

Order Retrial Of \$10,000 Auto Damage Suit

The state supreme court ordered a new trial today in the personal injury suit in which James W. Hanson obtained \$10,000 damages from R. J. Schrick in Multnomah county.

Reversing Judge James P. Stapleton, the court said in an opinion by Justice Belt that the lower court excluded testimony "from which the jury might have reasonably inferred that Hanson was reckless."

The court said there was some conflict in testimony as to whether Hanson was reckless.

"We are of the opinion that the defendant (Schrick) did not have a trial such as the law contemplates," the opinion said.

The accident occurred at Vancouver and Killingsworth avenues in Portland.

The high court also suspended T. J. Enright, Medford attorney, for six months and placed him on probation for two years. The state bar association, charging him with being convicted of drunken driving and of drunkenness as well as passing worthless checks, recommended that he be passing of worthless checks.

"The passing of worthless checks is a common result of gross drunkenness," Justice Kelly wrote, explaining that the court did not disbar Enright because he had not been convicted of a felony.

Other opinions today were: De Tweede Northwestern and Pacific Hypothecation, appellant, vs. the W. M. Barnett estate and others, Appeal from Sherman county. Suit for foreclosure of chattel mortgage. Opinion by Justice Rand, Judge Carl Hendricks affirmed.

State of Oregon, ex rel, Ida M. Tolls vs. Roy E. Tolls and county clerk, A. A. Bailey, appellants, Appeal from Multnomah county. Contempt action for refusal to docket a court judgment. Opinion by Justice Lusk, Judge Jacob Kanizer affirmed as modified.

State vs. M. R. Terry, appellant, appeal from Tillamook county. Appeal from conviction of operating tourist cottages without certificate of inspection. Opinion by Chief Justice Bean, Judge R. Frank Peters reversed.

Oral orders: Petition for rehearing denied in Morse vs. Gold Beach W. L. and P. company.

Paul Eugene Zarembo admitted to Oregon bar on certificate from Missouri.

Club to Adopt Program for Year

The executive committee of the Good Government club of Salem will meet tonight at 7:30 o'clock at the courthouse, room 2 on the third floor, to adopt a program for the coming year.

Attention will be given to the following:

Billboard ordinance now before the city council. Formation of a cooperative industry to salvage and convert waste materials and provide employment for families now on relief. Approval and support of the firemen's pension bill to be introduced at the coming session of the legislature. Ways and means of cooperating with the local relief administration and other agencies to attain a more equitable allotment of relief funds and old age pensions. Approval and support of "Farmer" Jones' bill permitting the manufacture of light wines from Oregon-grown fruit. Creation of a legal aid department to furnish the worthy poor with competent legal advice and, when needed, an attorney to represent them in the courts.

Urges Retention Of Wool Tariff

Washington, Dec. 13 (AP)—Senator O'Mahoney (D., Wyo.) urged Secretary Hull today to consider no reduction of the duty on raw wool in any reciprocal trade agreement negotiations with Australia.

The senator wrote to the secretary of state that although there had been no formal announcement such an agreement was planned.

"The trade program already carried out seems to justify the assumption that such negotiations are in contemplation."

He said he had enlisted the aid of 20 western senators in the fight against wool duty reductions.

"The domestic situation with respect to both wool and woolen textiles remains so acute," he said, "that it had prompted him to make most vigorous representations in behalf of the wool producing sections of the nation."



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Final Rehearsal "Varieties of 1938"

A final rehearsal preceding Friday afternoon's dress rehearsal for the Salem 20-30 club's "Varieties of 1938" was held last night with several new numbers showing a wide range of talent and appeal.

The variety show, scheduled at 8:15 p.m. Friday in the Leslie junior high school auditorium, will bring a host of professionals and gifted amateurs together for a rapid-fire succession of dance numbers, songs and specialty acts.

A five-piece band will accompany the dancers and singers. An added musical attraction will be the Salem high school clown band, widely known for its "nutty" antics.

County Court to Attend Albany Meet

Members of the county court here will go to Albany to attend a district meeting of the six counties representing this district in the Oregon Association of Judges and Commissioners. F. L. Phipps, executive secretary, will be present from The Dalles and all members

Fine Irish Setter In City Pound

A fine Irish setter is in the doghouse, both literally and actually, while the pound master and the police are debating disposition of the prisoner.

Carl Radke, custodian of canines, was called to a house where an irate dweller complained about action of the dog in tearing the screen door in an effort to get in the house. Radke, as customary, took the dog to the pound and reported to the police.

Police, on the other hand, are certain of Radke's jurisdiction, for

Lutheran Ladies' Aid Honors Mrs. Ofstedahl

Silverton — Mrs. Helen Ofstedahl was elected president of the Trinity Lutheran Ladies Aid society at their Wednesday afternoon meeting. Other officers elected were: Mrs. C. J. Dahlen, vice-president; Mrs. Ed Holden, secretary; Mrs. Levi Goplerud, treasurer; and Mrs. Ole Stern, assistant treasurer.

The group voted \$25 on the organ fund for the church and made tentative plans for a bazaar, sale and program early in January.

Coroner Places Flowers On Mayer Casket

Seattle, Dec. 13 (AP)—Only a spray of small yellow chrysanthemums, sent by Coroner Otto Mittelstadt, were on the casket as private funeral services were held last night for Decasto Earl Mayer, who committed suicide Sunday in the county jail.

The coroner said, to escape a first degree murder charge.

His bereaved mother and co-defendant, 71-year old Mrs. Mary Eleanor Smith, wept near the bier, then returned to her cell in the county jail to await resumption of her trial this morning.

As opposing attorneys resumed their arguments today on a defense motion for a directed verdict of acquittal morticians will cremate Mayer's body in compliance with his request in a suicide note.

Coroner Mittelstadt has announced that although Mayer's death was a plain case of suicide an inquest will be held soon.

Three of Mayer's former neighbors, here as defense witnesses, attended the funeral services in the reception room of the county morgue. They were Mr. and Mrs. Robert Allison, Helper, Utah, and J. C. McGahen of Grand Junction, Colo.

Mrs. Smith is accused of aiding her son in the slaying of James Eugene Bassett of Annapolis, Md., 10 years ago. The jurors still are in ignorance of Mayer's death. Under an agreement by attorneys the jurors will not be told of his death until the court acts on the defense motion.

under their understanding of the situation, the setter is clearly guilty of a break and enter charge and should, possibly, be locked in the city jail and charged with attempted burglary.

Possession still rates high and consequently the dog is in the doghouse maintained by the city while Radke is seeking the owner.



Best Seller In Films—Rosalind Russell and Robert Donat in "The Citadel," from the novel written by A. J. Cronin, which starts Thursday at the Elsinore theatre.

U. S. Citizen Beaten Up in Lithuania

Kaunas, Lithuania, Dec. 13 (AP)—The United States protested today against the reported beating of Robert Selmer, an American free lance newspaper man, Sunday before the Memel diet elections.

An official of the American consulate made a special trip to investigate the case of Selmer, a native of Milwaukee and resident of New York, who said he was beaten by three uniformed guards for not replying to the Hitler salute as he was crossing a Memel street.

As a result of the investigation, United States Minister Owen Neven lodged the protest.

Selmer, in a statement to the Lithuanian bureau of public activities, said two policemen intervened and he was taken to the police station where one policeman held his

arms while another beat him in the face with his fist.

Selmer, unable to speak German, was released with his face badly bruised. He said the only English he understood the police to use as he was struck were a few epithets, and the words "American Jew."

Selmer's account was corroborated by a Kaunas journalist. Selmer apparently was the only casualty as the Memel population of 152,000 voted heavily for Nazi legislators.

Regional Meets In Second Week

Marshfield, Dec. 13 (AP)—The League of Oregon Cities, headed by Mayor Charles H. Huggins of Marshfield, began its second week today of regional meetings to promote its legislative program.

Huggins said the chief issue was the proposed transfer of a portion of the state highway gasoline tax revenue to municipal street improvement.

The mayor asserted the request

Unions Attack Legality of Picketing Bill

Portland, Ore., Dec. 13 (AP)—The American Federation of Labor and the Congress of Industrial Organizations filed similar complaints in circuit court late yesterday seeking to have Oregon's new anti-picketing law declared unconstitutional.

Complainants included both William Green and John L. Lewis, presidents of the AFL and the CIO, respectively, and other high officials of both camps.

It was charged the law, passed by Oregon voters November 8, violated fundamental rights guaranteed by the federal and state constitutions, and was in conflict with numerous federal statutes, including the Norris-LaGuardia injunction act, the Wagner labor relations act, the Clayton anti-monopoly act, the railway labor act and the social security law.

The petition brought all controverted provisions of the law before the court in one case, obviating test cases by alleged violation of separate specific provisions. Labor leaders said they were prepared to take the case to the United States supreme court, if necessary.

A permanent injunction against enforcement of the law was also sought.

The law was attacked as an attempt by the state to legislate interstate commerce, as "class legislation" and therefore contrary to public policy, as denying to a craft constituting a minority in an industry the right to bargain collectively, and as denying to organized workers the rights they must exercise to maintain their organizations.

for \$750,000 was justified because a third of all gasoline was consumed on city streets. The revenue sought by the municipalities amounted to about 7 per cent of the receipts, he said.

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