

The Weather
Partly cloudy today and Saturday with valley fogs, little change in temperature. Max. temp. Friday 59, min. 31. River 2.5 feet. East wind.

Late City News
News columns of The Statesman are kept open until 2 a.m. thus assuring readers news of late city happenings.

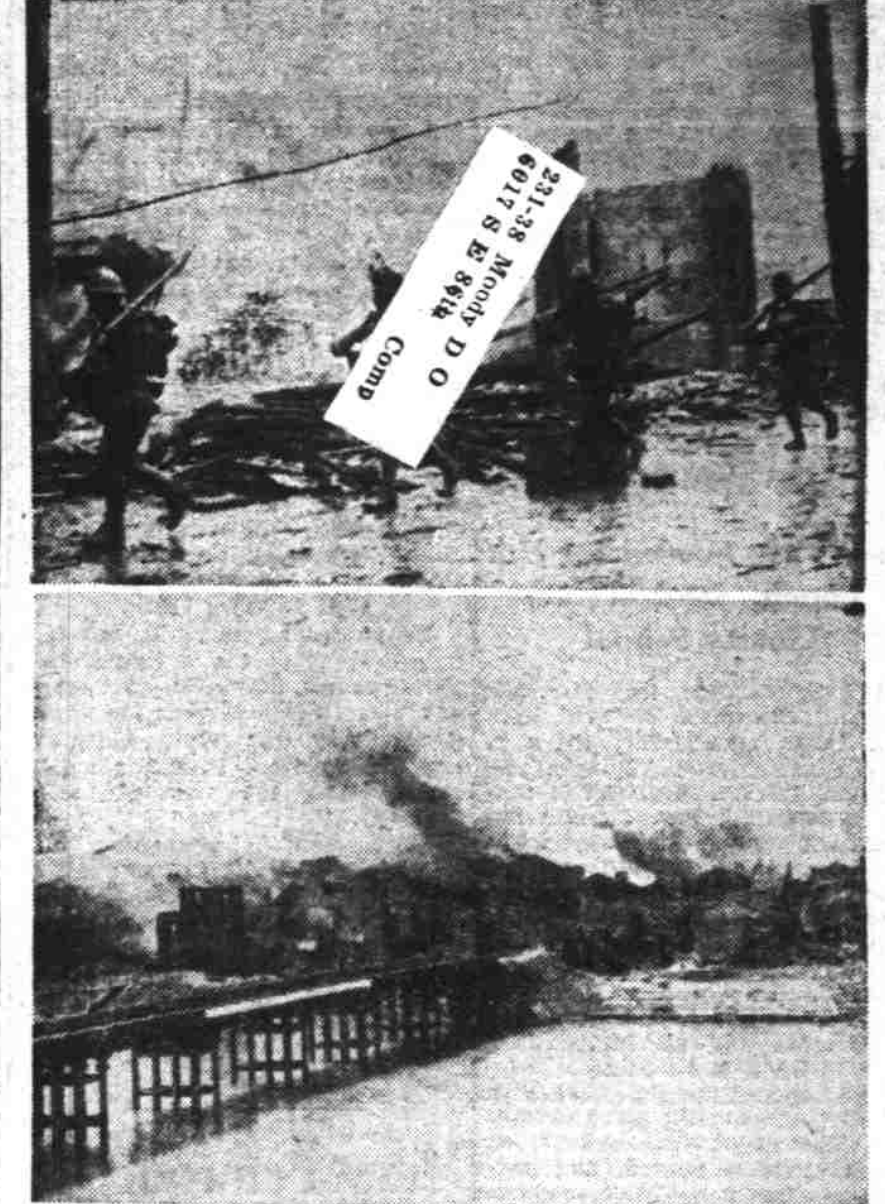
EIGHTY-EIGHTH YEAR

Japanese Slam 'Open Door' as Charge Denied

"Principles of Past" no Longer Apply, States Japan Reply
Note Is Interpreted as Open Declaration of Asia Policy

TOKYO, Nov. 18.—(AP)—Japan denied today point by point every charge in an American note demanding maintenance of the "open door" in China and asserted that "ideas and principles of the past" no longer apply in China's "new situation."
This "new situation" results from Japan's aim of an "Asia for Asiatics" in which she would forge China into a solid bloc with Manchoukuo and the Japanese empire for the political and economic domination of East Asia.
Japan Dictates Trade Conditions
Observers interpreted the note as an open declaration of Japan's intention to dictate the conditions under which foreign business may continue and foreigners may live henceforth in China.
It was taken as a sweeping statement of policy not only to the United States, but to the world generally that:
1.—A new order, which Japan intends to control entirely, exists in China and pre-war conditions cannot apply.
2.—The "open door" will continue only in economic fields of minor importance.
Although the 1922 nine-power treaty for respect of China's territorial integrity and independence was not mentioned specifically, observers also held the statement against "ideas and principles of the past" sharply illuminated Japan's intention to disregard the pact.
Newspaper Comments On Note Terms
The newspaper Kokumin editorially declared "the term 'principles' undoubtedly points to the principles of the open door and equal opportunity which form the spirit of the nine-power pact."
"There this should be interpreted as an indication Japan now is ready to abrogate the nine-power treaty and as a statement of her opposition of other conceptions of China held by foreigners."
The newspaper Asahi, commenting in a similar vein, said:
"International treaties and declarations are nothing more than legalizations of the international situation that prevailed at the time of their conclusions. The status quo is never permanent, but must be changed according to the lapse of time and prevailing circumstances."
In each case where the United States charged interference or discrimination, Japan either denied such practices, offered counter-arguments or pleaded military necessity.

Japanese Advance Leaves Cities Torn and Burning in Army Wake



Destruction still follows in the wake of Japan's continually advancing armies in China, as these views of Hankow and Canton show. Upper photo depicts Japanese troops marching through Hankow streets following their capture of that city. Burning and twisted debris gives an idea of the city's damage. Photo below shows position of Canton razing with flames during the recent battle for possession of that city. Meanwhile, Japanese planes rained Sian, capital of Shensi Province, in a new effort to sever communications between the Soviet Union and China.

Martin States Relief Ruining County Funds

Governor Says Democrat Defeat Due to Playing to Groups
Sprague Says too Much Emphasis on Relief; Business Need

Playing to groups caused the democratic party to suffer a setback at the recent general election, Governor Charles H. Martin told the Association of Oregon Counties at its opening session at the capitol yesterday.
The convention will continue through this morning with action on resolutions and election of officers.
Governor Martin told the officials "You can't play to whiners and stragglers of a country any more than you can to the stragglers and whiners in an army."
"You can't let them starve or be brutal to them, but you can't let them run the country."
"Relief Busting You," Says Martin
The governor warned the county heads that "Relief is busting you and you know it."
"We mustn't destroy the forgotten men, the men who are working, toiling, sweating to pay the country's way," he said. "Neither can parties be established along the lines of class warfare. If you let the blocs run the country, then democracy is gone."
Governor Martin disclosed that again, as two years ago, there would be no state tax levy next biennium.
Governor-Elect Charles A. Sprague also addressed the convention.
"After putting too much stress on relief," Sprague said. "We must get out of the dumps and stress new industrial prosperity. With these we will diminish relief, solve some of our tax problems and breathe the breath of life back into property values. If there is any one primary object I have in my administration as governor it is to accomplish those purposes."
Aha, Cut Over Land Study
Sprague urged that a committee be appointed to consider the problem of cut over lands. He opposed the idea of consolidation of counties because "there is little economy in it and the present counties keep the government closer to the people."
Ralph E. Moody, legal adviser to the state police department, also rapped the tendency toward centralization of government, both state and federal.
"Although some of you will disagree with me in this matter, I want to say school government, too," Moody added. "Counties have advocated centralization of school government on the ground of efficiency and economy, and on the same ground the state has advocated the centralization of relief and roads."
Moody continued that he opposed these ideas because "the nearer the government is to the people the better government we will have."
The convention adopted a few resolutions during the afternoon session.
One involved the reclassification of forest lands and another fire restrictions on brush lands.

Nazi Envoy to US Called Home To Make Reports on Reaction

Hull Urges all Countries Aid In Jew Relief
Statement Says Taylor to Return to London for Parley
President Asks Permit Extension for German Refugees

WASHINGTON, Nov. 18.—(AP)—Secretary Hull urged the active participation of all governments in seeking a solution for the problem of Germany's Jewish refugees today, asserting that recent developments had made the problem more than ever urgent.
He made this assertion in a formal statement, announcing that Myron Taylor would return to London to attend, as the representative of the Washington governmental committee on political refugees.
Day Is Filled With Events
The day was filled with other developments arising from Nazi treatment of the Jews, which President Roosevelt had denounced as "unbelievable."
The president asked the labor department to permit 12,000 to 15,000 German and Austrian refugees, here on six-month visitors' visas, to remain in the country an additional half year. He told a press conference it would be inhuman to send them back to face the rigors of a concentration camp or other persecutions.
Attorney General Cummings joined the still growing list of prominent individuals who have denounced Germany's treatment of the Jews, asserting it had "shocked the conscience of the world" and was "as uncivilized as the cruelties of 19 centuries ago when Christians were fed to wild beasts."
Nazis Protect
Private guards ordered some visitors away from the German embassy here "in the name of the German government," and told them it was "German property," as Ambassador Hans Dieckhoff prepared to leave for home in response to orders from Berlin.
Hull's statement was made at his daily press conference, at which his only reply to a request for comment on Dieckhoff's return was that all governments are constantly moving representatives back and forth.

Persecution of Jews for His mad Act Crushes Young Jewish Killer



Bowed by realization that his rash act unleashed barbaric persecutions of German Jews by Nazis, Herschel Grynszpan, 17 year old Polish Jew, is pictured being led from a Paris police station. He is accused of fatally shooting Ernst vom Rath, third secretary of the German embassy in Paris. Mean while, in Dusseldorf, Germany, Vom Rath was awarded a martyr's funeral, attended by Adolf Hitler and high Nazi party officials. Jews throughout the nation sought hiding from expected further violence inspired by the Vom Rath rites.

Dieckhoff Will Depart Friday For Homeland

Summons Following Close on US Similar Order Moves Germans
German Embassy Reports of Reaction so Black Report Urgent
BERLIN, Nov. 18.—(AP)—The Nazi government suddenly called home its ambassador in Washington today for a personal report on what is regarded here as unfavorable American reactions to anti-Jewish outbursts.
The summons to Dr. Hans Dieckhoff followed so closely Washington's similar request to Hugh R. Wilson, United States ambassador to Germany, that even the average German who ordinarily disregards such moves began to realize all was not well between the two capitals.
"Queer Attitude" Of Americans
DNB, the official German news agency, said "the ambassador will inform the foreign minister (Joachim Von Ribbentrop) in detail concerning the queer attitude toward events in Germany of a domestic nature which is apparent from declarations by Roosevelt and other authoritative personalities in the United States of America."
President Roosevelt said in a press conference Tuesday that news of anti-Jewish violence in Germany profoundly shocked American public opinion.
DNB called the American leaders' attitude "eigenartig"—of a queer or strange nature. Matter of Report Is Emphasized
Official spokesmen emphasized that Dr. Dieckhoff was "coming to report—nothing more long," but did not say whether he would return, or whether the government would leave his post unfilled indefinitely.
It was known, however, that reports of the German embassy in Washington pictures so blackly American reaction to the wave of violence in Germany, following last week's assassination of a German diplomat by a Jew in Paris, that a personal report by the ambassador was deemed necessary.
A German embassy secretary in Washington said Dr. Dieckhoff might sail from New York next Friday. In that case his departure would almost coincide with the arrival in New York of Ambassador Wilson, who was ordered home for "consultation."
It had been expected generally that Germany would not ask Dieckhoff to come home until after Wilson had made his report to President Roosevelt.

Lewis Is Chosen CIO's President

Broad Program Is Carried by new Organization as Meet Ends
PITTSBURGH, Pa., Nov. 18.—(AP)—The new CIO emerged from the clearing and celebration of its first constitutional convention today carrying a broad program for political and economic action under the leadership of its militant champion, John L. Lewis, 58-year-old one time coal miner.
Winding up the five-day gathering, the 519 delegates who set up the CIO on a permanent basis as the Congress of Industrial Organizations, swept Lewis into the first presidency by thunderous acclamation.
Then with bands, horns and whistles blaring the convention rolled on to complete the new CIO by electing Philip Murray, another former miner, and Sidney Hillman, ex-clothing worker, as vice presidents. James B. Carey as secretary, and 38 union officials to sit with the officers of CIO's executive board.
Sweeping through a mass of policy commitments, the delegates reaffirmed their stand for the organization of unskilled workers in mass production industries and called on CIO leaders for an "unremitting campaign throughout every industry."
This coordination and the constitutional convention, Lewis predicted earlier, would be "the greatest step possible" for peace with the AF of L by placing the CIO on an equal footing.

Musacco Granted Plea Entry Delay

Burglary Charge Brought Against Man; Prison Term Admitted
DOMINICK MUSACCO, 35, delayed entry of a plea in Salem justice court yesterday afternoon to a burglary charge which city police preferred against him following the breaking of a Hartman Brothers jewelry store window and removal of \$3500 worth of diamond rings at 12:30 a. m. Monday to plead, took under consideration his request for appointment of an attorney and ordered him held in lieu of \$5000 bail.
Musacco, who first gave the name of Joseph Russo, was arrested by police after he outran four youths who heard the window being broken. The rings were found cached in an alley.
The prisoner yesterday admitted he spent from January 4, 1928, to February, 1933, in San Quentin prison, California, from Los Angeles on a charge of attempted murder. District Attorney Lyle J. Page announced. He also served time in jail in Portland for a misdemeanor.
Musacco, an Italian citizen, lived here for several years, left last July, but returned to Salem a week ago yesterday.

Early Legionnaire Dies at Age of 66

DALLAS, Nov. 18.—(AP)—Col. Henry D. Lindsey, 66, chairman of the first American Legion national convention, died here today after a career as banker, insurance company president, real estate man, army officer and public official.
He presided over the American Legion caucus in St. Louis in May, 1919, and over the first convention in Minneapolis in November, 1919.
Bicycle Rider Injured
EUGENE, Nov. 18.—(AP)—Louis Reynolds, 12, West Springfield, was seriously injured when struck by a car near the overhead crossing at West Springfield yesterday. The boy was riding his bicycle at the time.

Jury Is Selected For Jubb's Trial

BEND, Ore., Nov. 18.—(AP)—A jury of six men and six women was selected late today to hear the first degree murder charge against R. Kenneth Jubb.
The jury was picked after one regular and two special panels had been called.
Jubb, former Portland memory course expert, was indicted for the death of Delmont Wendell, an old-time jockey and Bend jail janitor, in the jail.
Circuit Judge T. E. Duffy indicated he would issue an order to keep the jury together during the remainder of the trial.

2 Die When Plane Hits Boat House

Navy Bomber in Practice Landing Crashes Into Harbor Houseboat
HONOLULU, Nov. 18.—(AP)—One of the navy's pioneer long range bombing planes crashed at high speed into a boat house during practice landings at Pearl Harbor, killing two and injuring its other five occupants late last night.
Junior Lieutenant P. H. Ashworth, 30, of Newham, Mass., and Aviation Cadet J. W. Beam of Bardonia, Ky., died in the wreckage.
Lieutenant Commander A. R. Brady, 40, a native of Fernandina, Fla., squadron executive officer, was treated through a safety hatch a moment after the plane was submerged and were not seriously hurt.
The plane apparently touched the floodlighted surface of the bay to complete a practice landing operation and struck the boathouse while attempting to rise again. The left wing struck the boathouse and the plane bounced into a nearby dock. The damaged wing caught fire from the motors but the blaze was extinguished as the ship sank.
Ashworth and Beam were trapped in the nose of the plane. Brady suffered badly from submersion.

Water Board Asks Use of City Name

Would Sue to Determine Validity of Tax Bill Against Board
Permission to use the city's name in a suit to determine validity of a \$32,751 1936 Marion county tax bill against the Salem water department properties will be requested of the city council under a motion passed by the Salem water commission last night. The council earlier this month tabled a suggestion it undertake the suit.
Criticizing the council's attitude, Commissioner O. A. Olson moved the new request be made. Commissioner Van Wiedner seconded the motion.
Fear was expressed the commissioners could be held personally liable if the tax were paid then later found invalid.
New test drillings on Stayton Island give evidence that "the finest water producing stratum yet to be found on the island" lies untapped, below the level of the city's present intake pipes, the commission was advised in a report from Marion E. West, driller. The stratum, which lies between the 18 and 30 foot levels, will be tapped by further drillings to ascertain if the formation is uniform.
A net operating profit of \$14,339.63 was reported to the commission for October by Manager Cuyler VanPatten. At the close of the month the department had \$45,136 on hand to meet bond interest and principal payments, he also reported.

Legion Seeks Ban On Alien Radicals

INDIANAPOLIS, Nov. 18.—(AP)—The national executive committee of the American Legion approved today a recommendation by the Legion Americanism commission that congress be urged to make membership in the communist party cause for deportation or exclusion of aliens from this country.
The report referred specifically to the case involving Harry Bridges, west coast labor leader, who has been accused of being a communist.
Another recommendation approved was that the Dies house committee investigating un-American activities be authorized to continue its work.

Better Pensions Meet Set Today

Recommendations for a better pension system for the aged are expected to come from the better pension meeting scheduled for 2 o'clock this afternoon at the county courthouse here.
Report from a committee which has been studying to that end will be presented by Theodore G. Nelson, chairman of the committee, and a general discussion will follow the program.
Greetings will be brought by Governor-elect Charles A. Sprague and pension plans of the Fraternal Order of Eagles will be brought by Warren Jones, past state president of that organization. Rev. George Morley will give the invocation.
Celilo Indians to Carry Fight on Fish to Salem
THE DALLES, Nov. 18.—(AP)—Clinging to rights they said were granted in early treaties, Celilo Indians said today they would carry their fight against commercial fishing and retail sale licenses to the state legislature.
John Whiz, tribal representative, asserted the protest would be taken to Washington if favorable results could not be obtained at Salem.

Charles Hartman Dies at Silverton

SILVERTON — Charles Hartman, native of Silverton area and resident here all his life, died late Friday night at his home here. He was 75 years of age and was a member of a well-known pioneer family of this sector.
Survivors include a daughter, Mrs. Hazel Lorenzen and son, Earl Hartman, Silverton.
Arrangements for services are in care of the Larson and sons mortuary and announcements will be made later.

Responses to Trade Treaties From Coast Business Differ

SAN FRANCISCO, Nov. 18.—(AP)—Sharply contrasting responses to the new trade treaties signed yesterday night at the United States, Britain and Canada poured out today from Pacific coast businessmen.
Agriculturalists were divided, so were processors of farm products. Foreign traders were jubilant at prospects of bigger business both ways—import and export—the single men in the northwest were bitter and forecast the end for their struggling industry.
Perhaps the biggest cross section obtained by any one person was that taken by William Montgomery, secretary of the San Francisco foreign trade association. Montgomery said he got "about 50 views—and not a howl among them" most of Montgomery's interviews were with foreign traders, who are frankly for the reciprocal trade program and anything that will make a bigger foreign trade.
Grain men in the northwest expressed views ranging from high hopes of rebuilding the once-great exports of Pacific northwest wheat to the United Kingdom, to the grunt: "Look at the wheat market and you will see how much good the treaties will do to wheat."
Pacific coast canners who got concessions in tariffs on their products were cheered. Other canners who got nothing were disappointed. Dried fruit exporters had hoped for bigger benefits, so had some shippers of fresh fruits.
Balancing elation against dejection, the treaties appeared to be in the middle ground between conflicting hopes of exporters for concessions in their lines, and fears of domestic producers that their business would suffer.

AFL Planning Conference To Battle Picketing Law

PORTLAND, Nov. 18.—(AP)—William Green, American Federation of Labor president, today telegraphed Dell E. Nickerson, executive secretary of the Oregon Federation of Labor, that the AFL is arranging a conference to lay plans to attack Oregon's new picketing regulation.
LATE SPORTS
CHEMAWA—The Indians had to go into the collegiate field to find someone they could beat.
They poured over a Reed college eleven here Friday for a clear-cut, 13 to 0 victory. Smith intercepted a Reed aerial on the 15-yard line to bag a first-quarter touchdown, and Bearub recovered a Reed fumble on the Chemawa 10 to pave the way for Quent's tally from the one-yard line in the second quarter. Logan carried it across for the conversion point following the second touchdown.

Carter Declares Midwest Is Real American Region

KANSAS CITY, Nov. 18.—(AP)—Boake Carter, radio news commentator and an easterner, called the midwest the "real America" in an interview here today and said "I know I'll catch hell when I get back for saying it."
"The U. S. seaboard east of Pittsburgh, with the exception of the New England states could be sliced off and tossed in the Atlantic ocean and the real America wouldn't miss it," said Carter, on route to Dallas for a lecture. "The basic thinking in America is done west of Pittsburgh and east of Denver. That territory is the real America."
\$20,000 Increase Oked For Highway Ad Budget
PORTLAND, Nov. 18.—(AP)—An increase of \$20,000 for the 1939 advertising and publicity budget of the state highway department was approved by the road board today in the hopes the additional promotion money would divert San Francisco fair visitors to Oregon. The board said the 1940 budget would be lowered to the customary \$100,000.

Report Huge Fire In Loyalist City

PARIS, Nov. 18.—(AP)—Havas (French news agency) said in a dispatch from Cartagena, Spain, tonight that the Spanish government naval radio announced a huge fire had broken out in Barcelona, accompanied by heavy explosions.
Premier Juan Negrin was said to have gone to the scene of the fire and ordered an immediate inquiry into its cause.

Dr. Berry Clings to Story During 2-Hour Examination

OLYMPIA, Nov. 19.—(AP)—After once bursting into tears on the witness stand, Dr. Kent W. Berry today clung doggedly to a story of rape and mental collapse during a merciless two-hour cross examination as his trial on kidnapping and assault charges.
For two hours, the physician reiterated steadily that he was convinced his wife had been raped by Irving Baker, automobile dealer and former coast guard officer, and that he could remember absolutely no details of an hour of torture he is charged with administering to Baker on Aug. 19.
J. W. Graham, special assistant prosecutor, pounded at the witness continually during the entire examination, giving him no rest between questions and repeatedly demanding Berry "refresh his memory" about events.
The physician insisted he had never questioned his wife's virtue and claimed he organized the abduction gang only after he had failed in repeated attempts to secure a warrant for Baker's arrest for rape.
He said flatly he could not remember anything after getting into an automobile in which the state charges William K. McAloon, James Reddick and Robert H. Smith, co-defendants, had forced Baker from his home. Details of the ride to an abandoned gravel pit east of Olympia; beating of Baker with fists; lashing with a heavy belt and torture with pliers—all crimes charged against him—"are a complete blank," Berry said.

Molalla Farmer Is Killed on Highway

OREGON CITY, Ore., Nov. 18.—(AP)—Paul Rohler, 68, a bachelor farmer who lived near Molalla, was killed last night when struck by a truck driven by Edgar Colson, 2, Sweet Home.
A total of \$2100 in cash and postal saving certificates was found in the victim's pockets by state police.
Rohler's death was Clackamas county's 17th traffic fatality of the year and the third in 24 hours.

Oregon Students Waver On Majorette Problems

EUGENE, Ore., Nov. 18.—(AP)—Oregon university's drum majorette dispute reached the student affairs committee today. Two resolutions were offered, one requesting immediate appointment of a pair of attractive "high steppers" and another disapproving the idea.
Search Is Continued
ASTORIA, Ore., Nov. 18.—(AP)—Searchers continued scouring the Necanicum river country in their hunt for Len Ridley, Seaside, who disappeared Wednesday night after a car accident south of Seaside. The river was dragged near the site of the accident Thursday to no avail.

Sprague and Holman Will Address Wheat Leaguers

THE DALLES, Nov. 18.—(AP)—Governor-elect Charles A. Sprague, Senator-elect Rufus Holman and Harry L. Brown, assistant secretary of agriculture, have accepted invitations to speak at the annual eastern Oregon wheat league meeting here Dec. 2-3.

Three Escape Injury

ASHLAND, Nov. 18.—(AP)—Two student passengers and the driver escaped injury today when a truck forced a school bus into the ditch on the Green Springs highway east of here.