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The Oregon Statesman

FOUNDED 1851

Salem, Oregon, Sunday Morning, December 10, 1933

THE WEATHER

Unsettled with rains today, Monday probably rain; Max. Temp., Saturday of 50. Min. 50, river 9 feet, south-west wind, partly cloudy.

EIGHTY-THIRD YEAR

No. 222

SALES TAX GAINS APPROVAL

HOUSES AGREE ON DETAILS OF CONTROL PLAN

Knox Measure Whipped Into Shape by Conferees; Meier Will Sign

State Liquor Store Law to Be Effective Monday; Test is Assured

The Knox bill, in the special session since opening day, passed its final legislative hurdle at 11 p. m. Saturday and was slated to become law tomorrow, as soon as the engrossing committee of the house had finished checking the amendments and Governor Julius L. Meier had affixed his signature.

The measure becomes law when signed, since it does not provide for tax raising and contains the emergency clause.

Appointment of the commission of three provided under the plan is likely by mid-week with strong likelihood that Dr. William S. Knox of Portland, chairman of the commission whose deliberations resulted in the liquor plan control provided in HB 1, will be named chairman. The choice seems to be favored by Governor Meier with Dr. Knox as yet undecided whether he would undertake this new venture in public service.

Early Court Test Assured, Stated

It was certain yesterday that the plan would meet a court test as soon as the commission was appointed. Mayor Joseph Carson of Portland, attending the session last night, brought word that he had instructed his city attorney to begin a test suit at once so the Portland council will know whether it or the state has exclusive power to license liquor's sale in the metropolises.

Opponents and proponents of Knox plan all looked with favor upon the court test as a logical and necessary prerequisite to determining the bill's scope. If the court holds the bill binding on all sections of the state, it will have set a precedent that the home-rule and other amendments to the state constitution cannot be revived when the amendment which repealed them is in turn eliminated from the constitution.

The conference committee's report, coming first before the senate, was adopted with only Senator Upton dissenting. Similar success met the work of the joint committee in the house which quickly adopted the minor amendments made after the bill passed the senate Friday.

The bill breaks new ground in Oregon's conduct as a state. For the first time in the commonwealth's history, the state not only undertakes to regulate and control the traffic in hard liquor but to go farther and to engage directly in the sale of liquor beyond 14 per cent alcoholic content in stores of its own operation and ownership. Wines and beers up to 14 per cent in alcoholic content will be handled by private dealers under license.

Governor Meier's signature of the bill will put the measure into effect, not later than tomorrow, since it contains the emergency clause. The chief executive indicated last night he had under consideration a large number of persons suitable for the position of commissioner. He indicated his choice would be made shortly, probably by this mid-week, in order to permit the commission to start functioning at an early date.

Speaker Earl C. Snell named Representative George Winslow and John Johnson on the house conference committee after the body had refused to accept the senate amendments. The house also voted down by acclamation a

BUY CHRISTMAS SEALS



12 SHOPPING DAYS TO CHRISTMAS

Bowen Said Recognized Near Baker

BAKER, Ore., Dec. 9. (AP)—A man said to be William O. Bowen, who escaped from the state hospital with several other inmates October 9, passed a worthless \$10 "traveler's check" in Pleasant Valley, 15 miles from here, about 4 p. m. Friday. The check answered exactly the description of others passed by Bowen in many middle-west cities. It was signed "John Burton," and bore the name "W. M. Hagley" in the lower left corner, and the figures "10" in all four corners. The man police believed was Bowen was traveling west in a small coupe bearing Oklahoma license plates. He was accompanied by a woman.

MORE DATA ASKED UPON WATER LOAN

Application for PWA Funds To Buy or Build Plant Given Attention

That the public works administration is giving attention to Salem's application for a \$500,000 loan with which to buy the present water system or build a new one is indicated in a telegram received from Senator Charles L. McNary yesterday, Mayor Douglas McKay reported last night. The telegram, McKay said, states that the PWA at Washington, D. C., desires further information concerning the water deal here since data contained in the present application is unsatisfactory.

Mayor McKay and other city officials joined in holding the telegram to indicate that hope yet exists for the city's receiving the loan, which would enable it to proceed at once with meeting the terms of its allotted \$1,500,000 PWA loan and grant for a mountain water supply. (Turn to page 10, col. 2)

OREGON CITY'S DOG SHOW BILL PASSED

The house laid aside momentous problems of state in the closing hours of the session Saturday and engaged in a siege and counter-siege of motions, votes and arguments out of which one piece of legislation emerged, battered and beleaguered, but passed. It was S. B. 5 introduced by Senators Dunne and Jones and it granted to Oregon City the right to have dog and horse races.

Not until the house by majority vote dragged the measure from its steering committee, did the bill have a chance to pass. When it finally gained the full attention of the lower assembly it was vigorously opposed by representatives who said the bill would allow a great spread of undesirable racing and gambling in the state. A third house fight was waged all Friday night over the bill. Portland racers and dog show men fought the bill.

Oregon Briefs

WHEAT MEN DISCUSS MORE ORE. Dec. 9. (AP)—The eastern Oregon wheat league reaffirmed its stand favoring the principle of the sales tax and other methods of broadening the tax base to relieve real property, elected officers, and closed its two-day annual session here today. J. B. Adams of Moro was elected president, Mac Hoke of Pendleton, vice-president, and Charles Smith of Heppner, re-elected secretary-treasurer. Arlington was selected as the place for next year's meeting.

PORTLAND, Ore., Dec. 9. (AP)—Bids on the next big Bonneville dam project contracted, expected to involve more than \$2,000,000, will be opened December 22, the Portland district office of the United States engineers announced today. Specifications for the job are scheduled to be issued at the district office here Monday. The job will include construction of an earth-fill cofferdam, cofferdam sluice, railroad grade crossing, the building of about one mile of roadway, excavation

and disposal of 1,500,000 cubic yards of material for the power house and navigation lock foundation and construction of a 300-man camp. EXCEPTIONS LISTED ENGENE, Ore., Dec. 9. (AP)—The bill of exceptions in the appeal to the state supreme court of the case of Llewellyn A. Banks, former Medford editor and orchardist, was settled in circuit court here today when attorneys for the state and for the defense appeared before Judge Skipworth. Judge Skipworth certified the bill of exceptions and all papers were sent to the supreme court at Salem. Banks was convicted of second degree murder for the fatal shooting of Constable George Prescott of Medford. Prescott was shot when he attempted to serve a warrant on Banks at his Medford home. DENTIST DODGES DEATH PORTLAND, Ore., Dec. 9. (AP)—Although the light monoplane he was flying was demolished when he attempted a landing near the lower Columbia River highway 36 miles from Portland, Dr. Charles L. Stolte, Portland dentist, escaped with only slight bruises. After the plane crashed, Dr. Stolte climbed out of the wreckage, hailed a passing motorist and rode with him to Portland. Dr. Stolte said that the plane hit rough ground on landing and turned over.

REBELS DERAIL TRAIN: DOZENS BELIEVED DEAD

Extremists Fire on Rescue Trains; Spanish Revolt Claimed Quelled

Anarchists However Plan Further Uprisings in Many Provinces

MADRID, Dec. 10.—Sunday (AP)—Derailed by extremist revolutionaries, a fast express train plunged over a 100-foot embankment near Puzol, Valencia province, early today. Six bodies were hauled from the wreckage, bringing the toll of known dead in 24 hours of nationwide fighting and disorder to 40. Eleven were critically injured in the train wreck and it was feared many more bodies were contained in the ruins. The plunge was caused by the removal of rails on the Barcelona-Valencia-Seville line. Many others were less seriously injured. Telephoned reports said two rescue trains rushed from Valencia were fired upon by extremists.

Eight bomb explosions racked Madrid last night, five in the central streets of the city, two more beside a church and another in front of a rightist supporter's home. Troops were immediately reinforced. It was the first actual disorder in the capital. Government authorities invoked strict censorship on the Spanish press and on outgoing news of foreign correspondents. They forbade all public assemblies under a "state of alarm," which is the next thing to martial law.

The government claimed the anarchist and syndicalist rebellious movement, apparently in retaliation for rightist victories at the polls in recent elections, had been suppressed except in the province of Zaragoza, but insurgents were reported to be planning strikes at Tarragona, Reus and Manresa in northeastern Spain, and rumors in the capital said a general revolutionary strike might break out any time between tomorrow and Monday.

Steamer Baxter In Distress off Columbia Mouth

BREMERTON, Wash., Dec. 9. (AP)—The naval radio picked up a distress call from the steamer A. M. Baxter at 11 p. m. tonight. Later, the naval radio reported that the coast guard cutter Red Wing, stationed at Astoria, Ore., was preparing to put out to sea to the steamer. The vessel's position is northwest of Kilpasan Beach, at the mouth of the Columbia, probably 35 or 40 miles off shore, the naval radio said.

CHANGE IN EXCISE OFFSET APPROVED

After having defeated HB 62 earlier in the week, the house reconsidered the bill in its afternoon session and passed it. Proponents estimate that the bill which deals with the corporation excise tax, would raise \$700,000 additional in revenue for the state. The bill provides that corporation excise tax payers may offset only 50 per cent of the property tax they pay against their income tax. Tax experts say that the average corporation under the old 90 per cent offset law, paid an average excise tax of only one per cent on its profits whereas the gross rate under the state tax is eight per cent. The new measure will lighten this rate greatly, it is said.

The bill came to the senate late in the day, was hurriedly approved by committee and passed the upper house with little dissent. It will be operative on 1933 taxes collected in the spring of 1934.

MILK UTILITY BILL FAVORED BY HOUSE

The house Saturday passed SB 44 by Ireland and Dunne under which production, distribution and sale of milk is virtually made a state utility, subject to a board which has power to regulate production, middle-man handling and sale including such mooted questions as price paid to the producer and by the consumer. On final vote only 10 representatives opposed the bill, three were absent, 47 voted in the affirmative.

The bill was actively pushed by Senator Ireland who is a dairyman in Washington county. His neighbor, Representative McNear, urged passage of the bill in the house.

What Did the Legislature Do

About Liquor? Passed the Knox control plan, permitting private sale of liquor to 14% alcoholic content, vesting sale of all others in state owned or controlled stores under board of three who shall pick administrator. Plan operative when governor signs bills and names commission. Passed the Johnson bill giving state control of all liquor coming into Oregon pending time Knox plan is operative. State may purchase this liquor at cost from owner. Passed the Beckman liquor tax, putting \$1 a barrel on beer over 4 per cent alcoholic content, 62 cents on beer of less than 4 per cent and 25 cents a gallon on wines.

About Relief? Passed the Abrams \$3,000,000 relief bill, money to meet federal funds, revenues coming from taxes on beer and wine and from hard liquor licenses, permits and profits. Passed the \$1,600,000 state building construction program, which authorizes PWA borrowing on leases and deeds of trust. Passed the \$700,000 higher educational building program, contingent on PWA advances and student fee repayments. Authorized cities and counties to accept Home Owner bonds for taxes; authorized savings and loan associations to accept such bonds. Authorized five toll bridges on coast highway, funds from PWA. To be repaid from tolls and from moneys now spent by highway commission for ferry service. Approved over governor's veto Lee-Beckman bill from regular session. This provides for subsistence use of state lands as self-help service to needy.

About Miscellaneous Measures? Approved Abrams bill which allows cities to sell bonds for less than 95 per cent of par value. Approved state contracts with Salem for sewage disposal. Passed uniform \$8 fees in circuit court cases. Passed Judd bill allowing cities to tax businesses and professions. Abolished payment of cost of insane care to counties and placed charge with state. Provided for election May 18, 1934, at regular party primaries, where referred, referred measures may come up and constitutional amendments be considered. Raised penalty for kidnapping in Oregon so sentences must be from 10 years to life. Tied in with NRA by bill which will permit codes to have authority over intra-state industry.

About Banks? Failed to carry any measure tightening up tax collections. Made minor amendments to law effective January 1, 1934, allowing two per cent discount for prompt payment, providing eight per cent interest on back taxes and providing for quarterly payment. Permitted further use of warrants in tax payment.

About School Relief? Permitted certain state funds to buy school warrants. Passed uniform sales tax effective until July 1, 1936, on all sales of tangible personal property and on certain utility services, rate of 1 1/2 per cent to be passed on the consumer, income a direct offset from property tax and solely applicable to schools. Passed one and one-half per cent sales tax on tangible property sales and on certain utility services, effective until July 1, 1936, all revenue going to schools and as offset on property tax. Measure does not contain emergency clause.

About Back Tax Payments? Permitted banks to issue capital notes to RFC. Authorized state banks to accept deposit insurance. Permitted bank reorganization with 75 per cent of deposit acceptance and two-thirds agreement among stockholders. Changed 1933 enactment on withdrawal restrictions. Made separate statements at regular call period mandatory upon branch banks.

About Power? Provided for appointment of interim commission to study Bonneville power project and to report to 1935 session. Appropriation \$250,000. Two members from senate, two from house, three by governor.

About Busses and Trucks? Refused to repeal basic features of 1933 regular session legislation. Removed compulsory bond for carriers and compulsory insurance for fire, gave more liberal provisions to farmers and small truckers, made optional payment of six per cent in gross earnings of three-fourths mill ton tax by contract carriers.

World News at a Glance

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EXTRA SESSION ENDS ITS WORK EARLY IN MORN

Senate Adjourns at 12:45, House at 12:52 With Main Tasks Done

Legality of Legislation Attempted After 20 Days Questioned

Oregon's special session dropped its knitting and ran this morning, leaving more than a score of bills and resolutions incomplete. No major measure, however, failed to be finally acted upon. The senate adjourned, on motion of Senator Upton, sine die, at 12:45 a. m. The house adjourned, sine die, at 12:52 a. m. Upton's motion closed a heated debate on old-age pensions and speeded short a last-minute attempt to hold the pension act up two years. County judges and commissioners had been successful in the house Saturday afternoon in passing the McNear bill which postponed operation of the act until January 1, 1936.

In the senate, Senator Upton and Senator Lee, rallied to support the pension bill. The latter said counties could need pay pensions only to worthy old people and then in a sum below \$20. Upton protested against breaking faith with the aged. Before the vote on the main motion came, Upton said he thought he had a motion which would end the question. Saying both houses had agreed to end on time, he moved adjournment. In a flash the motion was put and was carried by acclamation. The house adjourned after Representative Page had struggled for an hour to close the assembly. A score of matters for final consideration remained as midnight came. Clocks in the senate and house were stopped shortly before the midnight peak was reached and the houses labored on into the night of morning.

Midnight brought immediate motions for adjournment. Representative Clarke in the house continued to seek the floor to move to adjourn but failed to gain recognition from the speaker. Representatives Hall and Paget voted steadily against all measures explaining that they thought any legislation after midnight of questionable constitutionality. They cited the attorney general's opinion that the session could not evade the 20-day limit set by the state constitution and held the courts would have to take judicial knowledge of the fact that the clocks had been stopped.

Grange and labor leaders said at midnight they would start at once to referend the sales tax passed by the senate Saturday night. They indicated they would probably file preliminary petitions with the secretary of state's office here Monday.

JURY REMAINS OUT

The jury in the trial of Aubrey C. Crawford, charged with involuntary manslaughter in connection with the death of Roy Gilbert following an automobile smashup last May, had not reported a verdict at an early hour this morning. It took the case at 8 o'clock Saturday.

Colos Are Hurt When Car Skids

DALLAS, Dec. 9.—(Special)—Mr. and Mrs. Frank Cole of Dallas were injured in an auto accident about a half mile east oferry this afternoon when their car skidded and went into the ditch. Mr. Cole suffered a dislocated shoulder and head injuries and Mrs. Cole suffered head injuries. Both are in the Dallas hospital. Mr. and Mrs. W. L. Pugh and small child were passengers in the car but suffered only bruises and shock.

Flood Danger Grows; New Storm Lashes Washington

SEATTLE, Dec. 9. (AP)—Dangerous flood conditions threatened western Washington tonight as a series of gales, already believed responsible for 11 deaths, many injuries and much damage, lashed at the coast and sent rivers over their banks. Aberdeen and Hoquiam reported the "worst flood conditions in the former city were turned into canals, as citizens went about in small boats. Inundated roads, washed-out bridges and steady rain almost isolated these cities, while flood waters of the Skookumchuck river menaced the village of Booda and residents prepared to abandon their homes. Heavy rains and high winds were blamed for numerous automobile accidents, one Seattle woman, Mrs. Emma Jordan, 68, being killed and several injured last night and today. Tonight near Bremerton, Wash., John Cox, 36, a pioneer and member of the audience at numerous

Senate Passes School Aid Measure Without Referring to Voters

Red Cross Drive Results Better Than Last Year

Vote is 17 to 13 on Final Passage of Mooted Bill

Incomplete returns from the Red Cross roll call in this county, which ended November 28, indicate that the 1933 drive has been considerably more successful than that of last year, Milton L. Meyers, roll call chairman, last night reported. Silvertown and Stayton, which raised about \$500, were especially commended. With reports from all districts expected in this week, Mr. Meyers said the committee would report the final results of the drive at a Red Cross executive committee meeting next Friday noon.

Additional Allotment for CWA Jobs is Probable; Payroll Heavier

First reports of Marion county's 50 applications for new civil works projects are expected from the state CWA board within a week. J. N. Chambers, chairman of this county's board, announced last night. He said it was expected sufficient projects to employ 600 more men would be under way on or near December 16. While submitting applications at Portland Friday, the Marion county board urged that the state board petition the federal government for a new allotment of CWA funds to provide still further jobs. It is now understood, according to Mr. Chambers that Oregon is likely at least to receive an additional allotment to employ 3000 men, which would mean 200 more jobs in Marion county. The so-called December 16 group of projects will be undertaken here as fast as they are approved in groups of two and (Turn to page 10, col. 2)

POLK STARTS TWO MORE CWA TASKS

DALLAS, Dec. 9.—(Special)—Two more CWA projects are scheduled to start Monday which will bring the total projects under way to 12. One PWA project is also under way in this county. Work on the streets, sidewalks and city hall in Monmouth will be started Monday morning and will furnish employment for 21 men. The other project to be started is the reshingling of the high school and improvement of the grounds. This project will employ eight men. A project at Buell has been approved by the county committee which will employ a total of ten men. At present there are 10 CWA projects under way here which are furnishing employment for 183 men. At noon today the total of 1120 men registered in Polk county for the CWA work.

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South Colby district, was struck and killed during a heavy rain by a hit-run driver. Small shipping scuttled to port on the North Pacific, the Strait of Juan de Fuca and Puget Sound, but two known fishing boats were wrecked off Vancouver island and several fishermen were missing, believed drowned. One body was recovered, but not identified. Rainfall at Aberdeen in the last 24 hours was 4.35 inches, Longview 2.84, Wenatchee 1.65, Seattle 1. Water was two feet deep in front of the Aberdeen postoffice. The state highway department reported several arteries flooded. Longview reported two inches of rainfall in 24 hours washed out the Elchohman river bridge on the Ocean Beach highway, isolating Skamokawa except for water traffic. Temporary evacuation of several North Kelso houses was foreseen because the drainage pumping system could not cope with the flood.

The gallery listening to the debate was the largest yet to attend a gathering of this special session. So great was the jam, doorkeepers were forced to lock the senate doors and to admit no persons while the debate progressed. In the senate audience at numerous (Turn to page 10, col. 1)