

Court Buffets NLRB 2d Time

Labor Board Is Reversed in Case Where Sailors Staged Sit-Down

WASHINGTON, Dec. 12.—(AP)—The supreme court today thwarted an effort of the national labor relations board to reinstate 145 seamen who were discharged after two ships had been seized in sit-down strikes.

Without explaining its action, the court refused a board request it review a decision of the fifth federal circuit court, which set aside a board order requiring reinstatement of the men.

The order had been directed against the Peninsular and Occidental Steamship company. Second setback

It was the second setback within as many weeks for the NLRB. The court ruled formally last Monday that the board had exceeded its authority in ordering cancellation of contracts between AFL unions and the Consolidated Edison company of New York. As in that case, the American Federation of Labor appeared in opposition to the board in the proceedings ended today.

In the steamship dispute, the NLRB ordered the strikers reinstated with back pay. It contended the men were discharged because they joined and assisted the National Maritime union, a CIO affiliate.

At the time of the dispute, the International Seamen's union (AFL) had contracts with the company, which operates the steamers Florida and Cuba between Miami and Port Tampa, Fla., and Havana.

Strike at Tampa Crew members on the Florida struck at Tampa on June 4, 1937, asserting they wished to change their union affiliation from the AFL to the CIO. Members of the Cuba crew joined the strike. It was settled by intervention of the labor department.

Two weeks later members of the crew on the Cuba who still favored AFL affiliation refused to sail with those who had joined the CIO, and a new strike resulted. Crews of both the Florida and the Cuba were discharged and the AFL union, under its contract, supplied new crews.

The circuit court decided the sailing of the ships by sit-down strikers was "at least prima facie evidence that the crews were guilty of mutiny."

It added: "It would be gross negligence for a vessel to put to sea with that kind of a crew."

The AFL contended the circuit court's decision should be allowed to stand. It argued the labor board order "declined to give effect to an existing contract."

Cole to Inspect Holly Shipments

Persons having holly for shipment to California should take it to C. A. Cole at the state department of agriculture today through Friday, County Agent Harry L. Riches states.

Riches and his assistant, Robert E. Rieder, will leave this morning for Corvallis to attend the four-day session of the annual extension conference. They will be back at their desks Saturday morning.

Regulations on holly shipments have changed this year, and only the holiday greenery designed for California points needs to be inspected at this time, Riches states.

Portland Has 54th Traffic Fatality

PORTLAND, Ore., Dec. 12.—(AP)—Mrs. Alma Campbell, 74, became Portland's 54th traffic victim of the year, when she was hit by a truck and fatally injured tonight.

The driver, Harry M. Gregory, Vancouver, Wash., was charged with involuntary manslaughter after Accident Investigator George Phillips reported that the vehicle was traveling at a high rate of speed and had swerved out of control. Gregory was released on \$1000 bail.

Miner Uses Hands To Dig Self out

GRANTS PASS, Dec. 12.—(AP)—William Frisch, Holland gold miner, was in a hospital today with a possibly broken back after he dug his way out of a mine cave-in yesterday.

Frisch told hospital attendants he used his hands to burrow out after a cave-in buried him, and then crawled unaided to the mine entrance, where he called for help.

Veteran Slashes Throat At Hospital in Portland

PORTLAND, Dec. 12.—(AP)—Uno Wange, 47, Houghton, Wash., took his life by slashing his throat at the United States Veterans' hospital yesterday, Deputy Coroner G. W. Snooks said today. Physicians said Wange, who was to have returned home this week, suffered from an internal malady.

92-Year-Old Woman Dies As Result of bad Burns

PORTLAND, Dec. 12.—(AP)—Mrs. Viola Turlay, 92, was fatally burned yesterday by flames from an open stove. Her 67-year-old son, Ben Turlay, beat out the flames but the aged woman died a short time later.

LaGrande Gets Cold Wave

LA GRANDE, Dec. 12.—(AP)—A seasonal mark was established last night when the temperature dropped to a minimum of 11 degrees above zero. A day earlier the mercury showed a comparatively balmy 59 degrees.

Garner Boomed for President



Mrs. Fred Moore, Mrs. Maude Blair, Jesse L. Garner and Mrs. J. R. Wright

Before the old Garner home at Detroit, Tex., relatives of Vice President John Nance Garner participate in a "Garner-for-president" boom. It was in this log cabin, background, that Garner's mother was born. Shown, left to right, are Mrs. Fred Moore, niece of the vice president; Mrs. Maude Blair, a sister; Jesse L. Garner, a brother, and Mrs. J. R. Wright, a sister.

Sheridan Downey Asks End of WPA

WASHINGTON, Dec. 12.—(AP)—Sheridan Downey, democratic senator-elect from California, said today the WPA "is demoralizing the country, and it has got to go."

Downey, who supported the \$30-a-week-Thursday pension plan in California, said the federal relief agency should be replaced by a national pension system costing several billions annually. He added he was drafting a national pension program, with payments starting at either 50 or 60.

Although saying he had not decided how the payments could be financed, the Californian asserted issuance of new currency might be one way.

Lots Turned Over To City of Salem

Twenty pieces of Salem property were deeded by the county court by quit claim to the city yesterday in exchange for \$1536.65 in delinquent taxes. The parcels ranged in size from one lot to one acre.

The county originally took the property by delinquent tax foreclosure. In order to be able to give good title to buyers, the city then went through its own foreclosure proceedings based on street liens.

The tax payment represented the principal accrued against the properties, less the city's share of the various levies and less interest and penalty.

Marine Reserves To Use old Ship

The navy department has accepted an invitation from the Battleship Oregon commission to use the Battleship Oregon as headquarters for the proposed new marine corps reserve unit to be established in this state.

Navy department officials said the ship could be used for drills and instructional purposes to good advantage.

Abductors Shown By Kidnaped Girl

WASHINGTON, Dec. 12.—(AP)—Washington detectives said tonight Mary Brown, 18, Oxon Hill, Md., girl "positively" had identified the picture of one man and "partially" identified a second as those of two of the three persons she said kidnaped her early this month.

The identifications were made from the "rogues gallery" of the metropolitan police. The names of the two men were not made public.



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Trotsky Says New Deal Mild

Palliative for Diseased Body, but no Cure, Says Russian

TUCSON, Ariz., Dec. 12.—(AP)—Leon Trotsky, exiled Russian revolutionary, in an interview released here tonight, describes the new deal as not revolutionary but as "a program of mere palliatives seeking to cure a badly diseased body."

Trotsky, interviewed in his guarded villa near Mexico City by William R. Mathews, publisher of the Arizona Daily Star of Tucson, said the new deal program "represents the culmination of the final contradictions in the decay and fall of capitalism."

Cure Neglected "If will, of course, fail, because it is doing nothing to cure the causes of the diseases," the one-time head of the soviet war machine declared.

"Capitalism has reached its zenith in America and has exhausted itself. It is now living on its savings, consuming its own fat.

"Look at your unemployed. No form of society can continue long that permits such conditions to exist. You are doing nothing to increase wealth."

Trotsky asserted that the "democracy of capitalism is finished."

Points to France "Look at France, where it is making dying gasps," he said. "Note how Daladier is asking for full powers. That means dictatorship."

He predicted a "terrible revolution" in the United States, and described Mayor Frank Hague of Jersey City as a more powerful figure than President Roosevelt and as the symbol of American political action. The Rockefeller, he believes, symbolize this nation's ruling class.

"You will have a revolution, a terrible revolution," the famed exile told Mathews. "What course it takes will depend much on what Mr. Rockefeller tells Mr. Hague to do. Mr. Rockefeller is a symbol of the American ruling class, and Mr. Hague is a symbol of its political tools."

Soil Improvement Study Opens 19th

DALLAS—Several Polk county farmers will have a part in the soil improvement short course at Oregon State college Monday and Tuesday, December 19 and 20, and indications are that there will be a large attendance of farmers from over the valley.

According to information received at the county agent's office, considerable new information will be given on the subject of fertilizers. Boron, an element found in ordinary borax, has given phenomenal returns on certain soils and usually it can be applied cheaply.

This and other minor elements are to be discussed in the short course. Irrigation and soil fertility trials will also be considered as part of the program.

Statesman Policy Pays for Injury

Albert J. Evans, Jr., Salem route two, holder of a dollar North American Accident Insurance company policy issued by The Oregon Statesman to its subscribers, has been mailed a \$25 check to cover injuries sustained several weeks ago.

Evans suffered a broken arm when he was struck and knocked down by a car he was cranking.

Patriotic Essay Contest Offered

The Salem Lion's club auxiliary, headed by Mrs. Harry W. Scott, is sponsoring a contest to encourage patriotism among the school children of the city. The contest is open to all pupils of the social science department of the Leslie and Parrish junior high schools. The students will be required to write themes on "A Contemporary American and His Contribution To Our Country."

Miss Joy Mills, head of the social science department of the Salem schools, is directing the contest. A group of social science teachers from the senior high school will act as judges. A \$5 and \$2.50 prize will be awarded and three honorable mentions will be given. The awards will be presented at the Christmas assemblies at the two schools.

North End School Teachers in Meet

WOODBURN—The annual North Marion county teachers' institute was held at Woodburn high school Saturday morning with over 100 teachers attending. Harold Davis of Silverton, county president of the Marion County Teachers' association, presided.

Speakers included Rex Putnam, state superintendent of public instruction, who spoke to teachers of the upper grade division; Dr. Vern D. Bain, former superintendent of Woodburn schools, who talked to the high school teachers, and Dr. Macomber of the University of Oregon, who spoke to departmental teachers.

At a general assembly, Silas Gaiser, Salem, president of the Oregon State Teachers' association, spoke on proposed legislation affecting Oregon schools.

Road Heads Back From Taxes Meet

Members of the state highway commission returned here Monday from Dallas, Texas, where they attended the national convention of state highway officials.

R. H. Baldock, state highway engineer, was one of the principal speakers at the gathering. He said every state in the union was represented and a large number of important subjects were discussed.

Baldock said the next meeting of the highway commission would be held in Portland Thursday and Friday.

Winslow Firing Upheld by Probe

Charge of Discourteous Conduct to Prisoner Found Justified

(Continued from page 1) had received the cut alongside his left ear while coming to the station.

Winslow Says He Gave Warning Winslow testified he had earlier in the evening told Stalling to go home but that he had returned on his beat to find Stalling, still in a drunken condition, on the street. He said that Stalling, when told he'd either have to go home or to jail, swore at him and took a swing at him.

"He pulled back and tried to wrestle away from me all the way to the station," Winslow said.

"I was getting tired and out of wind," Winslow said when asked if he had not lost his temper. "I might have been a little mad."

Others testifying for the defense included: Roy McIntyre, co-proprietor of the Dinty Moore cafe, from in front of which Stalling was arrested. "I ordered Stalling out of my place earlier in the afternoon," McIntyre said.

Augustus Dimick, who said Stalling was "fighting drunk" and that he had swung at Winslow.

Walter Stoltz, Harold Busick and Van Wieder, who testified as to Winslow's efficiency as an officer.

Stephen A. Stone, reporter who interviewed Stalling as he was being released from the jail. Stone testified that Stalling told him he was not on the floor of the police station and could remember nothing of what happened.

Printed Budgets Going Into Mail

Printed state budgets for the 1939-40 biennium were being mailed out here Monday by the state budget department. The distribution is restricted to members of the 1939 legislature, heads of state departments and the newspapers.

The budgets contain all department and institutional requests, together with appropriations approved by Governor Charles H. Martin and the state budget division.

All legislative appropriations must receive the approval of the joint ways and means committee before being sent to the house where all bills carrying appropriations originate.

Mrs. Jennie Ellis Dies In Portland at Age 76

PORTLAND, Dec. 12.—(AP)—Mrs. Jennie C. Ellis, 76, long-time resident of Albany, died here yesterday.

Six sons survive, including William of Salem.

Christmas Carols Provided Shoppers

A male quartet composed of members of the store staff twice daily broadcast Christmas carols over a public address system in the Montgomery-Ward store. Christmas music is featured from the third floor "studio" where Ewald Franz, Nell Fleming, Paul Silke and Alvin Hubert harmonize old favorites to the piano accompaniment of Miss Dorothy Leiper.

Manager Barkley Newman invites the public to hear the "broadcasts" on any floor during the morning or afternoon.

Regional Realtor Gathering Friday

One of the regional meetings for real estate brokers and salesmen conducted at intervals by the state real estate department, headed by Hugh Earl and William L. Graham, is scheduled for Friday night in Portland at the Aero club, 804 Southwest Taylor street. There will be a 6:30 p. m. dinner followed by a speaking program.

David B. Simpson, northwest regional vice-president of the National Associated of Real Estate Boards, will be the principal speaker. Others include Claude H. Murphy of Albany, president of the state association; Henry E. Reed, former Multnomah county assessor who will discuss appraisals; Stanley Freeman of Salem, "Progress and Aims of the Collectors in Oregon"; T. W. Zimmerman of Portland, secretary of the state board, and Bernard Eastman of Ontario who will discuss the next state convention to be held there next summer. Governor Charles H. Martin and Governor-elect Charles A. Sprague have been invited to attend.

Government Club Meeting Tonight

The executive committee of the Good Government club will meet at the courthouse tonight at 7:30 o'clock to plan a program of activities for the coming year. The immediate issues to be discussed tonight include:

The Millboard ordinance before the city council; proposal to establish a cooperative industrial enterprise to salvage and convert waste material and provide employment; the firemen's pension bill to be introduced in the legislature; the "Farmer" Jones bill for promoting use of Oregon fruits in wine production; cooperation with the Marion county relief committee and other agencies to bring about more satisfactory distribution of relief funds and old age assistance allotments.

The general public is invited to attend.

Capitol Will Get Restaurant Soon

H. O. Tenney, Milwaukie, will equip and operate the new state capitol restaurant, Secretary of State Snell announced Monday.

Equipment will be installed within the next few days and the restaurant will be ready for operation January 7. The 1939 legislature convenes January 9.

Tenney has been engaged in the restaurant business for many years. The restaurant will be in the basement of the new capitol building.

France, Britain Hoping for Memel

Envoys to Express 'Hope' at Berlin That Nazis Won't Gobble

LONDON, Dec. 12.—(AP)—Great Britain and France conveyed concern to Germany today over the possibility she may swallow little Memel in another thrust to the east.

Prime Minister Neville Chamberlain informed the house of commons that the British and French envoys in Berlin had been instructed to "join" in "expressing the hope that the German government will use its influence to insure respect" for the 1924 statute of Memel, which gave the former German territory a measure of autonomy under Lithuanian control.

Britain and France are signatories of the 1924 convention, but no informed observers in London expected them to do more than protest if Chancellor Hitler should "permit" the Memel Germans to come back to the reich.

It was considered problematical whether such a return would take the form of actual annexation by Germany or conform to the Danzig pattern of a separate Nazi state controlled through the Nazi party from Berlin.

League of Cities Meet Wednesday

Legislative matters pertinent to Oregon cities will be explained during a League of Oregon Cities meeting at the Golden Pheasant restaurant Wednesday noon. It was announced yesterday by Mayor V. E. Kuhn, past president of the league.

President Charles H. Huggins, Marshfield mayor, Executive Secretary Herman Kehrl and possibly by one or two members of the executive board will meet with city officials of the Salem district to explain matters expected to come before the 1939 legislature that are of particular importance to cities.

Flow of Christmas Mail At Postoffice Heavier

Christmas mail, both outgoing and incoming, began in earnest at the local postoffice yesterday.

A steady flow of patrons appeared throughout the day at the stamp and parcel post windows, but at no time was there congestion, Postmaster H. R. Crawford reports.

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