

The Oregon Statesman

"No Favor Sways Us, No Fear Shall Awe"
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Another Plane "Incident"

Another U. S. plane has been shot down by trigger-happy Communist pilots. This time a B29 bomber on photo mapping work about the Japanese island of Hokkaido was knocked down with loss of one life. Our government has filed a strong protest and demanded reparations. The USSR tries to say that the U. S. plane shot at Russian fighters which were trying to shoot the B29 away from Russian territory. The plane's pilot says he was never closer than 15 miles to Russian territory; and Gen. John E. Hull, the U. S. Far Eastern commander declares the plane was fired on without warning and did not return the fire.

So here we are with another "incident." It will not lead to war—President Eisenhower in a talk Monday said that in spite of this happening he felt relations with the Soviet Union were improving. But it is another of those irritations which keep the wounds raw. It adds fuel to the anti-Soviet fires which Red-haters keep burning. Senator Knowland for instance criticized Ambassador Bohlen for attending a Russian reception in Moscow just after he received the fragmentary first report of the plane crash. Knowland urged "drastic action" to cool off the "hot trigger" Russian pilots.

Our pilots are under orders to use their own judgment in self-defense. They are not to let themselves be picked for targets in MIG pilot shooting exercises. But this authority for defense or retaliation is at best an unsatisfactory solution to the problem. There are two questions involved: just where does foreign territory begin and end; and what course of conduct should U. S. planes follow to avert such incidents and still perform their legitimate duties?

The first question is not easily answered by the old rule of the three-mile limit from shore, the distance of a cannon shot a few centuries ago. During prohibition our government asserted its jurisdiction 12 miles offshore; and last year our Congress laid claim to oil resources to the edge of the continental shelf. In this aviation age it is not easy when sailing over water to fix the exact location of a fast-flying plane. Also the three-mile limit is illusory as offering protection from aerial reconnaissance at altitudes up into the tens of thousands of feet. In short, if our planes are going to cruise in close proximity to Communist-held lands they are going to be exposed to attacks, with the offending nation taking refuge behind the claim of violation of territory or self-defense. And no court has jurisdiction to settle the controversy.

Which leads up to this, that U. S. planes should avoid such exposure where possible. Just why should a B29 be doing aerial mapping over Hokkaido, within a few miles of Russian-held islands? This is not to advocate that we turn tail and forsake our post of duty; but first we should make sure just where and what our duty is. Instructing

New Justice of Supreme Court

President Eisenhower reached into the federal judiciary to pick a successor to the late Supreme Justice Robert H. Jackson. His choice fell to John Marshall Harlan who has served as judge on the second circuit court of appeals. Before that, however, he was a member of one of the leading law firms in New York City. His legal training seems particularly good; a graduate of Princeton University with a degree in jurisprudence from Oxford and a law degree from New York University law school. At age 55 he has maturity and his normal life expectancy assures for him and the country a good many years of service on the highest court.

The name Harlan is one already distinguished in the annals of jurisprudence in this country? The appointee's grandfather, bearing the same name, served from 1888 to 1911 in the same court to which his grandson is now named. The first Harlan was appointed from Iowa, and those who, like the writer, grew up in Iowa about the turn of the century recall that Harlan was a highly respected name there as indeed it was over the country. Last spring an opinion of Justice Harlan was referred to in comments on the decision of the Supreme Court banning segregation in public schools. When, some 50 years ago the high court had validated the doctrine of "separate but equal" facilities, John Marshall Harlan entered a vigorous dissent, which after the lapse of time became the thesis accepted unanimously by the Supreme Court. Attitudes and philosophies are not inherited, but one may assume that the present John M. Harlan will aspire to render service of the same high level as his grandire. If he does he will add lustre to the family name as he divides truth from error in the cause of justice.

Exterior Illumination

One thing our architects should learn to do and that is to provide proper exterior illumination for public buildings. Just now the air drills are digging a trench around the courthouse block to provide leads for an improved street lighting system (the State street side was cut open for a water trench last summer). But no consideration was given in the planning of the courthouse for its floodlighting. Nor was this done for the state capitol group. The capitol dome itself is illuminated; but the whole capitol group offers interesting possibilities for night lighting which would add greatly to its beauty. Likewise the courthouse might well be flooded with light, particularly on the High street side. All this would cost money to be sure; but it would be worth it for the nourishment of the souls of those who pass by these structures at night.

Illumination is a science in itself. Architects call on engineers to lay out plans for the interior lighting; but they seem to forget about providing for exterior illumination. Perhaps it is just as well to wait until the building is completed and the landscaping is before tackling this job; but all too often the job is never undertaken. We keep hoping the state will get around to completing exterior lighting for the capitol group, and hope for the same with the courthouse. Even if the lights were turned on only on important occasions, the investment would be justified.

our pilots to shoot if shot at or seriously threatened will help them defend themselves; but a safer course is to keep them out of Soviet range.

Communism Gets Recruits From Destitute Peoples of the World Grasping at Straws

By J. M. ROBERTS

Associated Press News Analyst

People frequently react against political leaders, systems and regimes under which they are unhappy by assuming that almost any change will be for the better.

It is probably the chief trait on which the international Communist movement relies for recruits.

National thinking on international affairs sometimes begins to fall into a similar pattern. The tendency is to personify both goodwill and illwill through the figures of national leaders, and to wish for their political success or failure on that basis.

Sometimes this leads to more or less intervention by one nation in the affairs of another.

At the moment, there is considerable resentment in the United States toward Jawaharlal Nehru, and through him toward India, for what is considered here to be a pro-Russian and particularly pro-Chinese neutrality in the Cold War. The Indians have a different word for it—non-alignment.

But if you think the first steps looking toward Nehru's retirement—his relinquishment of the presidency of the Congress Party—opens the way to improvement in Indian policy, you are destined for disappointment.

Not that there won't be change, but that it may be to a more disturbing situation than at present.

Nehru, after a fashion seldom attained by Western leaders, is Mr. India himself. Nehru's opinions and India's opinions are indistinguishable. None can tell which follows the other.

He is the only Prime Minister India has had, and there is no sign of a successor on the horizon. When he goes, a good many of the ties which make his political inexperience country cohesive may go with him, producing political chaos.

That would be a situation much more to Communist liking than even the present one.

The Congress Party accepted Nehru's retirement as its president only on a formal basis. A younger man is to get that job, but party leaders presume Nehru will con-

tinue as the guiding light, merely being absolved from part of the work and from party squabbles.

The party flatly refused to consider at this time his expressed wish to retire also from the prime ministry.

Walking a tight-rope in such an international situation as faces Nehru now is a feat which can be performed only by the strongest and most skilled. On the one hand he faces the chance of loss of vital

ties with the West, and on the other is the strong new China.

Nehru wants no trouble with the Communists while seeking to promote and preserve his hopes for leadership of Asia. This makes India a road-block in Communist plans.

Pending development of a political personality which might replace Nehru's, India without him would be even more unhappy than she is. She would teeter precariously in the world of today.

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GRIN AND BEAR IT By Lichty



"You must control your nerves, madam!... The child has a feeling of insecurity, induced by the fear of your not being able to stand much more..."

Comes the Dawn Conrad Prange

The Marion County Circuit Judge situation is pretty complicated. District Judge Val Sloper was elected to a circuit judge post last week—but nobody is certain as to just when he should take over. The seat is occupied now by Judge Wallace Carson who was not a candidate and who is ready to re-enter private practice. The confusion seems to lie in Oregon's election laws. One says that a successful candidate to an office takes over on the first Monday in January. The other, dealing with circuit court vacancies, says when such a vacancy occurs the governor is to appoint a temporary judge and that the appointee shall serve until a "successor is elected and qualified."



George B. Guthrie, formerly of Salem (he built the Elsinore theatre), now of Portland, donated an expensive oil painting—"Adoration of the Shepherds"—to Salem Public Library. Librarian Hugh Morrow says Guthrie purchased the painting in 1921 from Lipman's art gallery. It came from Italy and is not signed—but is thought to be the work of an early 19th century Flemish or Dutch artist. Or something like that. Anyway, it's a breath-taker and it'll hang in the library for all to admire. The painting hung in the Guthrie home for years.

What does "qualified" mean? When the candidate is certified by the Secretary of State's office, or when the first Monday in January rolls around? Judge Carson, having not been appointed by the supreme court is not, strictly speaking, a "pro tem" appointment. Judge Sloper is not champing at the bit to take over his new duties, nor is Judge Carson desperately "anxious to leave immediately." Circuit Judge George Duncan says there is enough legal work around to keep all three judges busy until January. But it is necessary to the future legality of cases to be handled that the judgeship status be cleared up. A solution would be for either Judge Sloper or Judge Carson to be continued on as a pro tem appointee to help clear the docket....

"Say," says an anonymous woman caller, "I see where you page-one'd the inside story on Marilyn's operation. Well, my sister is going through a much more dangerous operation at a Salem hospital. And her husband AND three children will probably be pacing the corridor. And there's a good chance for complications. So how about sending out a reporter and a photographer?"....

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Speaking of art... Sculptor Fredric Littman says he was putting the finishing touches to the war memorial carving on the Marion County courthouse when a little old lady paused on her way into the building. She stared up at the figure for awhile, shook her head and mumbled, "Now I have to go in and pay taxes for this!"... Littman says the relief, which he labels "a figure of survival," is practically completed. "I'll sleep on it this winter," he said, "and maybe come back next summer to add touches—if necessary."... The inspirational piece with a written message will be unveiled Thursday—and should make veterans (and the rest of the public—taxpayers and all) happy.

Time Flies:

10 Years Ago
Nov. 10, 1944
"The name 'Marshfield, Ore.'" belongs to the past as of election day. A more pretentious title—City of Coos Bay—will designate this 5200 population coastal town from now on. Voters approved a new charter setting forth the changed.

40 Years Ago
Nov. 10, 1914
J. P. Morgan and Company moved into the building erected for their exclusive use at the corner of Wall & Broad streets. The cost of the building was estimated at \$5,000,000 and the most expensive of its kind in the world.

25 Years Ago
Nov. 10, 1929
Mel Brown, formerly boxing instructor at St. Martins College and at several athletic clubs in the northwest, was in charge of a group of amateur boxers at the YMCA, giving private lessons two nights a week.

Over 500 delegates from 33 states arrived at Seattle for the opening of the sixty-third annual National Grange convention. About 400 delegates from the Atlantic coast traveled across Canada by special train.

PARIS (INS)—The Czechoslovakian Refugee Committee in Paris reports the Czech government has decided to hold a new national assembly election Nov. 28. The committee said the Czech Ministry of the Interior has already started preparing for the election. Only one list of candidates will be presented to voters.

Civil Defense Head Warns Of Red Power

In 1955 Russia will have the ability to deliver H-bombs, according to planning assumptions of the Federal Civil Defense Administration, Director Arthur Sheets of the Oregon Civil Defense Agency declared at a meeting of his department heads here Tuesday.

The director said that an attack on Portland, which is designated a critical target area, might not include an H-bomb but added that civil defense officials must plan in terms of a large destruction area and in dispersing the population prior to attack.

He said an atomic bomb of 51 power (five times as powerful as Hiroshima bomb) has an area of total destruction measuring about one mile in radius, while the area of total destruction caused by a 10 megaton H-bomb is four miles in radius.

"Whether A or H-bombs, both types are city busters," Sheets said.

Miss Eyre Heads Historical Group

Miss Mary Eyre, Salem, was elected president of the Marion County Historical Society this week to succeed Frank Henry of Brooks. Also elected at the Monday night meeting in the Salem Public Library were Connell Ward, vice-president; Miss Mirph Blair, treasurer, and Mrs. Hazel Mills, secretary. Dr. Helen Pearce, Murray Wade, Roy Ohmart and Mrs. Henry were elected to the board of directors.

The group heard a description of the recent Silverton centennial celebration by Lowell Brown of Silverton, chairman of the observance.

IT SEEMS TO ME

(Continued from Page 1)

the Cedar River case in Iowa and the Red River case in Virginia. In both of these the authority of the FPC was sustained. However, in all cases where use of waters for irrigation was involved the courts have stood by the strict text of the reclamation act and upheld state jurisdiction.

Every time one of these water cases gets before the court, those concerned with protecting states' rights over waters are worried. They fear that by degrees court decisions will shift control to federal agencies. That would put in jeopardy the whole structure of vested rights in water now held under state law.

In the Pelton dam case the Supreme court, it is upheld the FPC, will not need to demolish the whole edifice of state water laws. It may merely rule that in this particular case the state has acted arbitrarily, or that the grant of power to the FPC is determining as far as power uses of waters go. All the same, water rights lawyers and other informed persons, particularly in the West, will follow with deep interest the course of the Pelton dam case in the Supreme Court to see what happens to historic states' rights.

Better English

By D. C. WILLIAMS

- 1. What is wrong with this sentence? "The two last people to depart must be sure and lock the door."
- 2. What is the correct pronunciation of "obscenity"?
- 3. Which one of these words is misspelled? Encyclopedia, sarsaparilla, paraphernalia, authenticity.
- 4. What does the word "dubious" mean?
- 5. What is a word beginning with mo that means "kept within due bounds"?

ANSWERS

- 1. Say, "The last two persons to depart must be sure to lock the door." 2. Pronounce second syllable as sen, not seen. 3. Encyclopedia. 4. Occasioning doubt. (Pronounce the u as in cube). "It was a dubious answer." 5. Moderate.

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UF Ready for Year-Around Organization

Salem United Fund is ready to launch the year-around promotional program it has promised, the board of directors made plain at a meeting Tuesday afternoon.

President Otto Wilson reported that the successful fund raising on behalf of 31 youth and welfare agencies would be followed through by regular contact with the employer-employee chapters in 185 business firms.

In the same program will come a United Fund officials' meeting today with representatives of the Salem-centered agencies which receive about 80 per cent of the nearly \$200,000 raised by UF.

"Because Salem is one of the few cities which will meet in full the budgets drawn up by such agencies," said Wilson, "ours are in a unique position. They will have the funds to carry out their programs and, now, they must prove to their community they are worthy of this magnificent financial support."

One problem being tackled, at the suggestion of Police Chief Clyde A. Warren, is how to arrange for referral of persons in distress to UF-supported agencies during night and weekend hours when their offices are closed. A UF committee probably will be named to study possibilities of rotating such off-hour responsibilities among agencies.

Board members said they would urge the UF chapters to reorganize for the coming year and all have representation at the annual United Fund meeting Dec. 3. Monthly letters and circulars to the chapters also are planned.

President Wilson appointed a committee to plan the annual meeting E. Burr Miller, chairman, Leonard Kremen, Joseph Dodd, Elmer Berglund and Ben Little. Appointed as nominating committee were Harold Robertson, chairman, Elton Thompson, Herbert E. Barker, Mrs. A. A. Schram and Edward Majak.

Senate President Acting Governor

Eugene Marsh, McMinnville, president of the state senate, served as governor Tuesday in the absence of Gov. Paul Patterson who is in Chicago attending a meeting of the highway committee of the governors conference. Gov. Patterson was expected to return to his desk late Wednesday, provided the committee completes its business Tuesday.

U. of Oregon Homecoming Starts Friday

EUGENE—With the return of University of Oregon alumni and the observance of long-established traditions, the university student body will celebrate the 1954 Homecoming Friday and Saturday.

Registration for the returning alumni will be held in the Erb Memorial Student Union and at the Eugene and Osborne Hotels. The weekend events will get underway Friday afternoon with the display of signs at 5 p.m. and the traditional noise parade at 6:30. Following the bonfire, activities will shift to McArthur Court for crowning of the Homecoming Queen and presentation of the annual variety show.

Saturday's events begin with the annual meeting of the Oregon Alumni Association. President O. Meredith Wilson will be featured speaker. At noon the annual barbecue luncheon will be held for all students and alumni in the Student Union ballroom. The Oregon-Washington State football game will follow the luncheon at 1:30 in Hayward Field. After the Homecoming game, all campus living organizations will hold open house for alumni and visitors.

Climaxing the 1954 Homecoming weekend will be the traditional Homecoming dance.

Man Admits Check Charge

Norman W. Wentzel pleaded guilty to a charge of drawing a check with insufficient funds in the bank to pay for same and was placed on probation from a six months jail sentence in Marion County District Court Tuesday.

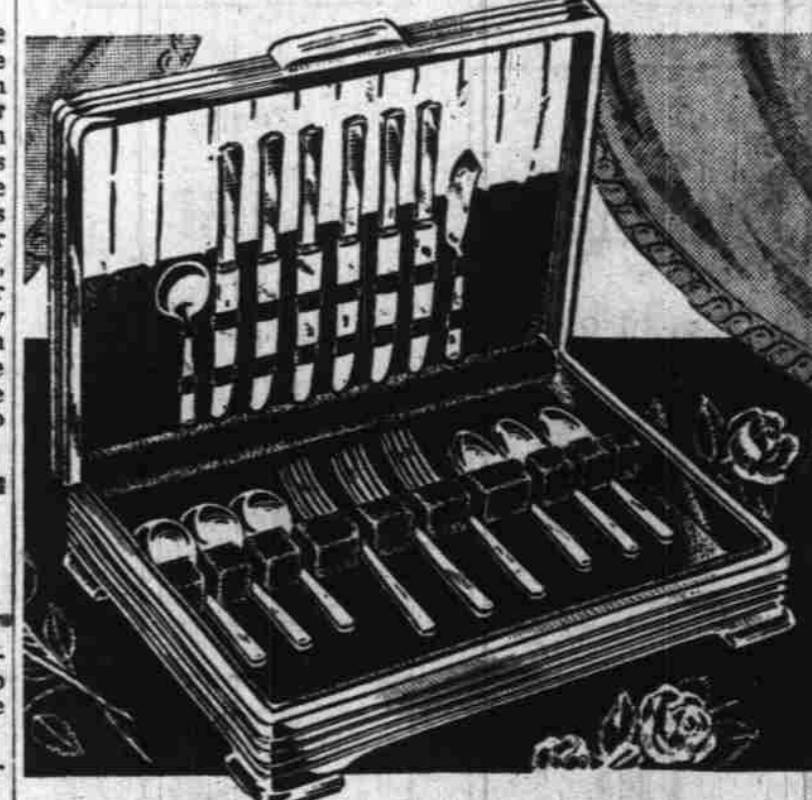
The check was for \$12 and was passed at a local market Oct. 22.

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