

FEATURES!

Dr. Copeland, world-renowned health authority and senator from New York, is to conduct a daily health talk for The Statesman.

The Oregon Statesman

"No Favor Sways Us; No Fear Shall Awe" From the First Statesman, March 21, 1881.

SEVENTY-NINTH YEAR, NO. 21

Salem, Oregon, Saturday Morning, April 20, 1929

WEATHER

Unsettled today; Probably occasional rain; Changeable winds. Max. temperature Friday 64; Min. 44; Rain .40; River 7.6.

PRICE FIVE CENTS

LAW SUIT HITS BOARD MERGER STATUTE

METHODS USED BY TELEPHONE FIRM EXPOSED

\$75,000 Per Year Paid Over to Parent Company Says Service Commission

Legal Objection Brought by Michigan People Avoided in State of Oregon

The recent decision of the Michigan supreme court in which the four per cent service charge paid by the Michigan Bell Telephone company to the parent corporation was decided void, is in line with the decision of the Oregon public service commission handed down May 2, 1919, according to a letter prepared by the public service commission here Friday. The letter was addressed to Frank Grant, city attorney of Portland.

The Michigan supreme court held that the four per cent payment was void because testimony was offered to show that the parent company owned 95.9 per cent of the stock of the Michigan company.

Commission's Order in Line With Ruling

"It appears that the decision of the Michigan supreme court is in line with the opinion of the Oregon public service commission as expressed in its order, entered under date of May 2, 1919," said the commission's letter to Mr. Grant. "This order refused to permit the Pacific Telephone & Telegraph company to pay the parent company 4 1/2 per cent of its gross earnings as compensation for service rendered by the parent company to the Oregon company."

"In lieu thereof the Oregon public service commission permitted the payment of 55 cents annually per telephone for such service. \$75,000 Per Year Paid Parent Firm

For your further information the amount to be paid to the American Telephone & Telegraph company by the Pacific company within Oregon under the 55 cent basis was less than \$75,000 the past year."

H. H. Corey, member of the commission, said the payment based on 55 cents per telephone annually, was less than one per cent of the gross earnings.

The commission's letter was in reply to a suggestion by Mr. Grant that the commission start proceedings to throw out of the base the 1 1/2 per cent paid by the Pacific Telephone & Telegraph company to the parent corporation, and reduce telephone rates in this state to that extent.

Each Cheats Other; Both Seek Money

The pot calling the kettle black is a terse way of describing the difficulties encountered in the lawsuit of H. W. Cooley et al. vs. James Noland and pending in circuit court. Cooley maintained that Noland defrauded him in a land transfer made last year when he traded the former a 1271 acre wheat farm in Umatilla county for a stock ranch at the junction of the Santiam and Willamette rivers. The Cooleys declare they found stock on the Umatilla county ranch heavily encumbered by mortgages which they did not know existed.

In a counter complaint filed Friday in circuit court Noland declares that stock on the wheat ranch which he acquired was alleged to have been pure-bred whereas it turned out to be only ordinary stock while the ranch, supposed to be ideal for cattle raising, turned out to have much of its territory under water each year. Noland's counter complaint calls for counter damages of \$15,685 instead of the \$4,500 damages.

Hope Still Held Out That Delegates May Arrive at Agreement on Reparation

PARIS, April 19.—(AP)—The second reparations committee ended today the tenth week of its efforts finally to settle the German reparations problem in the gloom of threatening failure and bereavement for the death of one of its members. Lord Revelstoke of Great Britain.

All hope that something yet might be salvaged out of the work of the conference rested today upon talks which the Germans were reported to have had this afternoon with other experts concern-

Brilliant Affair Attracts Vast Crowd; Blaze Seen By Hundreds of Visitors

Asylum Inmate is At Large; Escapes From Work Crew

Joe Castellano, 45, ran away from a working crew at the state hospital late Friday afternoon. He was received two years ago from Portland. Little was known of Castellano except that he was a habitual drifter.

When he escaped he was wearing overalls and a yellow slicker. Attendants say that he is not dangerous and will probably try to avoid other persons.

LIONS PLAN GREAT CHAMPOEG MEETING

Salem, Stayton, Monmouth Dens Stage Banquet for Independence Here

Plans for a gathering of Willamette valley Lions' clubs at Champeog June 2, at which each club would reenact some outstanding episode of Oregon's early history, were proposed at the banquet given by the Salem, Stayton and Monmouth clubs Friday night at the Marion hotel, honoring the Independence club which was the winner in the recent attendance contest.

The historical program at Champeog was proposed by Dean Butler and Prof. Jensen of Oregon Normal school, who were among the speakers at the banquet.

Lions and their ladies numbering 129 attended the banquet, at which Merrill D. Obling of the Salem club was toastmaster. Presidents Leo Cumack of Monmouth, H. A. Beauchamp of Stayton and A. C. Haug of Salem spoke explaining how their clubs lost in the contest, and President H. R. Steiner of the Independence club told how the contest was won. Attendance at the Independence luncheon during the contest weeks was over 99 per cent.

The contest was engineered by Harry W. Scott, district deputy governor. The committee in charge of banquet arrangements included Leland Smith and Frank Lynch.

Entertainment included numbers by the Willamette university men's quartet, readings by Charles Kaufman of Willamette and C. B. Burmeister of Independence, numbers by the Oregon Normal school trio members of which were June Thiering, Margaret Scruggs and Virginia Parks with Elizabeth Horning as accompanist, and songs by Mrs. J. W. Mayo and Mrs. G. F. Korinek of Stayton.

Dancing followed with music by Letz's orchestra.

Republicans Hit By Democrats on Tariff Reports

WASHINGTON, April 19.—(AP)—The procedure being followed by the republicans in forming a new tariff bill was attacked and defended on the floor of the house today as party leaders came to grips over a charge that information on proposed rate changes was "leaking" from the ways and means committee.

Incensed at published reports purporting to give tariff increases agreed upon behind the closed doors of the committee room, Representative Garner, of Texas, the minority leader and ranking democrat on the committee, challenged Chairman Hawley of Oregon, to give the house the truth regarding the reports.

The American delegates to the committee were unable to say anything as to the future, other than that the plenary session Monday alone could show whether there was a chance to have the negotiations from failure.

BERLIN, April 19.—(AP)—The German government still sees hope in the Paris reparations conference. The cabinet, so far from

ing the possibility of re-opening negotiations.

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Fred Thompson's Residence on Salem Heights Road Burns Down; Firemen on Unofficial Trip Unable to Arrive Near Scene

Salem Heights was the unwilling host to a brilliant event last night, with curious people coming from literally near and far to behold the spectacle and answer the invitation of a glowing sign south of town. Hundreds of people; honestly hundreds. And if the reader doesn't believe that, he must have been one of the remaining hundreds who kept every available man at the Statesman office busy answering "Where's the fire?"

Fred Thompson of the Salem postoffice messenger service was the master of ceremonies at this blazing event. At least Thompson stood by the greater part of time and watched his seven-room, two-story frame residence burn to the ground. The house, on the Salem Heights road and almost opposite the country residence of Dean Frank M. Erickson, burned without hindrance.

In fact, with a populace fire-mad, the Salem firefighters would have had little chance to get anywhere, what with scores of automobiles lining both sides of the road from the highway clear into the residence district—a distance of no few blocks. The property is outside of the city limits and the house was unoccupied, hence no alarm was turned in to the city fire department. Several members of the fire department, traveling to the scene in a private automobile once the town was buzzing with the fire, were forced to turn back—the fire-loving public was there first and in such numbers that there was no room on the road for mere official firefighters.

Fire First Seen At About 9 P. M.

The blaze was first discovered about 9 o'clock and was burning strong at midnight. Thompson said late last night he believed the conflagration was due to sparks from the chimney. He had, as was his custom to do occasionally, started a fire in a stove in the house Friday afternoon. Before leaving the house at 4 o'clock he assured himself that the fire was out. However, unless some tramp was about the place, sparks must

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'GHOST WRITERS' SCORED IN SPEECH

WASHINGTON, April 19.—(AP)—Colonel Charles A. Lindbergh was depicted today by Ike Shuman, executive editor of the Brooklyn, N. Y., Standard Union, before the American Society of Newspaper Editors, as an extreme and careful editor of newspaper stories prepared by "ghost writers" to be published under his signature.

While condemning the practice of "ghost writing" in which an article is written by one person and published under the signature of another, Shuman said the "ghost writing" for the famous aviator was honest writing. He added that Lindbergh not only edited carefully the stories sent out under his signature, but "was capable of writing his own stuff." As a reporter for the New York Times, Shuman traveled with Lindbergh on his flight through Mexico, Central America and the West Indies. Most of the time on the Central America flight, Shuman continued, Lindbergh was unable to write his own daily newspaper story because of the press of other engagements. But on the flight from Porto Rico to Santo Domingo, he added, the aviator wrote his impressions on the plane's navigation chart.

"This story was the best of the trip," Shuman asserted, "and I did not change a single word of it."

Earlier in the day the editors of the press and public utilities, William J. Abbott, editor of the Christian Science Monitor, urged that the society investigate alleged attempts of public utility companies, including the international paper company, to purchase control of newspapers.

\$65,000 In Gems Reported Stolen

NEW YORK, April 19.—(AP)—William A. Clark, 3D, of Los Angeles, a son of the late Senator William A. Clark of Montana, reported to police tonight the loss of \$65,000 in jewelry, which he said he and his wife missed after they had driven to their hotel from the liner Berengaria, from which they returned today, from Paris.

CONVENTION IS LARGEST EVER HELD IN STATE

Check Shows Present Christian Endeavor Meeting Sets New Record

Enthusiastic and Lively Discussions Mark Most of Friday's Sessions

Group discussions of all phases of the Christian Endeavor leaders' work were the feature of the Friday program for the Oregon Christian Endeavor Union convention here. Other features of the program were talks by the Rev. Luther E. Stein of San Francisco, the conferring of degrees and sightseeing about the city.

The largest union convention ever held in Oregon impressed the leaders as being the most enthusiastic with the delegates flocking in when the out-of-town count was 1065 delegates and the local, 291. All meetings were crowded to capacity and the possibility of admission to registered delegates only was seen by James C. Henderson, president.

Necessity of Devotion Is Stressed By Speaker

"Worship, the Crusader's Dependence," was the topic of Dr. Stein's morning address in which he stressed the necessity of the full measure of devotion on the part of leaders in Endeavor work. "Evangelism, the Crusader's Responsibility," formed the heading under which all delegates to the convention were urged to carry their work to an ever increasing field.

First degrees were conferred on the following: Hazel O'Brien, Caroline Benedict, F. C. Stephens, Mrs. Gladys Bass, Lillian Bass, Jewell Knight, Fern Knight, Melba Knight, Ada Ewert, Marjorie Tegarden, LaVerna Boule and Ophelia Benedict, all of Dufur; Bob Leeper, Baker; Dollie Wewel, Roseburg; Rosie Bates, Gaston; Viola Hines, W. M. Garner, Edwin J. Hines and Mary Erickson, all of Dallas.

Local Bands Play Before Closing

Progressive and other degrees were conferred on Lucile Stecker, Dufur; Elmer Shark, Roseburg; Lucile Germaine, Marshfield; C. Walter Warren, Heppner; Lulufer Hudson, James Henderson and Rose Guller, all of Portland.

The Chemawa Indian school band and the Salem high school band played several selections each during the time when the parade was to have been held. Myrtle union presented the state officers, a myrtle wood gavel, saying that the wood grows only in the Holy land and their district.

TEN-CENT CARFARE ASKED IN PORTLAND

PORTLAND, Ore., April 19.—(AP)—Declaring that that growth of automobile traffic had brought about a condition where the income of the street railway system had decreased to such an extent that it hardly met operating expenses, Franklin T. Griffith, president of the Portland Electric Power company, told a group of businessmen at a luncheon today that his company would forward a request next Monday to the state public service commission for a ten-cent carfare in this city.

Sixty-two of the city's business and professional groups and representatives of the local civic organizations, heard Mr. Griffith's statement. The power company president said that there are 253 cities in the United States where the ten-cent adult fare is charged. The company, said Mr. Griffith, has managed to cut \$200,000 annually from its payroll by the use of one-man cars, but this is not enough to meet constantly rising costs. A request from the platform men's union for an increase in wages, now on the president's desk, cannot be granted under present fares, the speaker said.

Vaccinations to Curb Smallpox Effected Here

Quite a number of persons were vaccinated for smallpox at the health center, 434 North High street, Friday, Dr. Vernon Douglas, county health officer reported. Clinics for this purpose will also be held this morning, when persons who attended the evangelistic tabernacle, 12th and Perry streets several weeks ago, are asked to come. Three cases of smallpox developed in the city this week and all are directly traceable to the meetings mentioned, the visiting pastor having contracted smallpox. No new cases had developed Friday.

HURRY GOLFERS WIN SEATTLE, April 19.—(AP)—Every player of the Oregon State five man golf team fell before University of Washington divot diggers over 36 holes here today.

Albany's Forces Plan To Keep Hands off Fight on Electric Power Project

City Council Not to Rescind Old Objection But Other Groups Refrain from Taking Part in Marion Lake Controversy

A POLICY of "hands off" with Albany taking no active part either for or against the proposed hydro-electric development contemplated at Marion lake by the Northwest Power company was virtually decided upon by representatives of that city at a meeting held Thursday with T. G. Kelley, who represents the power interests.

The city council, chamber of commerce, county court and members of the Linn county game protective association were all represented at the meeting and all phases of the proposed development were thoroughly discussed.

COURTSHIP ENDS IN MURDER, SUICIDE

Manitoba Farmer Kills Girl and Then Self When Her Mother Stops Suit

ST. LAURENT, Manitoba, April 19.—(AP)—James Desjarlais, a 38 year old farmer, because the mother of the 16 year old girl he demanded in marriage forbade his suit, today shot the mother dead and, when a posse assembled, he killed the girl and then himself.

Desjarlais appeared at the cottage home of P. Richard, a carpenter, and demanded the hand of the eldest daughter, Emma. Several younger children playing in the yard heard the mother refuse to let the girl go with the farmer and saw him draw a gun and shoot her.

The farmer then fled with the girl to his cabin home a half mile away. Thirty mounted and armed men assembled to track the killer down and as they conferred on their plan of action before the Richard home they heard two shots.

Galloping to the Desjarlais cabin, they forced their way inside to find both the man and girl dead. The farmer was grasping a rifle in one hand and a shotgun in the other. He evidently had shot the girl first—the disordered room indicated that she had fought to escape—and then used the shotgun to kill himself.

REMONSTRANCE TO NEW ROAD IS FILED

A new county road from the Hammond Lumber company's camp 17 to Breitenbush Springs, as petitioned for some weeks ago by a group of residents in that district, was given a severe setback when a remonstrance was filed Friday with the county court by 26 residents of the district who maintain that there is not sufficient revenue there to provide the \$6000 needed to improve the road.

Inasmuch as 12 of the signers of the remonstrance are also signers of the original petition to place the road on the county map, it is thought unlikely that the original petition will be granted as the deduction of these 12 names from the list of 25 original signers leaves only 13 names on the petition, one over the limit required by law.

M. D. Bruckman and a number of Salem residents have been backers of the road to Breitenbush since the highway now is impassable for many months of the year and is open for one way traffic a good share of the distance when the road is open.

The formal petition to put the road on the county map will come up at the June meeting of the court.

Yank Reply To Canadian Note Is Completed

OTTAWA, April 19.—(AP)—The U. S. note in reply to Canadian representation regarding the sinking of the Canadian rum runner ship, the Albatross, in the Gulf of Mexico is in the hands of the department of external affairs.

The note covers almost 30 pages and is understood to go fully into the history of the case and the legal aspect of the pursuit and sinking of the ship.

PLANES MEET; FOUR FLYERS ARE KILLED

SAN DIEGO, April 19.—(AP)—Four naval fliers met death today as two planes collided and fell six hundred feet, just north of the golf course at Coronado. The dead: Lieut. William K. Patterson, Ensign Harold R. Sheehan, Ensign Herbert Bassett Jr., naval reserve. H. H. Brown, radioman, first class.

The two planes, piloted by Lieut. Patterson and Ensign Bassett, and carrying Brown and Ensign Sheehan respectively as passengers, were attached to scouting squadron No. 3 of the U. S. Lexington, and were operating at the time from the North Island naval air station. This afternoon they were returning from aerial gunnery practice near Oceanside and had swung into land at the air station field. Ensign Bassett's plane, it was reported at headquarters of the aircraft squadron, battle fleet, apparently collided with that piloted by Lieut. Patterson, and the two fell into the shallow water covering a mud flat near Alameda avenue and First street, Coronado.

Plans of the U. S. army engineers for improving the Willamette river between Salem and Oregon City will be outlined at the Salem chamber of commerce luncheon Monday noon, by E. B. Thomson, assistant engineer at the war department office in Portland, and Captain Edmund H. Levy of the same office.

Robert McBride, manager of the Salem Navigation company, will talk on the same subject and will discuss the need of a municipal warehouse.

Improvement Of River Talked At Chamber Confab

Information about Salem's industries and tourist attractions was obtained Friday by Lenore A. Shulte, for her guidance in directing tourists and homeseekers from the Oregon state chamber of commerce business inspection which she will open at Los Angeles.

Miss Shulte, who was formerly associated with the International Travel bureau at Portland, was on her way to Los Angeles, where the new bureau will be opened May 1.

Shulte's inspection is especially about Salem's flax and linen industry. Within a short time the local chamber of commerce will send an exhibit of flax from the state plant and linen from both local mills, to be displayed prominently in the Los Angeles bureau, and mounted photographs of Silver Creek Falls and other scenic attractions will also be provided.

Eleven Year Old Girl is Killed in Accident Upon Highway Near Woodburn

Eloise Barstead, 11-year old school girl and daughter of Mr. and Mrs. Albert E. Barstead of near Woodburn, died at a local hospital at 9 o'clock Friday night, following injuries sustained at 3:45 o'clock yesterday afternoon when a machine driven by Forrest D. Lawrence of Portland skidded on the highway a mile south of Woodburn and struck the girl and her brother, Marvin.

Lawrence was not held following the accident, but he was located later last night and will be brought to Woodburn today for an investigation of the accident.

While not definitely decided last night, an inquest may be held at Woodburn today.

COLLEGE HEAD DIES BALTIMORE, Md., April 19.—(AP)—Dr. William W. Guth, 58, president of Goucher College of Baltimore, died today.

DECLARATORY JUDGMENT ON LAW IS ASKED

Members of Newly Created Board of Regents Are Made Defendants

Constitutional Points Raised in Complaint Filed With County Clerk Here

Like a stroke of political lightning, long since announced by rolls of newspaper thunder, a suit to test the validity of the 1923 legislative law consolidating the boards of regents of the institutions of higher learning was filed here late Friday afternoon by L. D. Smith, representing the Oregon Taxpayer's league.

Defendants in the suit include Governor L. L. Patterson, Secretary of State Hoss, State Treasurer Kay and Earl Fisher of the state tax commission as well as the nine members of the newly created board of higher education whose appointment by the governor was approved during the closing sessions of the senate.

Statute Creating Board Claimed Unconstitutional

Charging that Chapter 251 of the Oregon laws providing for the new consolidated board is in several points unconstitutional, Smith asks that the law be declared invalid and the state tax commission, state board of control and the newly created board of higher education be restrained from carrying out their duties as provided under the law.

The suit is lodged in the declaratory judgment act of 1927 which provides that a court may render an interpretation of a law before the commission of an overt act. The case thus becomes of especial interest to the legal profession as this is the first time that the 1927 law has been utilized.

Friendly Purpose Said Object of Lawsuit

"In filing this suit for a declaratory judgment on the new law providing for a consolidated board of regents of the various state institutions of higher learning, my only object is to obtain clarification of the statute and a court interpretation of its provisions if it is to stand," said Smith when he filed the statement with County Clerk Boyer Friday.

"If it is declared to be unconstitutional and void, its operation will be suspended and there will be time enough for the next legislature to devise a comprehensive and workable plan that will carry out the evident intent of this law."

Fred W. Packwood, attorney for the plaintiff in a statement made Friday declared that the

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INFORMATION ABOUT THIS SECTION GIVEN