

The Oregon Statesman

"No Favor Sways Us No Fear Shall Awe"
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Suit Over Controverted Lands

Threats of action to force distribution of funds impounded from sales of timber on controverted O & C lands will materialize this week. Clackamas County will file suit in the federal district court asking for an order to distribute some \$5,000,000 which has accumulated while the Interior and Agriculture departments were arguing over the title to these lands which now are included in national forests and administered by the Forest Service, Lane County may join in the action.

There is doubt as to the legal procedure in a case of this kind. The Oregon court may throw it out on the ground that jurisdiction rests with the Court of Claims in the District of Columbia.

The house public lands committee has held hearings on the Gordon bill to vest title in the Interior department, but action on the bill was deferred pending a settlement of the dispute over apportionment of funds from O & C lands to counties. Congress may act on both these matters before a court case could be concluded. The legal action, however, may serve as something of a prod to Congress which ought to get these disputes settled.

Juries and Casualty Rates

One factor which is forcing an increase in rates of casualty companies protecting motor car owners from losses due to property damage or personal injuries is the high awards given by juries in such cases. There seems to be a temptation to raise the award if the cost will fall on an insurance company rather than on the individual car owner. Courts labor to prevent disclosure of the fact that an insurance company is the real defendant in a lawsuit, but with insurance now so generally held it seems almost to be taken for granted that a corporation will foot the bill, and the verdict is weighted by that assumption.

No honest person wants to deny a litigant who has suffered damage or injury fair compensation for his hurt; but some juries have turned in what seemed to be outlandish allowances. Jurors generally are car owners themselves, and they ought to remember that a verdict unjustly high bounces back on them in the way of higher casualty rates on their own insurance.

Damages for Fire Loss

Up in Lane County a jury awarded damages to Booth-Kelly Lumber Co. of \$66,000 on account of losses it sustained during the Fall creek fire in 1949. Defendants were several parties interested in the timber on land where the fire started.

It is not often that such suits are filed or succeed. One of the larger judgments occurred several years ago in the Eastern & Western case over a fire in Clackamas County. The law however does fix responsibility for forest fire losses where timber owners or operators are negligent and the fire spreads.

Coming as it does at the beginning of the fire season the Lane County judgment ought to quicken the concern of loggers over fires. Last year the most serious fires arose in logging op-

erations and were attributed to carelessness. When to the loss of one's own timber and equipment and the cost of fighting the fire is added a sizable judgment when fire crosses into other ownership the total is enough to cause the woods boss to be strict in enforcing fire regulations and prompt in fire suppression.

Farm Leader Succumbs

Oregon loses one of its sturdy, salty characters in the death of K. W. Hogg, long a farmer in Polk County and prominent in farm organization activities, particularly with cooperatives. He served for many years on the board of the big wholesale cooperative at Walla Walla, and much of the time as its president. He was positive in his convictions and forceful in presenting them. He was practical in his judgments and successful in his farming and business activities. He and his sons were leaders in the purebred livestock industry and the Hogg farm was widely known in the Northwest. We shall miss him as friend and sometime critic, but his work and influence will abide.

The first result of the Bolivian revolution is an attempt to nationalize the tin industry of the country. Tin is their chief source of foreign exchange. The mines are held by a few rich families and the lot of the miners is miserable. Maybe the new government will grab the mines; or perhaps there will just be another revolution.

Editorial Comment

WARNING FROM A FRIEND

For sometime now this newspaper has been gently suggesting to the labor unions that this habit of running to the Government with all their troubles was one destructive of their own best interests.

These suggestions have been noticeably lacking in effect. No comes Senator Hubert Humphrey of Minnesota, one of the labor union's most violently partisan friends and one who can hardly be suspected to them, to make the same warning, and not at all gently.

We hope that the cheering delegates at last week's convention of the C. I. O. Steelworkers were not cheering so loudly as to drown out this part of the senator's speech:

"I happen to be one of those who doesn't like the idea of the Government seizing this or seizing that. There may be a necessity, in view of the public welfare and the public interest, occasionally to resort to seizure. But I want to warn this audience and to warn the workers in America that the price of seizure here and there time after time becomes a habit, and it can be the doom and the end of free collective bargaining and a free economy."

The steel industry, so heartily denounced at this same convention, has fought the Government seizure and argued for a continuation of bargaining even at the high cost of a shut-down of the steel plants should it come to that. The C. I. O. union has intervened in the court case to argue in favor of the Government seizure.

It is an irony that the reviled "steel bosses" want to keep the Government out, thus preserving the steelworkers' right to strike; the union wants to keep the Government in, thus abolishing the right to strike.

It will be a sad irony for the unions if they will not heed the warning, even of a friend, as to where this habit ends.

New Attorney General's Record Contains Quarrel Over Misuse of \$5,000 in Funds

By Joseph and Stewart Alsop

WASHINGTON - James P. McGranery, the Pennsylvania judge the President has chosen to clean out corruption in the government, will probably be confirmed as Attorney General of the United States shortly after these words are printed. There is still time to note, however, that this event is likely to turn out to be another jolly joke on the American people.

The peculiarities of the McGranery record have not yet been publicized because the Chairman of the Senate Judiciary Committee, Sen. Pat McCarran, carefully closed his hearings when the more curious evidence was being given. Sen. McCarran seems to have a fellow feeling for the Attorney General-nominate, which perhaps derives from their common friendship for Pan American Airways.

The oddest testimony, now released on motion of the Judiciary Committee minority was given by the young Turk Democratic leader of Philadelphia, Richard Dilworth. Dilworth and McGranery, admittedly, are old-time political enemies. Yet Dilworth's testimony was buttressed by an elaborate apparatus of photostats and court records. And it cannot be lightly dismissed, since the main facts are not disputed.

In brief, in the summer of 1939, when King George and Queen Elizabeth of England were due to visit this country, an Irish revolutionary, Sean Russell came here with the avowed intention of assassinating them. He was promptly picked up by the FBI. The Clan Na Gael, an extremist Irish group, thereupon persuaded McGranery, then a Democratic member of Congress, to try

to get Russell released. And at McGranery's request, President Roosevelt allowed Russell to leave the country after \$5,000 bail had been posted.

This \$5,000, raised with great difficulty from rich members of the Clan Na Gael, was deposited with McGranery as surety against Russell's bail bond. Part of the money was transmitted to McGranery by James McGarrity, a Philadelphia chieftain of the Clan Na Gael. The rest was handed to McGranery direct by a Clann Na Gael officer, James Brian Russell, left the country, and in 1941, the Clan Na Gael began to ask for its money back. By 1944, although there was no proof of Russell's whereabouts, his bail bond was dismissed. This removed the only pretext McGranery had for holding the \$5,000 of surety money, and the Clan Na Gael grew more insistent on being repaid.

No less than seven lawyers applied, at different times, to McGranery. One of them, Thomas M. J. Vizard, testified that in 1945 McGranery offered him a deal, whereby he would give the Clan Na Gael half the money and keep half himself—thus, in effect, acknowledging the Clan's claim. Meanwhile, McGranery had first been appointed to a high Justice Department post, and then, in 1946, had been named a District Court judge. Possibly because no one likes to sue a Federal Judge, none of the lawyers pressed the Clan Na Gael claim until the Clan retained Dilworth.

Dilworth brought suit against McGranery on the Clan's behalf in 1948. Despite his offer to Vizard, McGranery now alleged that the \$5,000 he was holding was really the property of the Clan's Philadelphia chieftain, McGarrity. McGarrity had died in 1940. McGranery had never made any attempt to acknowledge his supposed debt of \$5,000 to McGarrity's estate. McGranery signed receipts to the Clan Na Gael were entered in evidence. Hence the court ordered McGranery to repay the \$5,000 to the Clan Na Gael, less about \$1,200 of expenses he claimed to have incurred in obtaining Russell's release.

In his testimony before the Senate Judiciary Committee, Dil-

worth characterized the whole business as a "shabby" attempt at "misappropriation." McGranery hardly attempted to answer Dilworth, except to point out that Dilworth was a member of Americans for Democratic Action. This greatly outraged Sen. McCarran and several of his colleagues who then denounced Dilworth as a probable subversive.

In addition to Dilworth, Thomas McBride, one of the most respected leaders of the Philadelphia bar, also appeared against McGranery. McBride testified that McGranery was a legal ignoramus, totally lacking in judicial temperament. As evidence, he offered the enormous number of reversals of McGranery's judicial decisions by the Federal Circuit Court. Among the McGranery errors cited, were such really fantastic rulings as the denial of the right of counsel to a defendant in a criminal case, and a charge to a jury grossly confusing the nature of "reasonable doubt." Evidence was also offered that after the Clan Na Gael case, McGranery sought to use his judicial power to revenge himself on Dilworth, through one of Dilworth's clients.

Peculiarly enough, the minority members of the Senate Judiciary Committee who are opposing McGranery's confirmation have subordinated these really shocking charges that McGranery tried to misappropriate funds and is a legal incompetent. These Republican Senators voice their loudest dissatisfaction with McGranery's comments on President Truman's steel seizure, and with his explanation of his role in the "Amerasia" prosecution while he was in the Justice Department.

The explanation of McGranery, both as Federal Judge and as Attorney General-nominate, is simple enough. When Sen. and Mrs. Truman first came to Washington, Rep. and Mrs. McGranery were good neighbors to them. In short, McGranery is another Truman crony. He is also a man of considerable surface charm. But whatever the rights and wrongs of the Dilworth and McBride testimony, the evidence certainly does not suggest McGranery can be counted on for the great clean-up of the Federal government, which he has said will be "as easy as pie." (Copyright, 1952, New York Herald Tribune, Inc.)



What some persons won't do to get a parking place. A driver was charged in Municipal Court the other day with driving while intoxicated. He was discovered by a local gendarme driving nonchalantly over a NO PARKING FROM HERE TO CORNER sign and Front and Center Streets. The sign was demolished and rooted out of its concrete housing. Not only that, but the driver failed to signal for a stop.



Steve Anderson, local attorney, will address the graduating class of Langlois High School in Curry County (land of blue cheese) Wednesday. Steve graduated there 20 years ago but can't recall what it was his class voted him most likely to do.

Winter Street residents these days are howling to city police about all the trucks going by their houses—trucks which were shooed off Summer Street recently... Sight on election day? State cop, in state police car, feeding a parking meter.

Cliff Bowen, local plumber who was married recently, got a delayed wedding shower at last Rotary Club meeting. Cliff was festooned with a shower of rice (unwrapped), a plumber's friend and a lot of kidding... These gags are the brainstorms of Rotary Prexy Joe Dodd—who staged a model plane raid when Hal Swaney observed an anniversary or something with United Air Lines, and who handed Dave Hoss a traveling bag (leather) for his trip to Europe.

If you Plugged the Dike for Ike, or Went Down for Brown, or were Nice to Rice, or A Pal with Al, or Put the Okay on McKay, or Held the Fort for McCourt, or Gave Your Bestest for Estes, or Put the Axe to the Street Lighting Tax, or were a Hoper for Sloper, then you may now Spark with Mark, Howl with Howell, Be Glad with Tad and make ready to Give Your All (Again) in the Fall...

Better English

By D. C. WILLIAMS

1. What is wrong with this sentence? "After ascending up to the top floor of the building, he waited the better part of an hour for his friend."
2. What is the correct pronunciation of "mediocre"?
3. Which one of these words is misspelled? Venerate, accelerate, conciliate, rowdyish.

GRIN AND BEAR IT



"Her new boy friend is coming to dinner Sunday, dear... she wants us to paint the house, redecorate the living room and buy a new car..."

IT SEEMS TO ME

(Continued from page one.)

hard to understand without some preliminary coaching. Again the voters threaded their way through the 12 and gave evidence that they knew what they were voting for or against. The old rule of "When in doubt vote no" was not observed because five of the 12 were approved and on nearly all those that were defeated the margin was close.

The break came on the money measures, but even there the voters showed discrimination. They approved millage levies for parks and a fire engine, but defeated a levy for street widening and bond issues for sewers, drainage and bridges. This vote probably reflects the agitation of the Randle-for-mayor campaign. Randle himself was beaten decisively, but his complaints about spending awoke the tax consciousness of voters and they rejected most of the money measures.

On the whole it may be said that the voters were pretty well informed on these measures and voted their sentiments. Regardless of the result, this fact is encouraging. It demonstrates an earnestness on the part of the voters to cast an intelligent ballot. When they have this attitude the problem then is one of getting the facts to the voters, giving them full information as to men and measures. When they have that, usually they do a pretty good job of marking their ballots. That is what has made our democratic system work.

\$15,000 Suit Filed as Result Of Fire Death

Suit for \$15,000 in damages for the death of his wife in a fire Monday last March 3 was filed Monday by Jimmie Staggs in Marion County Circuit Court. Mrs. Staggs, 22, left three small children, in whose behalf Staggs filed the complaint.

It is directed against Merton F. Cox and V. D. Bryant, partners in the sale of oils. The complaint alleges that Staggs bought from the defendants on Jan. 24 two gallons of a fluid which he supposed was stove oil, customarily used in starting fires in the Staggs' kitchen stove.

When Mrs. Staggs started a fire on Jan. 26, the oil exploded and burned, resulting in her death, according to the complaint. It alleges that the oil did not meet the standards of stove oil and that the defendants were negligent in selling it as such.

Civil Defense Movie Offered

A free civil defense movie for children called "Duck and Cover" will be shown at the Organized Reserve Corps armory today at 3 p.m. for all interested parents and their children. The armory is at 775 Airport Rd.

Brazilian Turns Tables on Rivals In Jungle Drama

BELEM, Brazil (AP)—A Brazilian major radioed Monday night he had turned the tables on the rival jungle mission which held him and an American hostage and had taken control of his captors. Details were scanty.

The latest act in the weird jungle drama near the spot where a Pan-American World Airways plane crashed last month came after the Brazilian Air Force sent three planes with 38 parachutists to rescue the captive pair. There was no word that they had dropped.

The message to Belem said an official expedition to the scene of the wreck found the area ransacked and all money and jewelry which the plane passengers presumably carried gone.

Arrangements are being made here to search the unofficial group which reached the crash first; when they arrive in Belem.

The radio message from Maj. Miranda Correa said he had a landing field ready where a light plane could land. Arrangements are believed ready to fly him and the other persons in the jungle clearing out.

The American, who presumably gained his freedom along with Correa, was U. S. Civil Aeronautics Authority safety advisor Scott A. Magness of Miami, Fla.

The two had been reported held by about 35 armed Indian guides and news men as hostages to ensure their own safe evacuation by airlift.

Capt. Charles Miller, pilot of a U. S. Air Force helicopter, messaged his commanding officer in the Panama Canal Zone Sunday night he was being forced to fly supplies to the armed group.

The Brazilian news agency, Meridional, said Robert Wisenbaker, a Pan-American pilot, and Stanley Brooks of Pratt & Whitney, might also be held. The two were last reported en route from the crash scene to where they had landed their helicopter.

A representative of Pratt &

Whitney in Hartford said Brooks was not being held and was safe. A Pan-American spokesman in Miami said Wisenbaker also was safe and was at the Lago Grande camp site with Brooks.

But an unofficial expedition, warned against the trip by the Brazilian air force and department of civil aviation, beat the official party by dropping parachutists 3 1/2 miles from the spot and preparing a landing for helicopters.

This expedition was headed by Lino de Mattos of Sao Paulo, a state deputy, and was financed by Adhemar de Barros, head of the Brazilian International Airlines and a possible candidate for president.

All of the official group started to return to their base except Magness and Correa, who went to the helicopter base of the rival group. Meridional said the trouble started when Correa ordered the De Barros party to return to base, presumably Lagoa Grande, where big Catalina planes could evacuate them.

The unofficial party apparently objected to the long jungle hike, and demanded airlift by helicopter from their tiny clearing.

Salem, County Vote Alike on Republican House Nominee, Separate Tabulations Show

Marion County's four Republican nominees for the house of representatives would have been the same whether Salem had voted alone or the rest of the county has been tabulated separately.

In only one instance involving last Friday's primary vote on eight candidates would there have been a difference—Salem gave W. W. Chadwick third place, with R. L. Elfstrom in fourth; precincts outside of Salem put Elfstrom in third place, Chadwick in fourth.

Mark Hatfield led in both the city and out-city totals; Lee Ohmart was second in both.

The other four candidates finished in the same fifth, sixth, seventh and eighth order in both the city and out-city categories—Frank Doerflinger, C. A. Rindlin, R. F. Cook and David Cromwell.

On the basis of unofficial returns the county canvass will not be completed for another week but is expected to show but slight change, here are the standings:

	City	County	Total
Hatfield	7,397	6,796	14,193
Ohmart	6,873	6,419	13,292
Elfstrom	5,488	5,714	11,202
Chadwick	5,575	5,595	11,170
Doerflinger	3,761	5,377	9,138
Ratchiff	2,442	3,492	5,934
Cook	2,195	3,376	5,571
Cromwell	1,712	2,079	3,791

Forty of the 68 out-city precincts gave Hatfield a lead; ten Doerflinger, eight Elfstrom, two Ohmart, one Cook and one Cromwell. There were ties in three out-city precincts—Doerflinger-Hatfield, Elfstrom-Hatfield and Ohmart-Hatfield.

Quesseth Led County D.A. Race in Salem

Cecil Quesseth led the Republican district attorney ticket in Salem, with Hattie Bratzel second, a recapitulation of the primary vote showed Monday.

The GOP nomination was won by Kenneth Brown, however, who polled by far the largest vote in the other 68 precincts of Marion County.

The Statesman tomorrow will publish the out-city precinct-by-precinct vote on the GOP representatives' race, and also will publish precinct-by-precinct counts on some of the other races.

Of the 68 precincts outside of Salem, Brown led in 36, Miss Bratzel in 25, Quesseth in 3, Joe Meier in 1, Brown and Miss Bratzel tied in the other 3.

The unofficial tabulation from all 110 precincts showed:

	City	County	Total
Brown	2,480	3,965	6,474
Bratzel	2,893	2,989	5,874
Quesseth	2,114	1,965	4,082
Meier	1,978	1,514	3,596

Leslie Girl's Essay Wins

Joan Knytych, Leslie Junior High School student, received word Monday that her essay on Americanism received second place in the state essay contest sponsored by the American Legion Auxiliary.

Announcement was made by Mrs. Lois Erickson, state Americanism chairman.

Miss Knytych's essay first received an award in the contest sponsored by Capital Unit 9, then was entered in the state contest. Her Leslie junior high teacher is Miss Frances Dix.

GLENN HOAR APPOINTED
Employment of Glenn L. Hoar as auditor for the state fair commission was announced Monday by Leo Spitzbart, state fair manager. Hoar has been employed in the administrative offices of the state agriculture department for several years.

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