 365 days, and there are no five-day weeks and no eight-hour days." With this statement a meeting of the parents' study group of this city was announced today for Thursday, December 8, at the county court house, first floor, across the hall from the health department. Parents will meet to discuss family relationships. The Washington group will lead the round table discussion and invites all parents who are interested in making a home atmosphere of security in these times of "storm and stress."

## Redskin Carries "Load" To Church

KLAMATH FALLS, Dec. 7.—(AP)—Dean George, an Indian, has succeeded in violating the laws of man in God's house and is reposing in the county jail as a result. George was fined \$30 by Justice Frederick Hubbard for being drunk in the Sprague River church.

Christmas Seals work the year round. Buy them now.

## NOVEL FEATURES FRIDAY NIGHT AT SCHOOL CARNIVAL

Offering a multitude of attractions to all interested, Medford high's annual All School Carnival will be held in the high school auditorium and the boys' gymnasium on the evening of Friday, December 9 at 7:30.

A novel feature of the evening's entertainment will be the vaudeville program to be presented by the various high school organizations in the high school auditorium. The program, starting at 7:30, will be an hour in length and will consist of ten skits presented by the Glee club, the H. E. C. A., the senior class, the Torch Honor society, the Latin club, the junior class, the sophomore class, the Dramatic club, and the G. A. A.

Another carnival attraction will be the dance, starting at 9 o'clock. All the carnival booths and concessions will be open at 8:30. These will feature various side shows and games.

At the present time, the senior class' attractive candidate for carnival queen, Miss Barbara Wall, is leading the contest against her opponents, Miss Louise Elrod of the junior class and Miss Alice Mae Shirley of the sophomore class. These candidates were nominated by their respective classes two weeks ago, and the campaign has been carried on since Thursday, December 1 and will close at Thursday noon, December 8. The results of the contest will be announced at noon of Friday, December 9.

The coronation of the carnival queen will be held in conjunction with the vaudeville program Friday night. The two losing candidates will act as attendants to the queen.

The annual carnival parade with the queen riding in state will be held Friday afternoon at three o'clock. It will pass through the business section of town.

Committees working on the carnival are:

General supervision committee: Principal C. G. Smith, Wilson Wall, David Lowry, chairman, Barbara Wall, Bill Cummings.

Queen car committee: Mrs. Maurine Burger, Adra Edwards, chairman, Frances Arnsperger, Wildon Colbaugh, Barbara Hauk, Robert Sherwood, Anna Scheel.

Queen contest committee: Miss

## Gold Hill

GOLD HILL, Dec. 7.—(Sp.) Elaine Robbins spent the week visiting her grandmother, Mrs. Minnie Byerly, of Foote Creek.

Mr. and Mrs. Chas. Gray spent Thanksgiving in Bend with their son, Richard, who teaches in the high school there.

Girl Scouts had a successful bazaar. The money earned is to help send scouts to summer camp.

Miss Zaida Smith spent Friday in Medford, guest of Mrs. Lyle Schoppert.

Bill Hammerly has been confined to his home this week with the flu.

Basketball game Thursday evening between the boys' high school team and the town team resulted in a victory for the high school.

Friday evening the freshmen entertained the rest of the high school at a party. The evening was enjoyed by a huge crowd and lovely refreshments served.

Jane Cook, who suffered a serious injury to her eye, returned home this week from the Sacred Heart hospital. The eye is healing nicely.

Mr. and Mrs. Tyler of Jacksonville have moved into the rock house north of town which they recently purchased from E. C. Gaddis of Medford.

Laura Mae Ross is confined to her home with a nervous breakdown.

Clinton Walker was in Medford on business Wednesday.

Mr. and Mrs. Robert Cook spent the week at their mine on Foote Creek.

H. D. Reed spent the week in Portland attending to business affairs and visiting friends.

Mrs. Welch of Central Point spent the week here with her daughter, Mrs. James Chisholm, and family.

Ladies' aid of the Methodist church held a bazaar and chicken dinner December 1.

Wednesday evening Amethyst Rebekah lodge held its birthday party for all members with birthdays in November.

Mrs. Alice Wathen of Manzanola, Colo., is here for an extended visit with her parents, Tom Robinson, and family, and other relatives.

Miss Mildred Smith spent Sunday with Mrs. Marjorie Pena on Kansas Creek.

Mrs. Floyd Lance and daughter, Ruth, were shopping in Medford Saturday.

F. M. Ostrander returned the last of the week from Portland, where he has been visiting his wife and family.

Mr. and Mrs. Clyde Walker were shopping in Grants Pass Monday.

Noted Artist Dies

NEW HAVEN, Conn., Dec. 7.—(AP) John Henry Niemeyer, 93, noted artist and professor-emeritus of drawing in the Yale school of fine arts, is dead.

When needing duplicating sales books, flat-packs or fan-fold cash register forms, ledger sheets or any other kind of printing don't order from out-of-town firms and pay more. Phone 75 and one of our representatives will call.

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Quality Electric Trains, from \$3.95 to \$6.95

Lincoln Logs and Bricks, \$1.00 to \$5. set Games of all kinds, priced from 25c to \$2.95

## Large Play Houses \$2.95

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## Rayon and Wool Hose 50c pair

We suggest for these cold winter days a pair or two of warm cozy rayon and wool hose. Ideal for sports and street wear. Sizes 8 1/2 to 10 1/2 in good winter shades. Regular 50c values. Special tomorrow at Mann's.

## French Crepe UNDERWEAR For Gift Giving \$1.98

For that personal gift why not this French crepe underwear? Included at \$1.98 are dance sets, combinations, and slips in lace trimmed styles. Your choice tomorrow at Mann's.

## Other Personal Gift Ideas

Beautiful Lace Bandeaux, priced 50c and \$1. Smart Glove Silk Shorts priced at 98c

The newest in Rayon Pajamas at \$1.98 Dainty Pure Silk Gowns, priced at \$2.98

## A Gift for the Home 18-inch Damask Pillows 65c EACH

If you are looking for an inexpensive gift for the home, see these good looking damask pillows. They are 18 inches square with wool fringe. Choice tomorrow in the drapery section.

## Bags for Gifts

The largest stock of hand bags in Southern Oregon. Bags of suede, calf skin, alligator and pin seal, under arm, back strap, pouch and attractive handle top styles. All the very newest trims and best grade fittings and linings. All colors.

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