

Lebanon Lumberjack Granted Pre-Christmas Pardon as New Evidence Points to Innocence

OLYMPIA, Dec. 23—(AP)—A pre-Christmas conditional pardon gave Clarence Boggie his freedom after 13 years imprisonment today, the third time he has had prison terms cut short for him in three Pacific northwest states.

The 55-year-old former Oregon lumberjack, whose parent's home is at Lebanon, told at the Walla Walla prison of success in long efforts to prove his innocence of a crime he has always denied committing, was speechless several minutes. Then he said:

"It's a wonderful Christmas present."

Prison Warden Tom Smith, one of several officials long convinced he was not guilty of the first degree murder of 79-year-old Morris Petersen in Spokane in December 1935, and the Rev. W. A. Gilbert broke the news. He was serving a life term.

Recommended by Prosecutor
The action by Gov. Mon C. Wallgren was an executive pardon. The governor said it had been recommended by the prosecutor in the case, now a Spokane judge, and Atty. Gen. Smith Troy and the board of prison terms and paroles.

"Recent investigation," Governor Wallgren said, "has disclosed considerable evidence which was not available to Boggie's defense counsel and which was not brought to the attention of the court, the prosecuting attorney or the jury."

Pardoned in Idaho
In July, 1935, Boggie was pardoned in Idaho after serving a year and a half of a five-to-six year sentence for an \$80 robbery. He claimed he was forced at gunpoint to drive a robbery automobile.

When he was 31, he was granted a commutation of sentence by Oregon's governor. His 15-year-term on a robbery conviction was commuted to 10 years on Jan. 10, 1931.

Attorney General Troy's recommendation to Governor Wallgren said another man may be brought to trial for the Petersen slaying.

The Rev. W. A. Gilbert, Walla Walla Episcopal rector, Eric Stanley Gardner, mystery story writer, Raymond C. Schindler, New York detective, and Don Magnuson, Seattle Times reporter, made long investigations of the case.

Asked to Investigate
With several reports before him, Governor Wallgren called upon Attorney General Troy to investigate and former Asst. Atty. Gen. Edward J. Lehan, Spokane, headed up the investigation.

The murdered man's daughter, Mrs. Emma J. Rolfe, told investigators she was convinced Boggie was innocent. She had "no hesitancy" about asking that he be pardoned, she said.

Attorney General Troy gave much credit to Magnuson for his work and said that the Seattle Times, which printed detailed reports, "has made an exceptional contribution to the cause of justice." Magnuson spent five months on the case.

Concurs in View
Superior Judge Ralph E. Foley, Spokane county, prosecutor in the case, "concurs in my view" that the new evidence raises doubts of Boggie's guilt, Governor Wallgren said.

Boggie said at the prison he planned to do everything possible to prove his complete innocence and aid in an attempt to find the real killer of Petersen. A retired saloon and hotel operator, he was blackjacked to death at his home the forenoon of June 26, 1933. Robbery was advanced as the motive.

Boggie planned to return to the home of his elderly parents at Lebanon, Ore., either tomorrow or Saturday. He must report at specified times to parole officers.

The Times began a series today which it described as containing the "new evidence" which led to Boggie's pardon.

AT YULE PARTY
SILVERTON—Sixty children attended the Christmas party of the American Legion and auxiliary Monday night.

Chimney Fires Frequent Here In November

Chimney fires caused by overheated stoves and furnaces led all other fire sources in Salem during the month of November, the city fire department reported this week.

The chimney fires continued to increase with the advent of cold weather, sending firemen to 14 residences during the month. No serious damages resulted from any of the blazes because of fast work by the fire fighters.

Carelessly tossed cigarettes set fire to a hotel chair, a rubbish pile and—of all things—a cuspidor in a public building. A spark from an electric motor set off a gasoline explosion at the Texaco Oil company plant in southeast Salem, causing minor damage to three storage tanks, but two workmen escaped uninjured.

The most sensational blaze of the month was at the state prison flax plant where a group of convicts set fire to several piles of flax straw in an escape attempt. The firefighters traveled 65 miles and spent 20 hours and 25 minutes to put out a total of 42 blazes during the month.

The Salem first aid, operated through the fire department, treated 69 persons and went to five fire calls. Thirty-eight patients were treated by the aid men for lacerations and bruises and cuts.

Iceland, when discovered by the Scandinavians around 850 A.D., had long been inhabited by a small colony of Irish Cuidees.



DISTRICT COURT
Donald Foley, charged with contributing to the delinquency of a minor, bound over to grand jury after waiving preliminary examination; held in lieu of \$2,000 bail.

Walter Nelson, charged with rape, preliminary examination set for December 28 following a plea of innocent; held in lieu of \$3,500 bail.

Frank Paul Kajer, Eugene, charged with driving while intoxicated and failure to stop at the scene of an accident, continued for plea on both charges to December 24; held in lieu of \$150 bail.

Ernest William Martin, Rickreall route 1, charged with two counts of obtaining money by false pretenses, preliminary hearing set for December 24 following pleas of innocent on each charge; held in lieu of \$2,000 total bail.

Harold Hanson, 1912 Hazel ave., and Jack Cosman, 1106 N. 4th st., both charged with illegal cutting of trees, continued for plea to December 31.

CIRCUIT COURT
Clyde T. Phernetton vs Rose Phernetton: Defendant files answer containing denial and in cross-complaint seeking divorce charges cruel and inhuman treatment asks for \$50 per month support money. Married Oct. 29, 1924, at Vancouver, Wash.

PROBATE COURT
Bertha M. MacLafferty estate: Estate appraised at \$2,571.
Otto F. Johnson estate: Report on sale of real property filed.

Dutch, Indonesian, Shake Hands at U.N.



PARIS, Dec. 23—J. H. van Royen (left), Netherlands delegate to the United Nations, and L. N. Palar, who represents Indonesia, stand at arms length as they shake hands before opening of U. N. Security Council's meeting to discuss war in Indonesia in Paris today. During council meeting Australia demanded Holland's expulsion from U. N. unless she halts her attacks on Indonesian Republic. (AP Wire-photo via radio from Paris to The Statesman.)

Bridges, Employers Rebuked By Labor-Management Board

WASHINGTON, Dec. 23—(AP)—The joint labor-management committee of congress blamed both labor and management today for 14 years of "constant turmoil" in the west coast maritime industry.

A report issued by the chairman, Senator Ball (R-Minn.), severely criticized Harry Bridges, president of the CIO Longshoremen's union, for preaching a "doctrine of class struggle." It said "No instance has been found when his purpose deviated in the slightest from the communist party line of the moment."

But the report also hit the waterfront employers. It said their "delinquent" personnel policies and their "bitter" resistance to the self-organization of the workers had the effect of forcing a "militant, aggressive, left-wing type of leadership" to power in the unions.

The report was prepared by John F. Preston, Jr., and Ralph R. Pickering, of the committee's staff, after a long study of the industry. It was approved Monday at the final meeting of the committee, which soon goes out of existence. **Unable to Define Rights**

The report said "political incompatibility" is the most important cause of conflict in the industry. This means labor and management have been unable to define the rights and power of each side, because each party is convinced that the opposing party "seeks its extinction."

Industry-wide bargaining was not found to be one of the basic causes of conflict. The report said industry-wide bargaining in itself, doesn't cause either peace or war. It may contribute to peace in one industry and have the opposite effect in another industry, depending on other factors. (Industry-wide bargaining means central bargaining through employer associations instead of company by company.)

Not Been Expanding
Besides "political incompatibility," the other main causes of conflict in the west coast maritime industry were given as follows: The industry has not been a profitable or expanding one.

It has attracted the homeless, restless, nonconformist type of worker rather than more settled family men. Employers' personnel practices have failed to attract a loyal work force or develop a sense of pride in the operation.

Foremen have not been treated as a part of management, nor kept fully informed on management policy, with the result that many supervisors have "felt a greater affinity toward their unions than their employers."

Rivalry among seven unions has resulted in a "dehydrated bargaining" in which each party tends to state its demands and refuse to recede from them lest its rival reach a better bargain.

Flight Schools Consolidate

Consolidation of the Eagle Flying service and Verne DeAutremont flying service was announced this week by DeAutremont, who recently purchased the Eagle service from Richard H. Spooner.

The combined service is operated by DeAutremont at the Salem airport. It includes flight instruction, general aircraft service and overhaul and sale of airplanes and parts. Spooner has retired from the business to com-

Programs Aim To Ease State Tax Situation

Two programs designed to clarify the state's financial situation are expected to be ready for consideration early in the 1949 legislative session which convenes here January 10.

One would involve use of corporate excise tax revenues and at least a part of the personal income taxes for payment of general fund expenses. The second suggested program will deal with prospective new sources of revenue such as taxes.

Attorneys in Salem are virtually agreed that the legislature has authority to divert future income taxes for governmental costs, provided the necessary legislation is approved. A recent decision by the state supreme court rules that income taxes cannot be transferred.

Most officials have expressed opposition to the second plan for so-called nuisance levies such as cigaret or sales taxes. The cost of collecting, they say, is too great when compared to the collections. Virtually every legislator visiting the state capitol this week has been outspoken against any attempt to pass a sales tax.

temporarily while her husband is receiving attention at Salem Memorial hospital.

Logging Mishap Victim Will Be Home for Yule

DETROIT, Dec. 23—(Special) Zeland Fryer, who has been hospitalized in Salem since a logging accident last month, is expected to return to his home here for Christmas. He has been in Salem Memorial hospital. His right leg still is in a cast. He lost two fingers of his right hand and was injured otherwise when a long rolled on him.

Mr. and Mrs. Walter Ball will spend the holidays with friends in Ontario. They are to leave Friday and return the first of the year. Mrs. Ball has been working in a Salem jewelry store for several weeks.

Mrs. J. A. Wright is in Salem Memorial hospital.

Job Total for December May Show Decline

Oregon employment maintained a new off-season high of more than 600,000 as December opened but probably will show a decline when figures for the entire month are received, the state unemployment compensation commission reported Thursday.

The state's employed labor force of 389,798 in March, 1940, was increased to 593,500 at the wartime peak in June, 1943, and reached a new mark of 637,100 during the fall harvests in September, 1948.

Even though from 15,000 to 20,000 students, housewives and others withdrew from the labor market during the past 60 to 90 days, the number of those actively seeking work jumped from a summer low of 20,300 to 39,000 on December 1, and an estimated 46,000 in the week before Christmas.

Salem and Eugene offices each reported around a thousand new claimants, while McMinnville, Corvallis, Toledo, Roseburg, Medford, Grants Pass, Coos Bay, Klamath Falls, Bend and several smaller offices also took more new claims in the first half of the month than in all of December, 1947.

In the past 30 days more than 15,000 new civilian compensation claims have been filed, while about half as many veterans have

given notice of starting a period of unemployment. Continued widespread layoffs in the lumber industry, adding to the normal seasonal letdowns in food processing, resorts and related industries, made the post-holiday economic outlook somewhat uncertain, the report said. It was predicted, however, that the state's 1948-49 high of 71,000 idle workers would not be reached even with the heavy in-migration since the end of the war.



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Waterspout Cavorts off Coast



SANTA MONICA, Cal., Dec. 23—A waterspout, which the weather bureau said was caused by unstable air conditions, moves across Santa Monica bay during a storm yesterday. Watchers estimated its height at 1500 feet and said it remained visible for 20 minutes. (AP Wire-photo to The Statesman.)

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