EIGHTY-THIRD YEAR

Salem, Oregon, Wednesday Morning, February 14, 1934

Oregon 75 Years Old Today; Long Fight is WagedOver Admission

Held Before Final Approval Here

Slave Issue Holds up Congressional Act To Create State

By R. J. HENDRICKS Editor Emeritus, The Statesman; Author: "Bethel and Aurora"

This is the birthday of Oregon as a state. The bill of admission was signed by President Buchanan on Monday, February 14, 1859. The bill admitting Oregon as a territory (rather a coincidence) was signed just 10 years and a half before, on August 14, 1848. by President Polk-and that, too was on a Monday.

But the expanse of the territory was much more than twice as great as that of the state. Oregon territory as admitted contained all the land west of the Rockies and between parallels 42 and 49: thus included the present states of Oregon, Washington and Idaho. and what is west of the summit of the Rocky mountains in Montana and Wyoming.

The story of the two admissions is a long one; a relation of the details of it would cover many newspaper pages. It was enacted in the shadow of the struggles that led up to the Civil war. In each case, Oregon waited long as a supplicant at the doors of con-

The story, too, of the contests for the establishment of civil govsion of the territory, is alike a long one, and its course tortuous. What was known as Oregon or the Oregon Country was originally all the territory north of the Spanish (California) line west of the Rockies and up to 54-40, or the lower border of Russian Alaska. It was said to have been "coveted by five nations and owned by none." After 1818, it was still "no man's land," but was under the joint occupancy of Great Britain and the United States. This by naming Leif S. Finseth, mayor status lasted until June 15, 1846. of Dallas, to the position vacant when the international boundary since the resignation of Roscoe agreement was ratified by the Nelson, Portland attorney. Fin-U. S. senate. Up to that time, the seth has been in business for a Americans who had come to the number of years at Dallas. He is Oregon country claimed ownership for their government of all of term as mayor, is chairman of it-hence the "54-40 or fight" slogan of the campaign of 1844 is in charge of the CWA program upon which Polk was elected in Polk county. president.

Jason Lee Governor With McLoughlin

When Jason Lee stepped over the Rockies, June 15, 1834, the celebration of the centennial year of whose coming is now beginning, he in virtue became governor of American Oregon, from his advent dividing the attributes of such authority with Dr. John Mc-Loughlin, chief factor of the Hudson's Bay company, and acting under specific laws of the British parliament, and having and exercising authority over life and

Lee and McLoughlin by joint agreement made this free soil as to Indian slavery, they made old Oregon bone dry, and otherwise acted as dual sovereigns, or the one for his republic and the other for his empire. At the suggestion of McLoughlin, Jason Lee in 1838 made David Leslie justice of the peace for Americans. In 1841, February 7, Lee moved for American civil law; at the funeral of by officers here that a site has Ewing Young, February 17, he furthered his quest, and the next North Albina and Lewis avenues. day, February 18, 1841, the provisional government was voted, and acted, under the laws of New storage capacity of 60,000 bar- S. Henderson now holds the po-York, and its acts endured even through and into the territorial and state governments.

March 3, 1849, also Monday. Governor Lane, at Oregon City. proclaimed the territorial government - the last day of Polk's presidency, and one of his first acts was to issue a proclamation for a general election, which was held the first Monday of June, 1849, and he designated Monday. July 16, as the time of meeting of the first territorial legislature, and Oregon City as the place.

In that very first session, a bill was considered looking to a vote on the question of a state constitution, preparatory to making Oregon a state; but it was laid on the table. At the next session, held in May, '50, however, a joint resolution on statehood was up, but it was shoved aside by a request to Oregon's first delegate in congress to attempt an amendment of the organic law making the governor and secretary of the territory elective by the people.

In the session of December. 1850, on the 9th, a resolution was adopted for a committee of five to inquire into the propriety of calling a convention to frame

Long Fight Ahead Before Admission

Numerous Elections The Washington Spotlight

(By the Associated Press) NRA swung away from the idea of compelling purely local business firms to obey national

The senate deferred decision upon charges against William P. MacCracken, Jr., and three air line officials.

The postoffice department challenged authority of a New York court to test its air mail contract cancellations.

Secretary Wallace gave lukewarm support to the Bankhead bill for compulsory cotton con-

Charges of graft in army and navy plane building set a house investigation in motion.

President Roosevelt looked over the house bill for reduction of municipal debts. Charles A. Lindbergh's protest

The treasury announced oversubscription of its \$800,000,000

note issue. The senate postoffice committee approved use of army ships and men to fly the mail.

Congressional action was completed on the \$40,000,000 crop

Hirosi Saito, Japan's new ambassador, delivered a message of

Governor Julius L. Meier yesterday filled the existing vacancy on the board of higher education now serving his third consecutive the county relief committee and

Finseth has served as chancellor of the Knights of Pythias of Oregon and was for four years a member of the Pythian home board for this state and for Wash-

There are now nine members on the board. The appointment must be confirmed by an interim committee of the house and sen-

Cement Firm to Construct Large Plant, Portland

PORTLAND, Ore., Feb. 13.-(AP) company will construct a cement | tive members, is unable to seek plant here at a cost exceeding re-election because of a ruling in \$300,000, it became definitely known here today. Construction will begin shortly.

Announcement was made from San Francisco headquarters and been purchased at the foot of It embodies 400 feet of river frontage. The plant will have a

NAMED CONSULTANT WASHINGTON, Feb. 13.-(A)-Senator Steiwer (R-Ore) was notified today that William R. Schoenfeld, of Oregon State college, has been named consultant for been filed in the county elerk's term for robbery. He was shot the farm credit administration. Schoenfeld also is a director of toria. the Federal Land bank at Spo-

Briefs

STATE GROUP ACTS PORTLAND, Ore., Feb. 13.-(AP) -Directors of the state congregational conference today launched their second attempt to bring harmony to the Evangelical Brethern German | Congregational church where contention has flared into

physical manifestations. The directors said they were anxious to aid, but deplored the Klinke, ended her life yesterday

Administration Rushes to **Explain Cancellation of**

Mail Contracts

CWA Appropriation Lies on Garner's Desk, Awaits Action in Serrate

WASHINGTON, Feb. 13 .- (AP)-The administration tonight hurried the preparation of an explanation to the courts and the public of why it cancelled all air mail contracts.

Early tonight, word was passed out by the postoffice department that Postmaster General Farley would make public the text of a letter to Senator Black (D-Ala.) chairman of the senate committee investigating air mail con-

WASHINGTON, Feb. 13 .- (AP)-Although upward of three million depend upon its legislative action for their Saturday's pay, the senate today transformed itself into against mail contract cancella- a court to try William P. Mactions blocked business in the Cracken for contempt charges. Both MacCracken and his at-

orney, Frank J. Hogan, protest-

ed, first that the senate had no such authority, and then that MacCracken had given a senate committee the files of air mail correspondence it had demanded and that he had no knowledge of the removal of some of the files. While this case proceeded, intertwined as it was with legal involvements, an appropriation of \$950,000,000 for civil works and relief lay on the desk of the viceernment here, prior to the admis- friendship to President Roosevelt. up in it was a patronage argument with the house which has delayed action.

James V. Martin, a pioneer in the art of thrusting heavier than air objects through space, told a house committee that a group of aviation officials in Ohio controlled army and navy contract letting for planes, that the contracts were all let collusively, and that 75 cents out of every dollar spent by the army and navy was stolen by the air trust.

POULSEN AND RICE SEEK REELECTION

City Recorder Mark Poulsen and City Treasurer C. O. Rice last night announced they would file today their notices of candidacy for re-election. Mr. Rice is now in his 20th year as treasurer and Mr. Poulsen in his 12th year as recorder. For six years prior to 1923 Poulsen served as deputy under Recorder Earl Race.

Three more aldermanic candidates blossomed forth yesterday: A. L. Tumbleson, seeking the twoyear term open in the fifth ward; Fred A. Williams, running for the sixth ward seat now occupied by Watson Townsend, and W. D. Evans, filing for a two-year term in the fourth ward.

Alderman Townsend, who is in his eighth year on the council The Santa Cruz Portland Cement | and has been one of the most acthe state highway department, by which he is employed, banning its employes from holding public office. Williams formerly was an alderman but resigned to serve as city attorney during the Livesley administration.

Evans also served on the council, filling out an unexpired term that ended in January, 1933. A. sition Evans seeks.

Schoenfeld is Honored Church Peace is Sought Mining Claim Filing In Grief Cause of Suicide

NO PRECIOUS METAL ASTORIA, Ore., Feb. 13.-(AP)-The first mining claim filed in Clatsop county for 26 years has office by Louis Raymond of As-

The glitter of gold was not the motivating force, but an alleged supply of building rock and other non-precious stones and metals. He filed on 18 acres on Tillamook Head, just south of Seaside. WOMAN TAKES POISON

NEWPORT, Ore., Feb. 13.-(AP) -Mrs. Margaret Klinke Harvig, who suffered a nervous breakdown after the sudden death in December of her son Edward

state constitution, ong Fight Ahead sefore Admission
The '51-2 session brought up

Civil and criminal actions in the '51-2 session brought up

Civil and criminal actions in the '51-2 session brought up

Civil and criminal actions in the courts resulted from the Lieutenant Fred Klinke of Corns and Colton would be considered as public to the county and received a dayantage tonight to defeat Bill in records along with other leads of possibly by children selected from needy families, who tailers' code authority for other would be given health and home discussion revealed that one application had been withheld from the board documents. The ensuing discussion revealed that one application had been withheld from the board documents. The county is being considered by the greens' organization, his selection depending on the county is being considered by the greens' organization, his selection depending on the county is being considered as public tracerd as public tracerd as public tracerd as public to considered as public to considered as public tracerd as public tra

Pretender Lacks Audacity of his Fathers or He'd Be King Now



Leon Daudet Duc de Guise



CROWN FRANCE

Charles Maurras

The crown of France that rests upon a satin cushion in the Louvre might today be resting on the brow of the Duc de Guise, did he possess the red-blooded audacity of his forebears. So say keen observers of the situation in Paris. While a howling mob, infuriated at the government, was frantically seeking a leader, the duke failed to grasp his opportunity. He remained far from the scene of turmoil in his castle of Anjou, near Brussels, Belgium. Meanwhile his henchmen, Leon Daudet, leader of the French royalist party, and Charles Maurras, director of the newspaper, L'Action Francaise, had called for the overthrow of the republic, Maurras is now under arrest, charged with incitement to murder. The duke's rival claimant to the phantom throne is Prince Louis Napoleon, who also remained in exile in Brussels, while he might have made a gamble for the crown.

CRIMINOLOGIST TO STUDY HORAN CASE

Manning be Held Until Probe Furthered

KI. MATH FALLS, Ore., Feb. 13.-(A)-A coroner's jury verdict today recommended that Horace M. Manning be held for investigayesterday of State Representative Ralph Horan, 29, shot and killed n Manning's office.

District Attorney T. G. Gillenwaters said no charges would be E. O. Heinrich, criminologist from Berkeley, Calif. Heinrich will arrive tomorrow.

The jury's report found that Horan came to death from gunning's office. Deputy Sheriff Rex McMillan described Manning's telephone call to the county jail after the shooting.

Manning told officers he shot in self-defense. In Horan's hand was clutched a gun fired twice. No amplification of the motive for the killing had been given. Dr. C. V. Rugh was the only other witness called. He testified than an autopsy revealed one bullet went directly through Horan's heart and was instantly fatal. The inquest lasted only 20 min-

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PICK RINGLEADERS

WALLA WALLA, Wash., Feb. 13 .- (AP)-With all convicts locked in their cells and conditions quiet inside the walls of the Washington state penitentiary, Warden J. M. McCauley today launched a rigid investigation into the causes of the attempted prison break yesterday which took the lives of an officer and eight convicts. The death of Amos Alonzo

Ware, 27, early today, brought the price in lives of a desperate and unsuccessful dash for liberty to nine. Ware, from King county, was received early last year to serve an eight to ten year through the stomach.

McCauley named Philip Wallace, who was serving a minimum term of ten years for robbing a Fort Lewis paymaster, as the prime mover engineering the attempt to escape. Wallace, who led his companions into the open, raced for a cell building door and saved his life as the other conspirators dropped under a withering fire.

Other ringleaders, McCauley said, were James DeLong, who headed the payroll bandit gang Ellsworth Vines, tall Californian, in Pierce county and received a used the power of his service to tions should be considered as pub- class of possibly 50 children se-

MANAGER PLAN IS

Coroner's Jury Asks That Proposes Setup Here Made Known by Members of Group in Council

The city manager plan to be proposed for Salem by Mayor Douglas McKay's special committion in connection with the death | tee will in many respects be similar to that enacted eight years ago by Cincinnati, O., it was stated by committee members yesterday. The Ohio metropolis during filed until after the arrival of the eight year period has overcome its name of being the worst governed city and been dubbed instead the best governed.

Details of the charter amendment which the committee will shot wounds received in Man- submit to the city council in the near future will be coordinated at a closed meeting of the committee with the mayor and City Attorney Kowitz tonight, according to Alderman V. E. Kuhn. chairman, who is serving with Aldermen Watson Townsend and Walter Fuhrer. Public hearings on the amendment probably will be held after it reaches the council. upon whose decision will rest whether or not the measure goes on the May 18 ballot,

Cincinnati, since it voted for managerial government, is claimed to have set up an enviable financial record, with a balanced budget, a cash surplus at the end of 1933, low tax rates, and not above a seven and onehalf per cent tax delinquency. The governing body consists of nine councilmen, of whom one is the mayor, elected at large on a ballot on which the voter indicates nine or more choices in the order of his preference.

PLANE CRASH FATAL

OCEAN PARK, Calif., Feb. 13 (P)-George Strimple, pilot, and Otto Freeman, both of Los Angeles, were killed today when their airplane crashed while they were trying to make a forced landing in the sand dunes of Del Rey hills.

_ate Sports

PORTLAND, Ore., Feb. 13-(AP) Paul Karch, 154, Portland, dominated all six rounds in taking a act early in March. Neer declared projects might not reach compledecision from Miles Murphy, 153, Cordova, Alaska, here tonight. The crowd booed a four-round decision given Frankie Galluci, participate in naming the new ad- was more probable further gov-121 1/2. Portland, over Joe Calder,

23, Seattle. Chet Kelsey, 144, Portlehd, was awarded a technical knockout in the first round over Harry Kelso, 146 1/2, Seattle.

INDIANAPOLIS, Feb. 13-(AP)the matter again, and a joint three courts resulted from the matter again, and a joint three courts resulted from the lieutenant Fred Klinke of Corners again, and a joint three courts resulted from the public inspection. It was explain- has won nine engagements. Their public inspection. It was explain- has won nine engagements. Their public inspection. It was explain- has won nine engagements. Their public inspection. It was explain- was unhurt.

(Turn to page 2, col. 1)

| Civil and criminal action, his selection depending on the amount of funds the ergan- has won nine engagements. Their publishing the applicant's was unhurt.

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TO OPEN SOON

Home Rule Killed For Good When Prohi Law Passed **High Court Rules**

First State Retail Stores Will Open Thursday in Portland, Stated

The state supreme court yesterday in a unanimous opinion upheld the constitutionality of the Knox liquor control act and laid to rest the mooted question of home-rule which was first raised before the governor's liquor control committee appointed in July, 1933. Subsequently the homerule question was raised in an attorney-general's opinion presented to the legislature. It was formally presented in court in the suit of the City of Klamath Falls against the state liquor commission, Judge L. G. Lewelling in an opinion here January 24 upholding the constitutionality of the Knox law. From this decision, Klamath Falls appealed and the supreme court Tuesday, one week after the hearing, returned its opinion which validates the law. The state liquor commission ate yesterday announced it would proceed at once in its establishment of state liquor stores, the first opening Thursday in Portland. The store here and those in other upstate communities will be ready for business early next

The higher court's opinion set at rest legal controversy over Article XI, section 2 to the state constitution—the home-rule provision-by declaring that this had been repealed when Sections 36 and 36a of the constitution, the bone - dry amendments, were passed by the voters. The court held that "the people, by initiating the prohibition amendments, intended to deliver a death blow to the traffic in intoxicating liquors. It was not contemplated that the corpse would ever come to life. . . . It was the beginning of a 'new deal'. The slate was wiped clean."

Sound Legal Grounds For Ruling Claimed.

While the repeal of the homerule amendment by subsequent constitutional amendments was only by the implication of the repealing phrases in the latest-past amendments, such repeal is no more sound legal grounds, the court held, Justice Harry Belt writing the decision, than the use of the common law rule that re-(Turn to page 2, col. 5)

OBSERVANCE BEGINS

February 14 is not so much a lay to send Valentine greetings War. n China as it is to celebrate the Chinese New Year, which begins on this date. The exact date varies as does Easter, but today throughout China shops will be closed and high spirits will pre-

Chinese New Year's has a business significance. All old accounts must be paid by midnight of the eve of the new year or credit eve of the new year or credit Spring Vacation will not be extended during the next year. Consequently, loans are made for fabulous rates of interest the day before the New

pay off the old year's accounts, ings.

Applicants for School Job

quaint themselves with the qual- tion during the session and

fications of the applicants for the brought out recognition that there

position of school superintendent, existed a possibility that the Les-

on which the board is expected to lie and Olinger field playground

ed all five directors actively to ever in expressing a belief that it

concurred in Hug's belief but tion has been allotted in Oregon.

Dr. B. F. Pound held the applica- The project would consist of a

school board were urged by ent position.

suggestion from Superintendent ary 15 deadline.

Chairman F. E. Neer at the re-

that although the board had an

employment committee, it behoov-

The board declined to act on a

George W. Hug that names of ap-

plicants to suceed him had best be

kept confidential among the di-

rectors. Director Walter Minier

ministrator.

of Harry K. Thaw, dies. Foreign:

defense in Japan's history. PARIS-Police are withdrawn

Salem school students and Celebration often lasts a week teachers will be given a spring and tea houses are crowded with vacation this year, the school diubilant townspeople, drinking tea rectors decided at their meeting and spiritous liquors and play- last night. Superintendent Hug's ng Mah Jong. Fireworks crackle recommendation that the vacation night and day and the foreign dates be April 2 to 6 inclusive as well as domestic population was agreed to. Hug explained that guard its possessions more close- these dates would enable teachers ly, especially on New Year's Eve who so desire to attend the Inland as thieving may take place to Empire association annual meet-

odge the defenders. Big shells then ripped into the concrete structure. Two floors col-(Turn to page 2, col. 1) FOOD AND GROCERY

rushed to the zones of greatest

Police admitted they lost 11

Soldiers ringed the Sandletten

Hof, another socialist apartment,

waiting the surrender of the oc-

cupants. In the populous Florids-

dorf area socialists were forced

to retreat from their positions,

fighting tenaciously, to nearby

While the government guns

boomed tonight, the insurgents

were said to be hold the Otta-

kring, Simmering, Favoriten, and

Howitzers reduced the -Karl

desultory fighting during the

Street fighting nearby was so

severe that no one could get near

it. While the shelling was reach-

ing its height this afternoon

hand - to - hand combats added to

Hand grenades popped from

windows. Corridors became tren-

ches. Machine guns blazed upon

the besiegers below. Tear gas per-

meated the vicinity but it and

smaller weapons could not dis-

fead and 38 seriously wounded in

he day-long bombardment.

Stadlau and Jedlisse.

Organization of a Food and Grocery Code Authority for Marion county was completed Tuesday night at the chamber of commerce here when 70 grocery and meat dealers from various parts of the county elected seven of Will Face Careful Scrutiny their own members to constitute the authority. The latter will handle the administration of the grocers and meat dealers code, All members of the Salem identity might jeopardize his presdealing in particular with trade practices prescribed by the code. CWA and CWS projects con-Named on the authority are L. gular meeting last night to ac- sumed much of the board's atten-F. Garie, chairman, E. H. Bin-

genheimer, secretary-treasurer, John G. Marr, F. E. Broer, G. C. Solterback, William Lewis, W. L.

Ed Schunke, president of the Salem Retail Grocers association, served as chairman at the organization meeting.

Sylvan Durkheimer, chairman of the state code authority in Portland, was the principal speaker at the meeting. Grocers attended from Silverton, Woodburn, Stayton and Jefferson. Edwin Goodenough acted as secre-

tary for the organization. A part-time secretary who will serve with the secretary of the re-

No. 278

ENNA RAGES ON

Estimates Vary From 500 to 2000; Rebels' Stronghold in Karl Marx Apartment Building is Wrecked, Many Killed There; Heavy Bombardment Poured on Enemy Camps by Loyal Troops

Battle Inspired by Fear of "Fascist Government" Goes On in Dozen Cities of Austria: Rebels Reported as Holding Numerous Sectors, Forced to Retreat Upon Several Fronts by Withering Fire

VIENNA, Feb. 14.- (Wednesday)-(P)-Battered by government guns and harried by troops, beleaguered socialist forces appeared early today to be gathering for a final stand against Austrian authority.

(Copyright, 1934, by the Associated Press)
VIENNA, Feb. 13.—Government guns battered workers' sections tonight as unofficial estimates put the number killed in two days of civil war at 500 to 2,000.

A steady bombardment of the huge Karl Marx apartment building wrecked that socialist stronghold and government troops started other relentless offensives to crush the

Loyal artillerymen rained lead upon the enemy camps. Troops in the heart of Vienna crossed the Danube to the war zones, under the protection of the barrage.

No one could estimate the exact number of dead in the hours of vicious street fighting and bombardments, but police disclosed that 123 civilians were brought, dead, to the Vienna general hospital alone. In a dozen other cities the so-

fighting.

troops.

the terror.

cialists' struggle for "a chance to World News at live" and against "a fascist government threat" waged furiously. Socialist entrenched themselves a Glance in machine gun nests; they put up an unrelenting battle unto death; all available troops, were

(By the Associated Press) Domestic: WASHINGTON - Senate post-

pones decision on contempt charres against William P. Mac-Cracken and three co-defendants. NEW YORK-T. W. A. wins court order requiring postmaster

cancelling of air mail contract. ST. LOUIS-August Anheuser Busch, Sr., aged brewer, com-

general to show why injunction

should not be granted to prevent

mits suicide. NEW YORK-William Travers Jerome, reformer and prosecutor

Wernals sections. Marx model tenement, the largest . WALLA WALLA, Wash .- The in Europe and once the home of death toll in escape attempt of 2000 families, to ruins. Fighting some 30 convicts mounts to nine. there started at daybreak after

VIENNA-Between 500 and 2.- | night between socialists and 000 killed as government guns battle workers sections in civil

TOKYO-House approves largest peacetime appropriations for

from public gathering places as cabinet adopts policy of "silent

Plans Approved

tion under federal allotment of

funds. The directors joined, how-

ernment CWA aid would be forth-

coming after the present Feoru-

tioned an application for a CWS

nursery school project for which

funds for about 60 days' opera-

The directors unofficially sanc-

CODE GROUP FOR**MS**