

# Council Warned Annexation Vote To Get Court Test

By Robert E. Gangware  
City Editor, The Statesman

Several Polk county property holders plan to go to the courts to challenge the annexation of their land to the city of Salem in last week's election.

Attorney Paul F. Burris Monday night told the Salem city council he represents several businessmen with property in the annexed area and is preparing an injunction suit against the city.

The annexation in question represents a 368-acre area surrounding the city of Salem and having common river boundary with Salem along the Willamette in the vicinity of the Salem-West Salem bridge. An estimated 950 persons reside in the Polk county area which voted 181 to 75 in favor of the annexation, while Salem's electorate was approving the proposal, 8,522 to 2,695.

**Request Delay**  
Burris appeared before the Salem council in city hall last night to request a delay in the official vote canvass until the suit gets first attention in circuit court. He advised the city to withhold polling and other city services at least until the suit was filed.

City Attorney Chris Kowitz, however, stated the city council is obligated by law to canvass the votes immediately, and the council proceeded to make the canvass which confirmed the Polk annexation vote and the three other annexation votes for areas east and south of Salem, all of which lost because of adverse votes in the proposed areas.

**To Study Legality**  
Burris said following the council meeting that he would complete a thorough study of all legal questions involved before filing suit, possible later this month. He noted, however, his principal contention would be that state law provides for annexation of one municipal corporation to another but does not specifically provide for annexation of unincorporated area (such as the Polk county area) in cases where a river is common boundary. Burris also indicated the suit would question the manner of conducting the election and the other owners of land in the annexation area should have been denied a vote because they were registered in another area.

(Additional council news on page 2.)

**U.N. Condemns Balkan Nations' Aid to Greeks**  
By Francis W. Carpenter  
PARIS, Nov. 8—(AP)—The political committee of the United Nations assembly formally condemned Albania, Bulgaria and Yugoslavia tonight for aiding Greek guerrillas and violating the U.N. charter.

The condemnation was backed by 47 of the 51 committee members. It was the strongest action taken so far by any U.N. body against the three Soviet satellites, Russia and other members of the Soviet bloc refused to vote.

The committee's action was on one crucial paragraph of a resolution adopted by the entire U.N. assembly, France, Britain and China. The entire resolution still must be voted on tomorrow, but its passage was forecast by tonight's ballot.

Bitter words flew in the noisy committee meeting where the chairman, Premier Winston Churchill, said the U.N. assembly, which he called the "Soviet bloc," was "systematically sabotaging" the Balkans debate.

Elsewhere in the U.N.:  
1. The security council was called to meet tomorrow on Palestine. Dr. Ralph Bunche, acting U.N. mediator, said in a statement neither he nor his chief of staff, Brig. Gen. William E. Riley, had told four Arab countries their position in Palestine was hopeless. Bunche was commenting on weekend press reports which quoted American delegation sources.

2. John Foster Dulles, republican member of the U.S. delegation, said President Truman had encouraged him to remain as a delegate despite the defeat of Gov. Thomas E. Dewey.

3. The assembly's social committee voted 17 to 16 in favor of equal rights for men and women at the dissolution of marriage as well as during marriage. Russia sponsored the proposal to make the equality apply at the termination of marriage.

**GENEVIEVE TAGGARD DIES**  
NEW YORK, Nov. 8—(AP)—Genevieve Taggard, 54, poetess, biographer and teacher, died today.

**Animal Crackers**  
By WARREN GOODRICH

**Navy Closes North Atlantic Maneuvers**  
BOSTON, Nov. 8—(AP)—What the navy called its most extensive north Atlantic maneuvers were climaxed today by an "invasion" of Newfoundland by units of the second fleet.

The theoretical landing was accomplished, with the navy expecting to receive by the navy here, despite strong submarine "attacks" on the 100-ship fleet.

**Weather**  
SALEM  
Max. 51 Min. 25 Precip. 0.00  
Chicago 48 32 0.00  
San Francisco 64 52 0.00  
New York 41 36 0.00  
Willamette river - 2 feet.  
Forecast (from U. S. weather bureau, McNary field, Salem): Fair today and tonight with the high near 54 and low tonight near 28.  
SALEM PRECIPITATION (from 1901 to Nov. 8)  
This Year Last Year Average  
1.51 13.88 6.07

"Boy, talk about a strong solution!"

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## Pension Bill Ruled Unworkable in Present Form

### Neuner Clarifies Question

Oregon's newly adopted old age pension plan cannot be set in motion without action by the state legislature, Oregon Gov. George Neuner ruled informally Monday.

The state attorney general added that he had been assured by the federal social security board that his formal issuance of a ruling to this effect will be sufficient to guarantee payment of December pensions to current old age beneficiaries under the federal act.

Neuner questioned the constitutionality of the measure's wholly incomplete and uncertain provisions for obtaining revenue. He interpreted the initiative measure as authorizing but not compelling payment of pensions by board of control action in the interim between passage and convening of the 1949 legislature.

The formal opinion will be written later this week, Neuner told a conference of legislators, tax experts and bankers in the Marion hotel. The ruling was requested by State Treasurer Leslie M. Scott and the state welfare commission.

Issue in question is the plan for a \$50 pension for women at age 60 and men at 65, as passed by Oregon's electorate last week. The initiative measure carried no provision for revenue to support the plan estimated to cost up to \$9,000,000 a month.

Neuner said he wished to state his conclusion now to allay uncertainties as to the state's credit. Last week a scheduled \$2,000,000 bond issue for the veterans affairs department attracted no bids.

"It is the further opinion of this office that this measure does not repeal or amend the present public assistance laws of this state," Neuner declared.

Neuner said the act does not contain provisions in itself nor is there any law otherwise, pending subsequent legislative enactment.

Two proposals were suggested at the conference:  
A mandamus proceeding in the state supreme court was suggested to compel the state board of public assistance to issue the act's benefits as provided in the act pending in the next legislative session. Neuner said a mandamus proceeding would expedite a conclusion and place the attorney general's office in a position to attack the act in making a defense.

The other proposal involved a suit for a declaratory judgment to determine whether the act is constitutional.

### Uprisings



SEOUL, Nov. 8—Pyongyang, North Korea capital, Haeju, Wonsan and Hamhung (underlined) are among the cities which were scenes of uprisings in Soviet occupied Korea, officials of the South Korea government said. They claimed 6,000 Koreans were killed in South Korea, violence of Red Revolution Day, was confined to Ponsong and Yosun-Sunchon area (underlined). AP Wirephoto Map to the Statesman.

### Armistice Day Plans Include Talks, Parade

Speeches, a parade, open house at veterans groups and a football game will feature Salem's observance of Armistice Thursday, according to General Chairman John TeSelle.

A new feature this year is to be a football game Thursday afternoon between teams of Sacred Heart academy and Salem college and academy. The game will be played at Olinger field, sponsored by American Legion, Capital post 9.

The annual parade through downtown streets is slated to leave Marion square at 10:30 a.m. It will proceed south on Commercial street to State street, east on State street to Church street, north on Church street to Court street, west on Court street to High street and south on High street to the American War Mothers monument on the courthouse grounds.

If it rains the parade will pause at the monument briefly and then continue on to the army for the ceremonies.

The program will include invocation by the Rev. George Swift, deposit of wreaths on the monument and the main address by the Rev. P. M. Blenkinsop of Tigard, past state chaplain of the American Legion. Master of ceremonies, Charles Huggins, commander of post 9.

Open house for veterans will be held Thursday afternoon and night at Legion hall on South Commercial street and at Veterans of Foreign Wars hall at Hood and North Church streets.

(Additional details page 2)

### County Court to Pick Senator In December

Appointment of a successor to the senate post of governor-elect Douglas McKay will not take place until about mid-December, Marion County Judge Grant Murphy said today.

Judge Murphy will leave Friday for Oklahoma City, Okla., where he will attend a three-day conference of the National Reclamation congress. He will return December 5. A delegation of berry growers from Woodburn called on the court Monday to endorse H. R. (Farmer) Jones as a candidate for the senate vacancy. They included L. M. Erickson, C. T. Swenney, E. J. Gilles, Joseph Alcher and Henry Schapelle. Jones' name was added to a growing list of candidates recommended to the court.

### One More Payment Possible

Hope that old age assistance checks to about 1,500 Marion county oldsters would be forthcoming for at least December was expressed Monday by Marion County Judge Grant Murphy.

"After December 31, however, I can't vouch for anything," the judge said. "Marion county's current quarterly payment of \$56,401 to the state welfare department has been made and will carry through December 31."

This amount, Judge Murphy said, is for old age and general assistance and for aid to dependent children and the blind. It represents the county's share of the state-federal-county welfare fund.

Meanwhile Marion Bowen, administrator of the Marion county welfare department, said her office has been receiving numerous requests from old people, since the election, desirous of signing up "for the new pension plan."

Miss Bowen points out that her office is not taking applications for the newly-voted program and that her office is in no way connected with administration of the plan.

In the matter of established assistance to the aged, Miss Bowen said that next month's checks are due out on December 1. This county, she said, has a budget of \$68,750 for December for old age assistance.

"We have received no word from the state welfare office," she said Monday. "We assume the December checks will be out on time. We hope so. About 60 per cent of the recipients of old age assistance in Marion county would be in very dire need if their aid is cut off."

### Lower Tides Ease Crisis for Isolated Coast Community

TILLAMOOK, Ore., Nov. 8—(AP)—Lower tides have eased the isolated situation of Oceanbay community at the end of Tillamook bay, peninsula.

Water from across the narrow neck of land in last week's Pacific coastal storm are under water at high tide but only a few waves splash over the sectors at low tide.

Road crews are attempting to restore a gravel road to the familiar Tillamook County Engineer W. E. Anderson reported a temporary seawall may be built on the ocean side of the roadway as a protection against new wash-outs.

The families are still getting water through a fire hose linking pipes torn away by the ocean. Food is moving in by boats. Some eighty residents of the area were isolated by the storm battering the Oregon coast for three days last week.

### Hope Waives for Safety Of Plane Passengers

SEATTLE, Nov. 8—(AP)—Air and surface craft ended their fifth day of futile searching for three planes which vanished in the north Pacific area with 38 crewmen and passengers aboard.

Hope stirred at midday when faint radio signals were picked up by four Alaska and west coast stations was quickly discouraged by the navy.

**COMMODITY PRICE UP**  
CHICAGO, Nov. 8—(AP)—An advance in most farm commodities today left prices with modest gains compared with a week ago, at the day before the upset election victory of President Truman.

Bureau of reclamation irrigation projects recommended include The Dalles west unit in Oregon. Since congress usually requires irrigation projects to be self-liquidating, Col. Weaver suggests without recommendation that costs, in excess of what farmers can pay, can be met by adding 60 cents a kilowatt year to the power cost. Two other compensation recommendations are made: Where dams cause tax losses to local governments, annual payments be made to the state or states; where Indians' traditional fishing grounds are flooded, other fishing grounds be given them or other compensation made.

The modified Willamette valley plan, calling for 20 multiple-purpose dams of which five are built or under construction, bank protection and reconstruction of the Willamette falls locks, was announced several months ago. Weaver said it would cut flood damage to the rich Oregon farming valley by 85 per cent.

## Parnell Thomas Indicted

### Eisler Appeal To Test House Group Action

WASHINGTON, Nov. 8—(AP)—The supreme court ruling on the question whether the house committee on un-American activities overstepped the bounds of constitutionality in its drive against communists was virtually assured today.

The high tribunal agreed to consider an appeal from Gerhard Eisler, alleged "No. 1 communist" in the United States. He was convicted of contempt of congress and sentenced to jail for alleged failure to answer questions about his communist connections.

The court also agreed to review another major case involving the constitutionality of the Taft-Hartley law's requirement that union officers must file non-communist affidavits if they wish to use the facilities of the national labor relations board.

The court refused for the time being to hear from John Howard Lawson, Hollywood writer convicted of contempt for refusal to testify before a congressional committee. He had been a communist, but left the door of appeal open for him later.

It kept on its pending list a renewed petition from 11 leaders of the joint anti-fascist refugee committee, convicted of contempt for withholding refugee committee records subpoenaed by the house group. The 11 had been denied a review last June.

The Eisler, Lawson and anti-fascist committee cases involve parallel attacks in the whole constitutional basis of the un-American activities committee procedure. The Lawson and Eisler cases both involve much the same issue—whether the committee can compel witnesses to answer questions about communist connections.

### Forest Fires Drive 1,500 Californians From Their Homes

SANTA ANA, Calif., Nov. 8—(AP)—Forest fires whipped by gales drove nearly 1,500 persons from their homes in the Santa Ana mountain communities of Silverado and Modjeska Canyons today.

Once removed from danger, the residents later were forbidden by fire fighting officials to re-enter Silverado Canyon to get personal belongings, as they trapped Silverado and Modjeska area box canyons in which roadways dead-end in the mountains, creating true fire traps.

Lt. Carl Pryor of the Orange county sheriff's office said there were about 300 families in each of the Silverado and Modjeska settlements, or 1,200 to 1,500 persons "evacuated in all. Several hundred dwelling places were threatened.

**PARTY STRENGTH SEEN**  
WASHINGTON, Nov. 8—(AP)—Secretary of Labor Tobin predicted today that if President Truman can achieve his new deal program, the democratic party will be stronger in 1952 than at any time in the past half century.

Salem firemen called to the scene battled the fires for more than 30 minutes, but the truck and the car were completely destroyed. The firemen were able to save the capized load of logs which also caught fire from the exploding gasoline.

**Reckless Pilot's Wings Clipped**  
A plea of guilty to charges of operating an airplane recklessly brought a suspended \$100 fine to Marvin E. Harper of Aumsville in Marion county district court Monday morning. The court ordered him grounded for 90 days.

Harper, who crash-landed a Piper cub plane into a field near Aumsville last month, was hailed into court on a complaint signed by C. W. Nelson of the state board of aeronautics.

## Pay 'Kickback' Charge Faces Congressman

### Turnabout



WASHINGTON, Nov. 8—(AP)—Rep. J. Parnell Thomas (R-N.J.) for alleged conspiracy to pad his congressional office payrolls by setting up a list of "fictitious" employees.

The 53-year-old New Jersey legislator, who was re-elected in last Tuesday's election, is the retiring chairman of the House committee on un-American activities. Court officials said that if convicted on all charges, Thomas would face a possible maximum sentence of 32 years in prison, \$40,000 in fines or both.

Congressional authorities agreed, however, that his status as a member of the House would be left entirely to the decision of that body. The House is the judge of the qualification of its own members.

The jury also indicted Thomas' former secretary, Miss Helen Campbell, on charges that she joined with the lawmaker in the alleged conspiracy, involving accusations of salary "kickbacks." The plot, the jury said, was "to defraud the United States of its money and property" over a five-year period from Jan. 1, 1940, to Jan. 30, 1945.

Miss Campbell was accused only of conspiracy. Thomas was accused of conspiracy and also of committing "over acts" in filing allegedly false claims for payment against the government.

U. S. District Attorney George Morris Fay told newsmen that the trial, under normal procedure, would not begin before January. The indictment is scheduled to appear Nov. 16 for arraignment.

At his home in Allendale, N. J., Thomas told a reporter he had "nothing to say at this moment" about the charges, but might have a statement later, Thomas had refused to testify before the Grand Jury after first demanding the right.

Thomas said later in a telephone interview that there was "absolutely not truth" reports head in state republican circles in Trenton that the congressman planned to resign.

The indictment specifically cited 10 checks totaling \$1,698.32 paid by the government for services which it said were never performed.

**More Freezing Predicted for Valley Areas**  
Temperatures in the Willamette valley were expected to hit new lows for the fall season early this morning as the northwest cold wave continue.

The U. S. weather bureau said the thermometer would probably dive to 24 degrees about 4 a.m. eclipsing by one point the 25 degrees recorded early Monday morning. The Monday morning low was the coldest temperature recorded at Salem since 21 degrees last February 21.

A slightly warmer 28 degrees were forecast for tonight and Wednesday morning. The thermometer at the U. S. weather bureau at McNary field read 29 degree at 12:30 this morning.

Temperatures throughout the state dropped below freezing Monday night. Minimums recorded Monday night and Tuesday morning included: Chemult, 6 degrees; LaGrande, 10; Baker, 11; Lakeview, 15; Redmond, 14; Burns, 14; Pendleton, 26; Portland, 31; Medford, 23; Eugene, 27; Ontario, 22; Klamath Falls, 21; Roseburg, 26, and Newport 33.

**QUICKIES**  
"Darn interesting, those dreams of Alvin's—always about Statesman Want Ad!"