

Cutting Time

August is the month for propagating shrubs by cuttings, says Lillie L. Madison, Statesman's garden expert. Read her column, Timely Garden Talks, in Sunday's Statesman for instructions.

The Oregon Statesman

FOUNDED 1851

Salem, Oregon, Saturday Morning, August 1, 1942

Save to Win

Metals in one washing and ironing machine may be enough to make 21 four-pound incendiary bombs. Save scrap metals for Uncle Sam.

NINETY-SECOND YEAR

Price 5c

No. 100

Court Denies Pleas

FDR's Order On Saboteur Trial Upheld

By RICHARD L. TURNER

WASHINGTON, July 31 (AP)—The supreme court briskly refused Friday to let the alleged nazi saboteurs escape military judgment by taking refuge in the civil courts and in the civil liberties established for this nation's loyal citizens.

In a swiftly moving, four-minute session it upheld the legality of President Roosevelt's order that they be tried by a military commission. And, asserting that their detention by the army was lawful, it refused to free them by issuing a writ of habeas corpus.

The court did, however, assert its authority to pass upon this application over the case, an action which many interpreted as the court's way of saying that war or no war the protection of the courts is still open to all who may rightfully claim a haven in them.

The sum total result of the ruling was, of course, that the military commission is free to proceed with its trial of the men, and that unless reversed by the president himself, the sentence which the commission imposes will stand. The prisoners are without further avenues of appeal.

Even before the court met, however, the commission had resumed its sessions. It heard the prosecution and the defense begin their final arguments. Obviously, the case was moving swiftly toward its conclusion.

With the announcement of its decision, the court ended a brief and spectacular special term, called for the purpose of passing upon the case of the alleged saboteurs, a term which brought its members hurrying to Washington from several distant points.

Two days were spent in presenting arguments, which, stripped of their legal patois boiled down to:

A contention by the defense that the president acted illegally and unconstitutionally in establishing the military commission to try the men; and that all citizens, including enemies and aliens, are entitled to the protection of the courts.

An assertion by the government that the proceedings have been fully justified by the constitution and the laws of war; and that enemies have no standing in civil courts.

At noon Friday the court was ready with its decision, although the preparation and publication of a written opinion, a time-consuming process, was left until later.

The black-robed justices entered and were seated to the traditional "oyer" patter of the court crier. Chief Justice Stone looked over a half-filled court room, leaned upon his elbows and began reading a brief announcement of the decision.

"... The court holds: (1) That the charges preferred by the petitions on which they are being tried by military commission appointed by the order of the president of July 2, 1942, allege an offense which the president is authorized to order tried before a military commission.

(2) That the military commission was lawfully constituted. (3) That petitioners are held in lawful custody, for trial before the military commission and have not shown cause for being discharged by writ of habeas corpus.

"The motions for leave to file petitions for writs of habeas corpus are denied."

Stone added that Associate Justice Murphy, who as a member of the armed forces considered himself disqualified to sit in the case, took no part in the proceedings. Then he announced that the special term was adjourned.

Both Attorney General Biddle, who had argued the case for the government, and Colonel Kenneth Royall, who was assigned to serve as counsel for the defense were present for the brief session. Biddle expressed satisfaction that the president's exercises of his wartime powers had been upheld.

Red Retreat Deeper Below Bataisk

Allied Preparation Excites Belief In Imminent Action

North Convoy Route, Japan Threat To Siberia Decisive; American General as 'Top' Said Okehed

By ROBERT BUNNELLE

LONDON, July 31 (AP)—Mounting British and American offensive preparations coupled with continuing strategy conferences caused observers to believe Friday night that a decision has been reached to aid the impatient Russian allies with as quick and positive action in western Europe as their combined resources will permit.

Nelson Okehs Kaiser Plans

Action Promised if Military Craft Not Delayed

WASHINGTON, July 31 (AP)—War Production Chief Donald M. Nelson virtually promised Friday to give Henry J. Kaiser the "go signal" to build a fleet of giant cargo and troop carrying planes in his west coast shipyards if engines and other materials can be spared from the present military aircraft program.

Declaring that the war production board has been "keenly aware for some time of the necessity for more and bigger cargo planes," Nelson said in a statement that he was "much interested" in Kaiser's offer to build a fleet of 5000 huge aircraft on ways now being used to construct ships.

"If it develops," the WPB chairman said, "that the engines, and other components needed for these planes can be built without disrupting the present military aircraft program, which is our No. 1 war essential, he will get plenty of action."

Nelson's statement followed an announcement made earlier by (Turn to Page 2, Col. 1)

Four Killed in Air Crashes

Officers Slain in New Jersey and California

NEWARK, N.J., July 31 (AP)—An army basic training plane spitting blue flames crashed to earth here Friday night, killing a lieutenant colonel and a major.

The force of the crash was so great that the major's body was buried fifteen feet underground and was not found until nearly two hours later.

Maj. Olier Holden of the first air force public relations office at Mitchell field, N.Y., said the victims were Lieut. Col. George R. Smith, autogiro and meteorology expert, and Maj. J. J. Simandil, who was not known at Mitchell field.

The plane, flying from Bolling field, outside of Washington, to Mitchell field, had been plowing through a storm.

Colonel Smith, stationed at Mitchell field, was piloting the ship, which struck in a parking lot alongside the Weston Electrical Instrument plant in busy Frelinghuysen avenue, which connects Newark and Elizabeth.

SALINAS, Calif., July 31 (AP)—Second Lieut. Myers L. McCrory, Santa Ana, Calif., and Technical Sgt. John L. Coan, Des Moines, Iowa, both from the Salinas air base, were killed Friday when their observation plane plunged into Bass lake in the Sierra Nevada, 60 miles northwest of Fresno.

Army officials here said the plane dived into the lake after striking a power line. The bodies were recovered.

Oregon Democrats Organize Today

PORTLAND, July 31 (AP)—The democratic state central committee will hold its biennial organization meeting here Saturday. Fred Fisk, former Lane county judge and Portland collector of customs, was mentioned as a likely candidate for the state chairmanship after Charles H. Leach, Portland, announced he would not seek reelection because of ill health.

10,000 Japs Said On Isles

No Japs Thought On Pribilofs; Gain, Loss Told

By JOHN M. HIGHTOWER

WASHINGTON, July 31 (AP)—A navy spokesman estimated Friday that the Japanese had thrown a force of possibly 10,000 men into the western Aleutian islands, of which about half are actually occupying territory ashore and half are either manning or living on warships and transports in the area.

The spokesman, who declined to be quoted by name, made the estimate of enemy strength on the north Pacific edge of American territory in connection with a statement that aerial reconnaissance had failed to show any Japanese activity in the Pribilof islands, the world's richest sealing grounds lying in the Bering sea, 250 miles northwest of Dutch harbor.

Asked about reports made public by Delegate Anthony Dimond of Alaska that "slight circumstantial evidence" had indicated enemy seizure of the undefended Pribilofs, the navy official said, "We aren't in a position to say that they aren't there, but we have no evidence that they are."

He explained that the American forces had looked over the islands from the air "but we've seen no Japs."

Dimond said Thursday that two men from Alaska had told him that "from what they had heard in Alaska, the Japs have the Pribilofs."

Stage Drivers Go On Strike

Salem City Busses Not Affected by 'Wildcat' Oregon Motor Dispute

PORTLAND, Ore., July 31 (AP)—A strike of AFL highway drivers and shop employees of Oregon Motor Stages Friday night stranded hundreds of war workers and cut off bus service to scores of northwestern Oregon communities.

Many workers in Portland and Astoria shipyards and other war plants in the area took busses to their jobs this morning before approximately 100 drivers and 30 shop employees went out in what union spokesmen called an unauthorized strike.

The Oregon Motor Stages virtually blankets the northwest corner of the state and many towns lost their only means of passenger transportation.

All the company's operations were affected except municipal service in Salem and Eugene. "The strike is unauthorized," said Donald Roberts, spokesman for the motor coach employees union 1055. "The first we knew of it was when we were informed that the highway drivers and shop men had left their jobs."

He said that a wage dispute, which had resulted in a strike threat by the union a few weeks ago, had been submitted to mediation. Three federal conciliators conferred with company and union representatives Wednesday night, Roberts said.

Drivers and shop employees had sought wage increases which were not disclosed and the drivers also demanded payment by the hour instead of on a mileage basis.

Brazilian Ship Sunk by U-Boat

BUENOS AIRES, Argentina, July 31 (AP)—The sinking of the Brazilian freighter Barbacena by an axis submarine was disclosed Friday in a message to the naval ministry of Argentina from the Argentine tanker Tacito announcing the rescue of 17 survivors.

The men were picked up Thursday off the northern coast of Brazil. The message did not say how many of the Barbacena's crew missing. (The Barbacena, listed in Lloyd's as a 4772-ton ship built in 1909, was the 11th Brazilian ship to be sunk.)

The Scots Go Into Action



Behind heavy tanks and through a smoke screen, Scots guards move into battle in the El Alamein sector, north of the Qattara depression, in the fight to save Egypt. It was on this line that empire forces stopped Rommel and then began to edge westward. (Associated Press Telemat.)

Allies Attack Jap Cruiser

Enemy Bases Hit in Southwest Pacific By Bombing Units

GENERAL MACARTHUR'S HEADQUARTERS, Australia, Saturday, Aug. 1 (AP)—An allied air unit attacked and "probably hit" a Japanese cruiser south of Amboina island, in the Dutch East Indies, while other bombers were carrying out devastating raids on Japanese bases at Gona mission, northeastern New Guinea, Gen. Douglas MacArthur's headquarters announced Saturday.

Japanese installations on Guadalcanal island, in the Solomons, also were heavily attacked, a communique said. Direct hits were made on a supply dock near the settlement of Kukum and a large ship off shore was blasted by allied bombs.

Allied action against enemy bases at Guadalcanal disclosed that Japanese infiltrations into the island have been going on for about six weeks, a military spokesman said.

The raid on the Gona mission area was centered on the village of Buna which was heavily hit, the communique said. Two large fires were started near the coast.

The situation at Kokoda, in interior New Guinea where Japanese patrols and allied outposts have been skirmishing, was declared "static."

A single Japanese plane jetisoned one bomb near the village of Mossman, on the coast of Queensland north of Townsville, Australia, during a night fight and caused minor damage.

At Rabaul, New Britain, an allied scouting formation shot down one enemy fighter, the communique said.

General MacArthur's headquarters' communique gave no further details of the attack on the Japanese cruiser near Amboina.

City Blacked As Surprise; AP Prepared

NEW YORK, July 31 (AP)—Air raid sirens sounded a practice alert at 9:50 p. m. Friday night, and New York city was plunged into its first city-wide surprise blackout of the war.

The all clear signal sounded at 10:15 p. m. The sirens shrilled with no advance warning to the general public, except for Mayor F. H. La Guardia's announcement of several days ago that such a blackout test could be expected at any hour before Wednesday, August 5.

A spokesman for the army's eastern defense command said the army had no comment on the test, and added: "It's Mayor La Guardia's party."

Simulating conditions which would exist in an actual raid, the Associated Press shifted a skeleton staff of employees to an emergency station deep underground safe from any danger. Wires were carrying news over the emergency setup a few minutes after the alarm was given. (The preceding story was transmitted from the AP emergency air raid station.)

Mock Attack Hits Salem—Juicy, Too!

With imaginary bombs, dropping from planes that were not there, Salem was "attacked" Friday night and the streets ran deep with — raspberry juice. While effective though non-poisonous fumes from a pan of burning sulphur rose at 21st and Mill streets where one of the hypothetical incidents in the city's first civilian defense incident drill was placed, decontamination squads, public utilities' repair trucks and ambulances rushed to the scene, and a first aid squadron demonstrated its training.

US Bombers Hit Tobruk

Naval Aircraft Raid Matruh to Start Huge Dump Fires

CAIRO, July 31 (AP)—US army and heavy British bombers joined in a violent attack on Tobruk Thursday night while British naval aircraft raided Matruh, the axis port closest to the desert front line, and scored hits on two ships.

After hitting at the Matruh harbor the naval planes roared inland and made direct hits on what apparently were axis fuel and munitions dumps. Fires set off at Matruh could be seen 30 miles away, the British said.

The visibility over Tobruk was poor but the raid nevertheless was described as successful.

Axis planes also were active and raided Egyptian air bases from which the Americans and British have been attacking Field Marshal Erwin Rommel's land and sea communications on the North African coast and the naal bases in Crete.

Navy Reveals WAVES Plan

Restrictions Given on Wives and Mothers As Candidates

WASHINGTON, July 31 (AP)—The navy Friday night started the "WAVES" rolling.

The call went out for 1000 women, preferably whole-hearted bachelorettes, to volunteer as officer candidates in the newly created feminine navy unit intended to release men for active sea duty. Later calls will be made for 10,000 enlisted personnel.

Capt. Herbert Whitwell Underwood, 55, expert in navy science and tactics, has been named commanding officer of the women's reserve indoctrination and training school to be opened at Smith college in Northampton, Mass., on October 1.

Miss Mildred McAfee, 42, president of Wellesley college, also in Massachusetts, is expected to be named head of "WAVES" with the rank of lieutenant commander. Both she and Captain Underwood are natives of Missouri.

The navy's frown on motherhood isn't complete, but there are restrictions on student officers who wish to be "Women Appointed for Volunteer Emergency Service"—in other words, "WAVES." After all, reason the admirals, there's a war on.

Married women are not barred from volunteering, but unmarried volunteers must agree not to marry or remarry while in training—and that training will last at least one month.

Mothers having children under 18 years of age need not apply for the first two groups of officers to be appointed to get (Turn to Page 2, Col. 2)

Our Senators

Lost 11-3

Mock Attack Hits Salem—Juicy, Too!

With imaginary bombs, dropping from planes that were not there, Salem was "attacked" Friday night and the streets ran deep with — raspberry juice. While effective though non-poisonous fumes from a pan of burning sulphur rose at 21st and Mill streets where one of the hypothetical incidents in the city's first civilian defense incident drill was placed, decontamination squads, public utilities' repair trucks and ambulances rushed to the scene, and a first aid squadron demonstrated its training.

US Bombers Hit Tobruk

Naval Aircraft Raid Matruh to Start Huge Dump Fires

CAIRO, July 31 (AP)—US army and heavy British bombers joined in a violent attack on Tobruk Thursday night while British naval aircraft raided Matruh, the axis port closest to the desert front line, and scored hits on two ships.

After hitting at the Matruh harbor the naval planes roared inland and made direct hits on what apparently were axis fuel and munitions dumps. Fires set off at Matruh could be seen 30 miles away, the British said.

The visibility over Tobruk was poor but the raid nevertheless was described as successful.

Axis planes also were active and raided Egyptian air bases from which the Americans and British have been attacking Field Marshal Erwin Rommel's land and sea communications on the North African coast and the naal bases in Crete.

Navy Reveals WAVES Plan

Restrictions Given on Wives and Mothers As Candidates

WASHINGTON, July 31 (AP)—The navy Friday night started the "WAVES" rolling.

The call went out for 1000 women, preferably whole-hearted bachelorettes, to volunteer as officer candidates in the newly created feminine navy unit intended to release men for active sea duty. Later calls will be made for 10,000 enlisted personnel.

Capt. Herbert Whitwell Underwood, 55, expert in navy science and tactics, has been named commanding officer of the women's reserve indoctrination and training school to be opened at Smith college in Northampton, Mass., on October 1.

Miss Mildred McAfee, 42, president of Wellesley college, also in Massachusetts, is expected to be named head of "WAVES" with the rank of lieutenant commander. Both she and Captain Underwood are natives of Missouri.

The navy's frown on motherhood isn't complete, but there are restrictions on student officers who wish to be "Women Appointed for Volunteer Emergency Service"—in other words, "WAVES." After all, reason the admirals, there's a war on.

Married women are not barred from volunteering, but unmarried volunteers must agree not to marry or remarry while in training—and that training will last at least one month.

Mothers having children under 18 years of age need not apply for the first two groups of officers to be appointed to get (Turn to Page 2, Col. 2)

Our Senators

Lost 11-3

Germans Stalled In East

Reserves Rushed At Stalingrad To Push Nazis

By EDDY GILMORE

MOSCOW, Aug. 1 (Saturday)—(AP)—The red army has retreated deeper into the western Caucasus below Bataisk, but reinforced soviet legions were reported early Saturday to have stalled a big nazi drive in the Kletskaya area some 80 miles northwest of Stalingrad, where the Russians rushed trainloads of reserves to the front.

In the third critical area of the south, a midnight communique said one Russian unit defending the Don river barrier in the Tsimlyansk sector, 120 miles upstream from Rostov, had killed more than 1000 Germans who had effected a crossing of that barrier.

The communique said of the new retreat south and southeast of Bataisk: "After bloody battles our units fell back to new positions. The Germans lost 13 tanks, 18 guns and more than 600 men killed in these battles."

In the Kletskaya battle, the Russians reported, the red army was hurling captured German tanks immediately into the battle against the nazis.

It was in the Kletskaya area that press dispatches said the Russian reserves had arrived in armoured trains to stem the nazi drive in the Don river elbow.

"In the area of Tsimlyansk stubborn fighting went on against enemy groups which had crossed to the southern bank of the Don in a sector held by one of our units," the communique continued.

"Nine German tanks, 15 guns, 23 machineguns and eight mortar batteries were destroyed. The enemy lost more than 1000 officers and men."

A resurgence of "local fighting" on the Leningrad front also was disclosed, the communique saying that artillery-supported Russians repulsed two German attempts to regain positions which the soviets had captured.

German dive-bombers supported the nazi charges, but five of the planes were shot down and the Germans lost 300 men, the communique reported.

Another 300 nazis were reported killed when Russian guerrillas in the Leningrad district derailed two nazi troop trains.

The Russians apparently made no further offensive attempts in the Voronezh sector on the upper Don Friday, but the nazis were reported to have suffered heavily in two unsuccessful counter-attacks there.

A 15,000-ton enemy transport was announced sunk in the Barents sea.

Airmen Fight Over France

Huge Battles Rage as RAF Raids; Nazi Attack Ligt

LONDON, Saturday, Aug. 1 (AP)—British bombers resumed their assaults on Germany Friday night after a one-night interruption and the Berlin radio reported the raiders had attacked several places in the Rhine-Westphalian industrial area with high explosives and incendiaries.

Eighteen British planes were shot down, the German broadcast said. Nazi air raiders, meanwhile, attacked several points on the English east coast, causing a number of casualties in one town. Bombs also were dropped in northeast England, but the attacks were not heavy.

At least one enemy plane was shot down. London, which experienced alerts Monday, Wednesday and Friday, had a quiet night. Hundreds of British and German fighters duelled over the occupied French coast Friday and Friday evening as the RAF carried out intensive raids on the Abbeville airdrome and St. Malo docks. Eleven German planes including three Focke-Wulf fighters (Turn to Page 2, Col. 3)