

# The Oregon Statesman

"No Favor Sway Us; No Fear Shall Awe"  
From First Statesman, March 28, 1851

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## Store Picketing

Courts have ruled that picketing under certain conditions is lawful, the Norris-LaGuardia act and its state duplicate forbids courts from enjoining picketing even in cases where the disputants do not state in the proximate relation of employer and employee. So it comes that unions may picket stores, factories and restaurants even when workers there are not members of unions and may not want to be members.

However, for an employer in interstate commerce in such a predicament to call his employees in and tell them to join the union would be an unfair labor practice as defined in the Wagner act and he would be subject to citation by the national labor relations board. The only instance where the employer can tell his employees to join a union is this: where a union has been certified by NLRB as the representative of his employees, usually determined by an election or audit, he can require all employees to be members of that union.

In the case of store picketing here, assuming the store is engaged in interstate commerce, and accepting the statement that its employees are not members of the union and do not want to be, then the picketing has for its purpose the coercion of the employer into performing an illegal act, to-wit, committing an unfair labor practice under the language of the Wagner act.

The state supreme court has said that picketing to be allowed must be peaceful and for a lawful purpose. Is it a lawful purpose to force an employer to violate the Wagner act? If not, would not the picketing be subject to restraint by the court?

The underlying principle of the Norris-LaGuardia act and the Wagner act is the guarantee of the right of self-organization to employees. This principle is sound. To coerce employees to join any organization is undemocratic and in violation of the spirit and the letter of legislation which organized labor acclaims as the "Magna Charta" of labor.

## Justice Black and Wire Tapping

By a 7 to 2 decision the supreme court ruled that evidence obtained by tapping telephone wires could not be used in federal criminal proceedings. In 1928 the court ruled in a 5 to 4 decision in a bootlegging case that a Washington state law insuring secrecy in telephone conversations did not bar use of evidence gotten by listening in. The present decision is not exactly a reversal of that decision, because in the interval a new federal act forbids any person not authorized by the sender to intercept any communication or divulge its contents. The court rules that this law applies to detectives as well as others.

The queer thing about this decision is that it is concurred in by Mr. Justice Black, who as Senator Black led the raid on telegraph messages to Washington and aided in divulging their contents. In his lobby investigation Black concurred with the federal communications commission itself to seize all telegrams coming to Washington after a certain date, go through them, and turn over to his committee copies of telegrams which he might use in his anti-utility battle. There was turned over to a house member a copy of a Hearst telegram dealing with a topic entirely foreign to the subject of Black's inquiry.

The Black committee did not scruple to violate the fourth amendment to the constitution and apparently had the FCC itself violate the text of the act creating it. Yet as Justice Black he joins in the decision that congress has made it unlawful to use evidence "deemed inconsistent with ethical standards and destructive of personal liberty."

Maybe the country should take heart from Black's concurring in the decision. It may indicate he intends to act as judge and not as prosecutor.

## Fehl to Hospital

Judge Norton has ordered Earl H. Fehl committed to the state insane hospital. He acted on the certificate of three alienists from Portland who examined Fehl recently and pronounced him suffering from paranoia. The circuit court jury impeached in the case, an unusual proceeding, divided in its judgment. The presiding judge then acted on his own authority, which is ample under the statutes.

No right-thinking person would want Fehl railroaded to the asylum. If he is sane he deserves to be allowed his liberty. However his actions since his release raise doubts as to his sanity, among those who do not know him personally. His array of lawsuits with fantastic claims for damages, his claim to be the county judge of Jackson county despite the fact that the incumbent was duly elected by the people indicate that something must be wrong with the fellow.

In view of the smouldering discord in Jackson county Judge Norton doubtless would have preferred not to commit Fehl. But he has a responsibility to the public. We know of no reason to doubt Judge Norton acted conscientiously and intelligently in making an extremely difficult decision.

## Christmas Origin

A nazi newspaper asserts that Christmas is a German institution which the Christians borrowed without permission. It is right as far as Weihnachtsbaum (tree) and St. Nicholas (Santa Claus) are concerned. Other trimmings have different origins. The yule log and holly are English. Mistletoe has from antiquity been regarded as having magical properties. The ancient Romans had their Saturnalia feasts the latter part of December. Other peoples had festivals about the time of the winter solstice.

Christians didn't begin to celebrate the anniversary of Christ's birth until about 200 A. D. They may have appropriated the festival day of pagans, and taken over many of the pagan trimmings just as they did in other respects in the building up of the Christian religion. In some communities pagan saints were appropriated as Christian and accorded continued reverence. Roots of social custom and religion and moral code and economic activity go very, very deep in history.

## Any \$30 Cowboys in the House?

Dusolina Giannini, Metropolitan soprano, on her return from Europe told reporters she was ready to abandon her career, and if she could find the right man, "marry and settle down." "Even though he might be only a cowboy earning \$30 a month, I would marry him," she is quoted. "And I can cook a man's food now. I'm not one of your dessert-your fancy cooks. I cook what men like, thick fine vegetable soups and thick steaks and home-made bread." Tired of a career the opera star said she yearned for home life.

There ought to be men earning \$30 a month or better who could give Miss Giannini some one to cook for. She doesn't say how good she is at cherry pie, but no doubt she can boil macaroni.

The Oregon State Motor association reports that Oregon has "only 29 deaths to go" to make 1937 equal 1936 in auto fatalities. Marion county has already reached the 1936 mark, 16. Here is a challenge to all to drive with extra caution during the holidays. Spare Marion county another death this year; spare Oregon the 29 lives which in 1936 were sacrificed.

As they sat huddled in their overcoats on the armory platform the army engineers must have felt they were getting a cold reception in Oregon. The warmth of the speakers soon overcame the de-

## Bits for Breakfast

By R. J. HENDRICKS

Facts for Salem Junior 12-21-37 high students about the history of their city, and their district and their state:

(Continuing from Sunday:)

The four patents to claims that made up Salem's townsite and were granted thus: To John B. and Helen C. McClane, December 18, 1860; recorded January 28, 1861; to William H. and Chloe A. Willson, Feb. 14, 1862; recorded March 9, 1864; to Joshua L. and Elizabeth W. Parrish, Sept. 30, 1865; recorded July 28, 1873; To David and Adella J. Leslie, July 3, 1869; recorded Sept. 2, 1887.

Helen C. Judson had been married to J. B. McClane, and her parents, L. B. Judson and wife, had made over their claim rights to them. That claim comprised the northwest 640 acres; the Parrish claim the northeast 640; the Willson claim the central, and the Leslie claim the south 640 acres. Mrs. Adella J. Leslie was a sister of L. B. Judson. Leslie was her third husband, she his second wife.

I am instructed that the slogan for Book Week this year is "reading as a magic highway to be followed in youth and on into adult years;" that my talk should not be longer than 40 minutes, and that I ought to stress the adventurous side of Oregon history.

I agree. Reading is the magic key that opens the golden treasure vaults of all accumulated knowledge to youth and age; brevity is both the soul of wit and the source of wisdom, and the adventurous side of Oregon history is full of thrills for all who study it understandingly and appreciatively.

No major Indian war battle of the early pioneer days was waged in or near where Salem stands. Its Indian name, Chemeketa, meant a place of meeting, and it was, I think, a tribal city of refuge, in which, by general agreement, no hostile blow could be struck. Appropriate, was it not then, to have it named Salem, Hebrew for place of peace?

But men of the Salem district were engaged in all or nearly all the historic battles with the natives that were fought in every section of what are now the three states of Oregon, Washington and Idaho, from the beginning days up to the capture of Captain Jack and his band in 1873. They were in the bloody engagements on the California trail in the '40s and early '50s; on the fields of the Cayuse war after the Whitman massacre; at Evans creek and thence in the 1853 peace meeting on Table Rock that by a miracle fell short of a massacre. They were at the battle of the Meadows, closing the so-called Rogue River coast, and the consequent surrender of donkey and merciless old Chief John. They were at Walla Walla, when Capt. Charles Bennett, a leading Salem citizen, lost his life, along with Peopemoonox, who was killed by a Marion county company. After the last named struggles in the war to stop the wagon immigration and end the white race, commencing in concert from the Missouri river to the Pacific ocean, in 1855, they helped control the 6000 reds gathered on the Coast reservation, beginning with the year 1856.

We have Battle creek, flowing from the vicinity of the Sky Line on east to Temple hill, and a creek easterly direction to Mill creek above the town of Turner. A branch of that Battle creek comes near to where the 12th street extension joins the Pacific highway in Salem's southern suburbs. The city's best families, in the horse and buggy days, drove out there and camped and picnicked on its banks. That seemed a long distance then; four or five miles into the primeval woods. Now it is reached and passed in a few zooming, zipping seconds by feckless, reckless speedsters, each madly rushing to his next rendezvous with death.

There are other Battle creeks in Oregon. That one commemorates a brush in June, 1846, between a party of Oregon Rangers, volunteer local militia, with a band of Indians from over the Cascades that had been stealing cattle. One Indian was killed, and peace was composed by gifts to his near relatives, probably shirts or blankets, or both.

The battle that brought the lone fatality and gave the stream its name was out in the Looney settlement, near where the Pacific highway runs toward Jefferson.

Then there was the battle of the Abiqua, in 1848. The Whitman massacre, November 29, 1847, brought on the Cayuse war, taking most of the able bodied men east of the Cascades in the early weeks of 1848. This gave a band of Klamath coming over the Santiam pass and joining a faction of the Molallas that they regarded as a good opportunity to raid the white settlements in the eastern part of Marion county. The Klamath were led by their chief, Red Blanket, and his son, Young Chief Red Blanket.

The bad Molallas were under Chief Coosta, hissed on by Crooked Finger, a scurvy sub chief who was a sort of red racketeer.

Samuel Parker organized a militia company near the site of Salem. Parker's donation land claim was where the state penitentiary is now. Capt. Allen J. Davy led a company in the Santiam district, near where Stayton stands; Capt. Dicky Miller had one out near where Silverton is now, and Ralph C. Geer led a band of brave men in his neighborhood, about 12 miles east of the site of Salem.

Geer was grandfather of Homer Davenport, Marion county boy who became in his prime the world's greatest cartoonist. He (Geer) was for a historical record an account of what has come to be known as the battle of the Abiqua, which is commemorated by an appropriate D. A.

## A Push on That Other Oar Would Help



## On the Record

By DOROTHY THOMPSON

### Respects to The London Times

It is time, I think, that some one said a few harsh words on behalf of Anglo-American relations. Many of us believe that with the state of the world what it is today, it is highly desirable that Great Britain and the United States should understand each other. We are both involved in innocent bystanders and common victims in the Chinese-Japanese conflict; we are both anxious for peace, and for the restoration of decent international relationships. And there is no basis for conflict between the two nations which together represent the greatest amount of population and power in the western world.

If, however, we are to regard The Times, of London, as the mouthpiece of British opinion and policy—and that is how the London Times would like us to regard it—then there is a wide difference between the American attitude toward the international scene, and the British attitude. The London Times is now constantly stressing the desirability of joint Anglo-American representations to Japan. But the United States finds it difficult to forget that in 1931, when our secretary of state, Mr. Stimson, made overtures to Britain for a joint demarch to Japan at the time of the invasion of Manchuria, he was very coldly snubbed—and with the whole-hearted support of The London Times.

Nor has the United States forgotten that Sir John Simon made a spirited denunciation of Japan before the League of Nations, leading the Japanese delegate, Yosuke Matsuoka—now the all-powerful president of the South Manchuria railway—to say that "Sir John Simon has said in fifteen minutes what I have been trying to say for three months."

In those days The London Times, Sir John Simon, and the same little group, who are now the Times's inner coterie, were pro-Japanese, favored the restoration of the Anglo-Japanese alliance, and did not care if Japan invaded Manchuria, for two reasons: First, the Japanese, they contended, would restore order in Manchuria, and open wide markets for British goods, with possible preferential treatment for Britain; and, second, in any event, the great British interests were centered around Shanghai and in the rich Yangtze valley.

The British demonstrated at that time that they were interested primarily in the protection of specifically British interests and not in the maintenance of international law and the sanctity of treaties. Notice was served by the British cabinet, in the world that aggressors were free to act as they pleased as long as they did not interfere with British interests.

The American attitude was quite different. From the viewpoint of trade and investments in China we were, and are, far less concerned than the British. After the United Kingdom and Canada, Japan is the best customer of the United States. Our investments in China are small. And while potentially the Chinese market offers a considerable outlet for American goods, with recent years the United States has imported from China a far more than it has sold her. And, in standing for the Open Door in China, we were helping to maintain equality of opportunity for everybody.

Therefore, in being willing to representations to Japan in 1931, we ran the risk of offending one of our best customers, in behalf of a principle. And that principle was clearly stated by Secretary Stimson. It was, and is, that a peaceful and orderly world can exist only when treaties are respected, that peace in the modern world is indivisible, and that wars, anywhere, may spread and eventually threaten the peace and prosperity of the United States. How sound that principle is—and it has been restated by the present state department—is now being demonstrated, by the war in Spain and in China.

The strongest feeling in the United States at present is for isolation. But it is safe to say that if this feeling is modified it will only be upon the foregoing principle. The people of the United States might be willing to collaborate with the rest of the world for the purpose of maintaining international law. They will never be willing to collaborate, without principle, for the sake of maintaining the interests of the British Empire.

And that brings us back to The London Times, and the clique that it represents today. The Times has seen the Chinese-Japanese conflict spread in the Yangtze valley, until it has become a major disaster for Britain. Not only in terms of trade and investments destroyed, but in terms of the indispensable terms of Empire—reputation and prestige. So now The London Times is reaching out after American idealism.

But in its attitude toward the European situation, The Times is exactly where it was in 1931, in the Manchurian affair.

That is to say: it is advocating a purely opportunistic policy and is showing itself cynically prepared to close its eyes to any aggrandizements that do not immediately affect the Empire. It supported the visit of Lord Halifax to Hitler, and shows itself willing to give away any colonies to Germany, except the British colonies, and to close an eye to German raids and incursions into Austria, Czechoslovakia, Poland, or Lithuania. In fact, it goes further, and actually says that the method of the coup d'etat has not been practiced by Germany in the last few years, wholly without reason.

Lord Halifax had the doubtful satisfaction of hearing Mr. Hitler re-annunciate the basic ideas of foreign policy laid down in "Mein Kampf."

It completely begs the question to say that perhaps certain German demands, such as that for restoration of the colonies, may appeal to the international sense of justice. There is no considerable faction in Great Britain (Turn to page 5)

## Ten Years Ago

December 21, 1927

William Edward Hickman, discharged employe of the Los Angeles First National Trust and Savings bank, was declared to have been identified as slayer of Marian Parker, 12 year old Los Angeles school girl.

George F. Vick, prominent automobile dealer, yesterday elected president of chamber of commerce for year 1928.

Harold Tomlinson representing the sophomore class, won the second intercollegiate debates at Willamette university defeating Roy Currier, a freshman.

## Twenty Years Ago

December 21, 1917

Mrs. George H. Alden, wife of Dean Alden of Willamette university has returned from Eugene where she has been working in interest of Old People's Home.

Dr. W. B. Morse has been named chairman of the medical advisory board to examine draft registrants in Salem district.

Forty-one persons were killed and 39 injured when Louisville and Nashville passenger train crashed into rear of a Bardstrom Louisville and Springfield accommodation train.

The Statesman of the Air  
SPECIAL CHRISTMAS PROGRAM  
by the Curtis Family  
on the "JUST THINK" PERIOD  
Tuesday Night 8:30  
KSLM

## Radio Programs

- 7:15—News.
- 7:30—Sunrise Sermonette.
- 7:45—American Family Robinson.
- 8:00—Songs.
- 8:15—This Side of Twenty.
- 8:30—Radio's Tunes.
- 8:45—News.
- 9:00—The Pastor's Call.
- 9:15—The Friendly Circle.
- 9:30—West and Massey.
- 10:00—Oddities in the News.
- 10:15—West and Massey.
- 10:30—Myra Kingsley, Astrologer.
- 10:45—Hits of Today.
- 11:00—News.
- 11:15—The Variety Show.
- 11:45—Beatrice Fairfax.
- 12:00—The Value Parade.
- 12:15—News.
- 12:30—Musical Memories.
- 12:45—Kwanis Club.
- 1:15—Lucky Girl.
- 1:30—Popular Salute.
- 1:45—Frank Sarcino's Orchestra.
- 2:00—The Johnson Family.
- 2:15—Monitor News.
- 2:30—Hits on the Keys.
- 2:45—Spice of Life.
- 3:00—Feminine Fancies.
- 3:30—News.
- 4:00—Christmas Carols.
- 4:15—Louis Ronnelli's Orchestra.
- 4:30—Headlines.
- 4:45—Radio Campus.
- 5:00—Sammy Kay's Orchestra.
- 5:30—The Freshest Thing in Town.
- 5:45—Swingtime.
- 6:00—The Phantom Pilot.
- 6:20—Sports Bulletin.
- 6:45—News.
- 7:00—Swingtime.
- 7:30—The Witch's Tales.
- 8:00—Harmony Hall.
- 8:15—News.
- 8:30—The Statesman of the Air—"Just Think" special Christmas program.
- 8:45—Musical Moments Revue.
- 9:00—The Newspaper of the Air.
- 9:15—Wrestling Matches.
- 10:45—Popular Variety.
- 11:15—Paul Whiteman's Orchestra.

- 9:00—Today's Programs.
- 9:05—Home-makers' Hour—Tessie Tel.
- 9:45—About Christmas Carols.
- 10:00—Weather.
- 10:15—Story Hour for Adults.
- 10:30—The Phantom Hour.
- 1:15—Variety.
- 2:00—You May Not Believe It But—What Is Called Mind Reading Is Chiefly Muscle Reading—Dr. Howard R. Taylor, Chairman, Department of Psychology, University of Oregon.
- 2:45—Daughters of the American Revolution.
- 3:15—Your Health.
- 3:45—The Monitor Views the News.
- 4:00—The Strambone Hour.
- 4:30—Stories for Boys and Girls.
- 5:45—Vespers.
- 6:15—The Farm Hour.
- 6:30—Farm Hour.
- 8:15—A Writer Looks at Literature—Alexander Hull.
- 8:45—Globe-Trotting with Oregonians.

- 7:00—Just About Time.
- 7:30—Keeping Time.
- 7:45—News.
- 8:00—Stars of today.
- 8:30—Jingletown Gazette.
- 8:45—Globe-Trotting.
- 9:30—Clarence Hayes.
- 9:45—Home-makers' exchange.
- 10:00—The Strambone Hour.
- 10:15—Mrs. Wiggs of Cabbage Patch.
- 10:30—John's Other Wife.
- 10:45—Ray Towner's Bill.
- 11:00—Fun in music.
- 11:30—General federation of women's club.
- 11:45—Mystery chief.
- 12:00—Pepper Young's Family.
- 12:15—The Parking Machine.
- 12:30—Vic and Sade.
- 12:45—The O'Neill.
- 1:00—Ray Towner's troubadour.
- 1:15—Guiding Light.
- 1:30—Story of Mary Marlin.
- 1:45—Refreshment time, Singin' Sam.
- 2:00—Wife vs. Secretary.
- 2:15—Bennett and Wolferston.
- 2:30—Hazel's Party.
- 2:45—Gloria Gale.
- 3:15—Rhyma presents.
- 3:45—John's magazine of the air.
- 4:00—Lady of Millions.
- 4:15—Three Cheers.
- 4:30—News.
- 4:45—William Primrose, viola.
- 4:55—Cocktail hour.
- 5:15—Harmonica Hi Hats.
- 5:30—The Statesman of the Air.
- 6:00—Alas Jimmie Valentine.
- 6:15—Beaux Arts trio.
- 6:30—Hollywood Mardi Gras.
- 6:45—The Statesman of the Air.
- 7:45—Vic Arden orch.
- 8:00—Amos in the Valley.
- 8:15—Vocal varieties.
- 8:30—Johnny presents.
- 9:00—Death Valley Days.
- 9:30—Good Morning Tonight.
- 10:00—News flashes.
- 10:15—Siring serenade.
- 10:30—Hal Taborn's orch.
- 11:00—Ambassador hotel orch.
- 11:50—Vogue ballroom orch.
- 12:00—Weather reports.

- KEK—TUESDAY—1180 Kc.
- 6:30—Market report.
- 7:00—Family altar hour.
- 7:30—Larry Larson, organist.
- 7:45—Vernice, evangelist.
- 8:00—Financial service.
- 8:15—Portland breakfast club.
- 9:00—Home institute.
- 9:15—Fausto Alvarez.
- 9:30—Dr. Brock.
- 10:00—Lost and found items.
- 10:02—Crosscut.
- 10:30—News.
- 10:45—Rochester Civic orch.
- 11:00—Geographical travelogue.
- 11:15—Let's Talk It Over.
- 11:30—Western farm and home.
- 12:30—News.
- 12:45—Market reports.
- 12:50—Hal Taborn's band.
- 1:00—Club matinee.
- 1:20—The Statesman of the Air.
- 1:35—Club matinee.
- 2:00—Jackie Heller.
- 2:15—Don Winsor, organist.
- 2:30—Den Winsor.
- 2:30—Financial and grain reports.
- 2:35—Henry's orch.
- 2:45—Glass Hat Room orch.
- 3:00—Science in the news.
- 3:15—Bates radio news.
- 3:30—Press Radio news.
- 3:35—Songs of yesterday.

- 8:40—Edward Davies.
- 8:45—Melody in 3/4 time.
- 9:00—Western education forum.
- 9:30—Silent to KOB.
- 9:00—Land of the Whaist.
- 9:15—Haymore ballroom orch.
- 9:30—Covered Wagon Days.
- 9:00—Kare, the Musical.
- 9:15—Ambassador hotel orch.
- 9:30—Sports by Bill Mock.
- 9:45—University explorer.
- 10:00—Muskin's musical news.
- 10:15—Wrestling bouts.
- 10:30—Lipton ballroom orch.
- 11:00—News.
- 11:15—Haven of rest.
- 11:30—Charles Runyan, organist.
- 12:00—Weather and police reports.

## Huge Buck Deer Nearly Run Down

—DETROIT—Mr. and Mrs. Earl Parker, returning from the Carl Westbergs at Marion Forks Wednesday night met up with a huge buck deer. Considerable damage was done to the Parker car but the deer seem unhurt as he left the scene of the accident in a hurry.

The A. Milne Construction company has shut down the graveling crew and trucks on the road until spring. The crusher is still operating.

Walter Brinkmeyer, who has been Southern Pacific agent here for the past year and a half, has been transferred to Timber and Mr. Perse of Harrisburg Friday took over duties as agent here.

ELLIOTT  
Hear a description of wrestling holds and the inside of the wrestling profession by the popular referee and wrestling instructor.  
Harry Elliott  
On the Kiwanis Club Broadcast Today  
12:45 P. M.  
MBS  
KSLM  
1370 Kc.

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