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The Oregon Statesman

FOUNDED 1851

Salem, Oregon, Friday Morning, June 3, 1932

WEATHER

Partly cloudy today, Saturday fair, moderate temperature; Max. Temp. Thursday 68, Min. 50, river 4.4 feet, rain .06 inch.

EIGHTY-SECOND YEAR

No. 58

TUITION LAW'S DEFENSE PLAN OF SCHOOLMEN

Seven Districts to Employ Attorneys who Will Aid Carson in Litigation

Preparations for Next Year Held up; Suit Will be Speeded in Court

In an effort to hasten a circuit court and state supreme court decision on the high school tuition law, now in litigation, representatives of seven high schools in the county decided here last night to employ two special attorneys to handle the defense along with John H. Carson, district attorney.

The fact that more than 1000 students from non-high school districts in the county can make no plans for next year's school work until the case is decided and that all other similarly situated students in the state are affected, moves for immediate action in the opinion of H. H. Olinger, chairman of the special committee as well as chairman of the Salem school board.

The representatives of the seven schools, in session here last night, decided that W. C. Winslow and Custer E. Ross, attorneys, should be hired to assist Carson. The moot case, Weinstein vs. Bower, has been held up by a controversy between Carson and Judge L. H. McMahan and the latter has recently detailed Judge L. C. Lewelling, newly appointed jurist here, to make the decision on the case.

School Plans Held Up By Court Issue

Not only are students inconvenienced by the prolonged litigation but the majority of the school boards are either not hiring teachers effected by the possible reduction in the tuition law or else are tendering contracts to these teachers authorizing the board to cancel them in case the tuition law is invalidated.

Members of the various school groups represented at the night pointed out that opponents of the tuition law might impede school work next year by delaying appeal, using the full 60 days allowed by law and also the fact that the state supreme court will recess this summer.

At the meeting last night were R. E. Kleinsorke, Sylverton; T. J. Nolan, Corvallis; Grant Murphy, Stayton; T. C. Mountain, Aumsville; V. D. Bain, secretary of the group, Woodburn; H. H. Olinger, chairman, Salem.

Case Already in Lewelling's Court

Judge McMahan said late Thursday that he would file all the papers he had with Judge Lewelling. Judge McMahan said emphatically that no order transferring the case to Lewelling's department was needed. He said the case had always been in department two of circuit court here and declared he only sat in that department during the sickness of the late Judge Gale S. Hill. As soon as Judge Lewelling took control of the department two of circuit court here, the tuition case was before him, in Judge McMahan's opinion.

District Attorney Carson, representing the defendant in the suit, first filed a brief on his demurrer to the plaintiff's complaint, the demurrer contending the suit should be dropped. John Helzel, attorney for plaintiff, answered Carson's brief. Carson will not file a reply to Helzel's brief. Attorneys for both sides have already made their oral arguments in court. Whether Judge Lewelling will ask to Helzel's arguments made again is not known.

Cherrians Will Attend Lebanon Berry Festival

The Cherrians in uniform will leave Salem in a group early this morning to go to Lebanon where they will participate in that city's 23rd annual strawberry festival. By invitation, they will march as body guards to Queen Edith Morgan in the parade at 10 o'clock and take charge of her coronation. Right after high school convocations will serve as maids of honor.

At noon the Cherrians will help eat the huge strawberry shortcake, which contains 800 pounds of berries.

Old Fashioned July Fourth Celebration Promised by Legion

Admittance to Grounds is Free and Many of Amusements Available at no Cost; big Entertainment Here Assured

An old-fashioned July 4 celebration at the state fairgrounds, with fewer and lower admission charges, is being planned by Capitol Post No. 9, American Legion, the committee announced after a planning meeting last night. The day's program will include morning, afternoon and evening events with all sorts of amusements for persons of all ages.

MONMOUTH FIGHTS EDUCATION MERGER

"Sign no Petitions" Slogan Adopted to Combat Plan For Consolidation

MONMOUTH, June 2.—(Special)—A large group of Monmouth citizens gathered at the Odd Fellows hall tonight for a public hearing on the proposed initiative measure for the consolidation of the Oregon schools of higher education and the removal of the normal schools to Eugene.

H. W. Moreland, president of the Monmouth commercial club, presided over the meeting and in his remarks urged that the consolidation initiative be conclusively discouraged before July 7, else a four months battle would have to be waged.

Dr. Moreland suggested that the people's slogan should be "Sign no petition."

Alexander G. Brown, secretary of the University of Oregon alumni association, reviewed the proposed consolidation and sketched the details of the plan for each of the school communities.

Brown stated that he had no fight with Oregon State college nor with any of the normal schools, but was certain that occupation of the University of Oregon buildings at Eugene by the normal schools would mean 80 per cent waste and only 20 per cent use.

It was decided to send letters to each alumnus of Monmouth normal, urging them to sign no petitions until fully acquainted with the facts.

SUICIDE THEORY IN QUEER DEATH CASE

HILLSBORO, Ore., June 2.—(AP)—The suicide theory was advanced by Washington county officials today in their attempt to account for the mysterious death of Mrs. Elizabeth Koerber, 78, whose unclad, terribly scorched body was discovered yesterday in the basement of the parsonage of the Free Methodist church of Hillsboro.

While the coroner, the district attorney and the sheriff's office conducted an all-day investigation of the case without clearing the matter to their satisfaction, they said no evidence whatever of murder could be found, despite the circumstance that it was reported a cloth-covered piece of wood had been shoved down the woman's throat to constitute an effective gag.

The woman lived in the parsonage. Her daughter, the Rev. Nathalie Koerber, who found her, is pastor of the church. Relatives and friends of the elderly woman scoffed at the murder theory, the while refusing to agree it was a case of suicide. It was learned, however, Mrs. Koerber recently had suffered a paralytic stroke, was infirm and had no intimates and had become despondent.

Final Arguments Slated Today in Stockman Trial

DALLAS, June 2.—(Special)—Arguments of attorneys in the trial of Jay H. Stockman will be completed tomorrow afternoon but Judge Walker will not submit the case to the jury until Saturday morning. Oscar Hayter, defense attorney, gave his closing argument this afternoon and the other defense attorneys will give theirs tomorrow morning. Barnett Goldstein, prosecutor, will give his final argument following those of the defense attorneys.

In his closing argument, Mr. Hayter said he considered it an honor to be called to defend a man like Stockman but regretted that Stockman was forced to stand trial when the charge was so utterly absurd. Hayter declared the state was trying to find the defendant guilty because of certain misrepresentations which were alleged to have been made. According to Hayter the state had not shown any connection between the defendant and the statements or representations of the salesmen, and had failed to introduce much testimony regarding Stockman.

In reviewing the testimony of Mark A. McCallister and the attempt to impeach him, Hayter asked why McCallister would testify that he knew about the notes and was not deceived when he granted the permit if this was not true. If McCallister had tried to avoid criticism he could easily have said that he was a victim of misrepresentation. Hayter said McCallister was not impeached by testimony of J. E. Allison, secretary of the Marion county grand jury, as it was evident that Allison had merely taken down notes on the points shown him.

BONUSSEEKERS BY THOUSANDS STORM CAPITAL

Camps Already Filled and More Arriving; South Sends big Groups

Communitistic Affiliation of Marchers is Hinted but Denial Emphatic

(By the Associated Press) While the Washington city officials racked their brains for means of caring for war veterans already in the city demanding payment of their bonus, other hundreds arrived and thousands more were reported en route from many sections of the country.

There was no room in the two vacant-building "camps" for the latest arrivals in the capital early today—approximately 325 from Camden, New Jersey, and Philadelphia—and police pressed patrol wagons and miscellaneous vehicles into service to transport them to nearby Anacostia.

Another 500 arriving in the night from Minneapolis were similarly cared for.

Communitistic Support Hinted and Denied Government agencies are investigating reports that the marchers on the capitol were inspired by communitistic organizations. This the leaders of the movement vehemently deny.

Some 600 already are billeted in vacant buildings in Washington, and 900 more are believed "floating" through charity houses there.

Press and private reports to officials indicate this number may be augmented by several thousand veterans already on the march.

From Jamestown, North Dakota, came word that a Pacific coast contingent of 125 men and one woman left there, eastward bound. A delegation of 800, including units from Detroit, was assured transportation at Cleveland and New York. Central officials decided there was no way to prevent them from boarding a freight train.

Five southern groups were moving along the Atlantic seaboard, and Dallas, Texas, reported veterans would reach the White House for the state for a big march.

Other points also were watching the groups form as word spread.

SANDBLAST OFFERS SCHEME OF RELIEF

PORTLAND, Ore., June 2.—(AP)—L. B. Sandblast, Portland attorney and member of the Oregon republican delegation to the national convention, tonight revealed a plan he had devised to provide food for needy and unemployed grocers through a government letter of credit system.

Sandblast's proposal would permit needy American citizens to sign promissory notes in favor of the government and in return get letters of credit that could be "cashed" for food at grocery stores. The letters of credit would be used by grocers to pay wholesalers who, in turn, would receive 25-year government bonds for the letters. The bonds would be used in exchange the same as money.

Because the plan involves an appropriation to start it, Sandblast said, it would have to take form within the house of representatives. He said both Frederick Steiner and Charles L. McNary, United States senators from Oregon, have promised cooperation if such a bill should reach the senate.

Fox Admits Two Burglary Counts

DALLAS, June 2.—(Special)—Louis Fox of Irving, Texas, changed his plea to two charges of burglary not in a dwelling to guilty today in circuit court. Judge Walker stated that he would pronounce sentence on Fox Saturday morning after submitting the Stockman case to the jury. Fox was indicted on two counts about two weeks ago and was arraigned on May 27 when he pleaded not guilty. His trial had been set for June 8. The charges he was indicted on involved the breaking into and robbing of a service station and cabin in North Dallas.

Pair Bound Over In Check Cases

James Anderson and H. A. Theisen, charged with giving a check without sufficient funds, were bound over to the grand jury late Thursday by Miller Hayden, justice of the peace, who had considered the case several days. The case involves a check for \$158.85 on the Oregon Feed & Flour company signed by Anderson and countersigned by Theisen and made to L. O. Herrold, assignee, who endorsed it to W. L. Hutchison, who signed the complaint against the defendants.

Arkansas Sends Her as Greeter



Said to be the most beautiful daughter of her hostess, Miss Janet Chandler (above) has been commissioned by Governor Harvey Parnell as junior hostess for Arkansas at the coming Olympic games. Miss Chandler, following a movie career in Los Angeles, was recently a guest of her home state at the National Cotton Week celebration in Little Rock.

M'MAHAN OBJECTS TO FORM OF SUIT

Carson in Reply Points out That any Citizen may Intervene in Case

The Carson-McMahan controversy which is rapidly developing into a feud, took on new angles yesterday when Judge McMahan characterized Carson's test suit filed Wednesday as an action "between friends," and a form of litigation never seen before in the state.

"Seemingly there is a 'joker' somewhere in this 'friendly' method of settling an affair in which both parties have been approving what may turn out to be a series of illegal acts," McMahan said. He characterized both sides in the litigation as "lost forces."

John Carson, district attorney, immediately replied to McMahan's pronouncement by the statement that not only the county court but any citizen in the county could join as defendants in the action and that Judge McMahan himself could take such a role if he saw fit. Carson explained that he had brought the suit as plaintiff, only because no other party seemed willing to have the matter decided.

"I asked for a declaratory judgment in the matter of stamping fees and costs provided by law," Carson said. He cited another case of a declaratory judgment proceeding now pending in court here in the city's suit regarding the \$2,500,000 bond issue.

Carson said that other district attorneys would probably participate as plaintiffs and present briefs on their position inasmuch as virtually all district attorneys in the state have been receiving pay for the services of a stenographer in their offices from county court fees.

OBSERVATION TOWER WARDEN'S PROPOSAL

That an observation tower be erected somewhere along the ridge south of Silver Creek falls for tourists, and also to be used as a fire look-out tower, was the suggestion of Deputy Fire Warden Ferguson before the county court Thursday.

His suggestion of a location on the Brown cattle ranch, was met with the statement that a survey would overlook the entire country for a great distance. Possible financing the project was discussed but no decision reached. Probability is that if such a tower is built, it will be paid for by private funds.

Alpha Kappa Nu Honors Won by Co-eds Chiefly

Only one man was included among the eight Willamette university students who were elected to Alpha Kappa Nu, scholastic honorary fraternity. Those seniors elected to that honor were Charles Campbell of Dallas, who is student body president, Doris Clarke of Salem, Resetta Smith of Salem, Edith Findley of Salem, Eloise White of Salem, and Marjorie Hannah of Oregon, Idaho.

Announcement of the selection was made at chapel Thursday, Dr. Simmons of the Congregational church addressed the students.

CONFEREES ON REVENUE BILL IN AGREEMENT

Billions Dollar Measure is Worked Over in Record Time; Vote Today

Leaders say Budget Fully Balanced; Tariffs all Retained is Rumor

WASHINGTON, June 2.—(AP) In record time unequaled on Capitol Hill during war days, congressional conferees completed the billion dollar revenue bill tonight.

The representatives of the senate and house reached a complete agreement in 13 1/2 hours on the measure carrying new taxes to balance the government budget for next year.

Throughout the day, in shirt sleeves, they worked while their senatorial colleagues struggled over the major item of the economy bill which is to add the budget balancing program—a proposed 10 per cent cut in pay for all government workers.

Details of Final Bill Not Released Weary and almost exhausted, the conferees left the committee room at 10:30 p. m. with the simple statement that they had reached a complete agreement assuring a balance of revenue and expenditures for 1933.

Details of the final form of the bill were withheld pending its submission in the house tomorrow noon, but it was learned that the increased income tax rates voted by the senate were accepted.

Senator Watson of Indiana, the republican leader, and Senator Harrison of Mississippi, the democratic leader, joined in the firm assertion: "We have balanced the budget absolutely."

Under-Secretary Ballantyne of the treasury and a corps of legislative clerks worked on into the night, putting the bill into shape for introduction to the house.

May Reach Hoover By Saturday Night So swift was the action of the conferees that leaders hoped the bill would reach the White House for the signature of President Hoover by Saturday night, or early next week at the latest.

The bill, to be taken up in the house Saturday, must be accepted or rejected without amendment. The increase in first-class postage rates voted by the senate and house was accepted, and it was reported with some authority that all tariff items—the import taxes on oil, coal, copper and lumber—were retained, but the exact rates were withheld.

GRADUATION SLATED FOR THIS FORENOON

With the demand far exceeding the supply of tickets to the high school commencement exercises to be held at the Elsinore theatre at 10 o'clock this morning, prospects are that as large a crowd as the theatre will hold will attend graduation of the school's largest senior class. At least 342 students will be eligible to receive their diplomas today. Principal Fred D. Wolf said yesterday. Three students, finishing incomplete courses yesterday, may raise the number to 345.

Covers for the diplomas this year are hard grain black leather, instead of the suede of last year, printed in gold letters, and lined with red cloth. The documents will be presented on the theatre stage by Superintendent George W. Hugg.

Burt Brown Barker, vice-president of University of Oregon and long sought as commencement speaker here, will make the address to the seniors. Music will be provided by the school band, Earle Potter, Marcell Patton accompanied by Eva Cochran and Emory Hobson.

Change in Bus Schedule Has Committee Support

After hearing the plea of M. A. Reed of the Oregon Motor Sales members of the ordinance committee last night said they would recommend to the city council Monday night that it permit the transportation company to operate its local street buses on a 30-minute schedule on Sundays, holidays and after 8 o'clock every night. No one appeared to protest the ordinance which changes the service in question from 20 to 30 minutes.

A large number of Salem fuel dealers appeared to present their case in favor of a \$100 license for themselves. Their aim is to eliminate peddlars of wood and obtain revenue for the city from outside fuel companies. This license would net the city around \$2500 annually, they estimated.

Chairman Chris Kowitz, Hal Patton and David O'Hara of the committee did not put their approval on the measure. This was not necessary since the ordinance had not yet been presented to the council. The committee expressed the fear that the license measure might work a hardship on the farmers and also prevent local residents from taking fuel in payment of bills due them.

A new ordinance setting the minimum ball which the municipal judge can call for at the minimum fine, except in the case of overtime parking offenses, will be introduced into the council soon, it was reported.

The committeemen spoke favorably of an ordinance to make illegal the possession of an unregistered still, and others amending the traffic code to coincide with state traffic laws.

Will Try Again For Record Hop



Once turned back by damage to his instruments, Stanley Hauser of Linden, N. J., is again ready and waiting for favorable weather to start an Atlantic flight in an effort to break the long distance aviation record. He carries enough gas for 50 hours in the air and his destination may be Rome.

OREGON MAN WINS ORATORY CONTEST

Bryson Hays of Columbia is National Entry After Regional Victory

Bryson Hays student of Columbia university, Portland, last night won first place in the regional intercollegiate oratorical contest here and by his victory will represent the six states of the subject, Washington, Utah, Nevada, Idaho and Oregon in the national intercollegiate finals at Washington, D. C. this summer. The state, regional and national contests are being held in connection with the 200th anniversary of George Washington's birth.

Hays' winning oration was "George Washington's Understanding of Men." Opposing him in the contest was Bernard Mergen of the University of Nevada at Reno, speaking on the subject, "Washington, the Exemplar of American Ideals." Ralph Olmstead who was scheduled to represent the University of Idaho, failed to appear at the contest which was held in the senate chamber of the state capitol here.

Hays' triumph through his victory will carry home to his university a plaque indicating his honor. He expects to go east to represent his school in the national contest.

Miss Irene E. Soehren of Portland, winner of the high school Washington essay contest, read her essay and was presented with a medal by Professor John B. Horner of Oregon State college who was chairman for the evening. Miss Soehren attends St. Helen's High.

Covers for the contest last night were Judges George Rossman and Harry Belt of the state supreme court and Miss Harriet Long, state librarian.

Music for the evening program was furnished by the band of Rickman of Willamette university who sang two solos and by a violin trio, also of Willamette university. Members of the trio were Jeanette Smith, Marjory Wunder and Jeanette Scott. Arrangements for the contest were in charge of R. J. Maaske of the state department of education.

The state finals in the Washington bicentennial oratorical contest were held in Salem last February, eight colleges and universities participating.

Report Cards to Be Issued Today

The question, "Did I pass?" facing Salem school children this morning will be answered this afternoon. Two o'clock is the hour set for pupils of all schools to return to their respective buildings for their report cards. Summer vacation will begin officially at the end of the 2 o'clock session.

More Progress In Scout Fund Drive Reported

Reports from the committees working in the Boy Scout financial drive slowed up yesterday but, according to Executive O. F. West, the solicitors obtained many more pledges. Up to closing of scout headquarters, \$372.75 cash and \$876 in pledges, a total of \$1248.75, had been reported toward the budget of \$2100 and deficit item of \$2000.

A special committee consisting of T. A. Winkler, W. E. Phillips, A. C. Hag and V. P. McNamara will assist the American Legion group in soliciting the support of state office employees today. Whether or not the drive will be concluded tonight will depend upon the results of today's efforts.

FORMER SALEM GIRL KILLED AS PLANE CRASHES

Lucy Brown, Clarion Editor In 1928, Dies as Ship Makes Nose Dive

Was Prominent in Musical, Dramatic Work Here and Excellent Student

ALAMEDA, Cal., June 2.—(AP) Miss Lucy Brown, 21, Stanford university student, was killed and Fred Harvey, 28, Palo Alto aviator, was perhaps fatally injured as a plane in which they were leaving Alameda airport crashed from an altitude of 200 feet today.

Miss Brown and Harvey were pulled from the wreckage of the plane as flames broke out. The girl was dead when brought to a hospital. She was the daughter of Dr. Walter H. Brown, member of the Stanford faculty, and was to have received her degree from the university in June.

Harvey, who holds a limited pilot's license, flew here from Palo Alto to secure airplane supplies, accompanied by Miss Brown. They were starting the return trip as the plane faltered and went into a nose dive.

Miss Lucy Brown who was killed in an airplane accident at Alameda Thursday, was one of the most prominent members of the 1928 graduating class of Salem high school. She was editor of the Clarion newspaper and prominent in the work of the Snikpoff dramatic society and in musical activities. She was one of the most popular girls in the local high school at that time.

Her father, Dr. Walter H. Brown was the first director of the Marion County Child Health Demonstration, predecessor of the present Marion County Health department, having been sent here by the state health fund to launch that unique experiment in health supervision.

Dr. Brown left here in 1928 to become professor of hygiene at Stanford. Miss Brown's scholastic record in the high school here was such that she was admitted as one of the extremely limited group of women students at Stanford.

Prohi Plank Chief Issue Says Derby

A plank on the mooted subject of prohibition seems likely to be the most controversial part of the forthcoming republican convention in Chicago in the opinion of F. N. Derby, one of two delegates elected from the first congressional district and Oregon and Salem's only representative on the state delegation. Derby leaves here June 9 for the east. He will go with the other delegates from Portland, the party reaching Chicago Sunday in time for the convention which opens Tuesday.

Derby said yesterday his advance information had been that a plank was being prepared which would try to please both "wet" and "dry." His thought resubmission of the 18th amendment would be the eventual plan followed although he declared that such leaders as Senator William G. Borah of Idaho were determined that no retreat should be taken from the stand taken by the party in 1928.

Derby said information coming to him indicated the assured nomination of President Herbert Hoover and the probable nomination of Vice President Charles Curtis. Derby will probably cast his first ballot for Hoover. At a meeting of delegates in Portland this week, the Oregon group left the matter of the first vote to each delegate. Oregon's citizens in the primary May 20 cast a majority of preferential ballots for William Joseph France of Maryland.