

Tax Commissioner Gets Verbal Lambasting at Orchard Assessment Hearing Here

State Tax Commissioner Samuel Stewart took a verbal lambasting from Jackson county orchardists here yesterday at a public hearing on assessment of orchard property.

Stewart has declared that the commission plans to issue an order directing County Assessor R. G. Fowler to include the value of orchard trees in the valuation of the land on which they are growing.

Reter is Spokesman

Chief spokesmen for the orchardists on the non-legal phase of the proposed order was Raymond Reter, Medford packing plant operator, who charged "Mr. Stewart probably has some egotistical notion he is going to force this down our throats."

Reter declared that "there has been an extreme amount of unilateral action by one of your

commissioners—Mr. Stewart by name." He also reported the commissioner for "setting up one class of taxpayer against another," in reference to a statement made by Stewart and reported Wednesday in The Mail Tribune.

Statement Cited

In the statement, Stewart said: "Owners of non-orchard property should be concerned with the problem, in that if orchard trees as such are not assessed for tax purposes, they will pay a significantly greater portion of the total ad valorem tax burden."

Reter asserted that Stewart has been a "prime mover" in the effort to place orchard trees on the assessment rolls, and added that other members of the commission have not been familiar with the problem.

In explaining the background

of the dispute, Reter stated that County Assessor Fowler, when asked what he was going to do about assessing fruit trees, declared he did not believe the move was proper and that he was going to do nothing about it. Stewart then said, according to Reter, that he would issue an order directing Fowler to assess the trees. "I thought this was a three-man commission," Reter said.

Notes Statement

He noted a statement by one of the commissioners that the tax commission has requested an attorney general's opinion on legality of the proposed order. "In view of the fact Mr. Stewart said nine months ago he was going to issue such an order and you are just now asking for such an opinion this appears to be a very strange procedure," Reter declared.

Question Statements

Several members of the audience questioned statements by Stewart concerning reasons why crops such as alfalfa in Klamath county have not been assessed. One asked if the commission is interested only in finding "something easy to tax." Stewart answered that this is not the case.

The legal ramifications of the proposed order were discussed by Medford Attorney William McAllister, representing the Rogue Valley Traffic association, an organization of local orchardists.

McAllister expressed the opinion that the question is "purely a legal matter." "What is being attempted is removal of the word 'trees' from the context of the statute," he said. The attorney

stated that the statute refers to natural resources, such as timber, and not to products of husbandry, such as orchard trees.

An order directing assessment of orchard trees in Jackson county and not in other counties is purely discriminatory and invalid, McAllister said. He made the same observation concerning any order which directs assessment of orchards, and not of bushes or perennial grasses.

Same Line

The same line of thought was followed by Robert Root, Medford orchardist and former state representative, who declared that the commission would be opening a "Pandora's Box" which would end in the overthrow of the present system of real property taxation.

The commission, Root said, would have to go from orchards

to cane berries and all other perennial crops. "You would be working into a system that would be impossible to police," he said.

Root called upon the commission to place the problem before the state legislature so that body can decide how far to go. "The problem must be threshed out thoroughly and the answer put down in writing," Root said. The idea of placing the matter before the legislature was suggested by several other speakers.

To Legislature

In answer to this, Stewart stated that he had not taken the matter to the legislature because the legislature already had plans to consider the problem. When he later learned this was not the case, he said, he took the matter to a state senate committee and was told that the law already was clear enough.

Medford Orchardist Dave Lowry suggested that the committee may have reached that conclusion because they had received only "unilateral information." "I went before them and asked that something be done," Stewart answered.

Difficulty Cited

Various speakers pointed out the difficulty of assessing orchard trees for several reasons. These included the fact that trees do not come into productivity for about 10 years; that trees reach an optimum producing age and then decline in productivity, and that because of changes of desirability in various types of fruit, orchardists must graft trees, thus losing a number of years of productivity.

Stewart answered that "We could solve a lot of problems by doing nothing. However, if it is

our duty to make assessments, we've got to tackle the problem."

The importance of orcharding to the economy of Jackson county was pointed out by Reter. He noted that the industry here ships about 3,500,000 boxes of fruit a year, using from 15,000,000 to 16,000,000 board feet of timber for boxes. "You are going to hit a point of diminishing returns if you slap another tax of \$5 to \$6 an acre on orchardists," he said.

Study Pledged

Commissioners Ray Smith and Carl Chambers pledged that they would give the question close study before an action is taken on issuance of an order to the county assessor.

A crowd estimated at from 60 to 80 people jammed into the small courthouse auditorium for the hearing.

Defense Requests Power to Eject Known Subversives

Bill Doesn't Mean Nationwide Screening

Washington—(U.P.)—The Defense Department asked Congress today for power to oust "a few thousand" known subversives working in plants essential to national defense.

Jerome D. Fenton told a Senate Internal Security subcommittee task force that subversives "already identified" are known to number "a few thousand." He is chief of the Pentagon's Industrial Personnel Security Review branch.

Fenton told newsmen later the subversives include employees of such industries as railroads and utilities, as well as plants actually making goods for the Defense Department. He said he has no exact total figures.

Bill Approval Asked

Defense Department General Counsel Wilber M. Brucker urged approval of a bill by Sen. John Marshall Butler (R-Md.). It would authorize the President to bar from defense facilities persons who might be reasonably expected to commit sabotage, espionage, or subversion.

Brucker said the bill would not mean nationwide screening of employees. He said it would be "used selectively in vital facilities, concentrating on known subversives."

The Pentagon lawyer said the bill would not impinge on the rights of American citizens, since workers barred from their jobs would be informed of charges against them and have right of appeal.

The bill would not cover harbors, piers and waterfront facilities. These are already protected under existing law.

Californians File On Uranium Claim

Three quartz location notices, one of them for a uranium claim, were filed yesterday in the county clerk's office.

The uranium notice was filed by George Avgeris and Gust Avgriss, Box 63, Hilt, Calif. It was for six claims, known as the Ureka Mine, in the Mill Creek mining district east of Coletine.

A location notice for a gold bearing lode known as Pine Tree Acres lode, in the Sterling mining district, was filed by Ruby Beard, route 2, box 13A, Jacksonville.

The third notice was filed by Everett Adams, 1811 Orchard Home dr., Medford. It was for a gold bearing claim, known as Pay Lide, located in the Applegate mining district.

Welfare Commission Reduces Requests

Portland—(U.P.)—The State Welfare Commission today cut about 11 per cent from the total amount of requested county welfare appropriations for the coming fiscal year.

Administrator Loa Howard Mason said requests exceeded money available by about \$3,500,000 and that some cuts in the state-wide program were necessary. The commission approved appropriations totaling \$28,972,903. The counties had asked \$32,454,352. The figures do not include administrative costs.

Control Board's Building Program Passed by House

Salem—(U.P.)—The Board of Control building program, including a \$6,000,000 mental hospital in the Portland vicinity and an intermediate penal institution at St. Paul, was approved in the House yesterday by a vote of 50 to 7.

Rep. Loran Stewart (R-Cot-000 Grove) objected to the \$10,000,000 program as "unrealistic" because, he said, it spread the money too thin. He said the Board of Control could not possibly spend the \$6,330,000 for a Portland mental hospital in two years because a site still has not

MEDFORD

50th

Morse Over Future to Pick Oregon Judge

Lack of Patronage Agreement Charged

Portland—(U.P.)—Sen. Wayne L. Morse (D-Ore.) arrived in Portland today on a "reporting and checking" trip and immediately charged the Republicans with doing a "great injustice" by delaying the appointment of another federal judge for Oregon.

Oregon's senior senator said the appointment has been delayed because "Republican patronage dispensers" couldn't agree on a choice.

"I want to make it clear that the sole and complete responsibility for the failure to make the appointment rests with the Republican party," Morse said on arriving here for a week end visit to the state.

He said he would "give senatorial clearance" to Circuit Judge William G. East of Lane county. East has been reported in line for the appointment.

The senator said that his current trip to Oregon is for the purpose of reporting to the people and checking up on views of his constituents in a series of conferences.

He spoke at noon today at West Linn and tonight will talk at Corvallis. He will appear Saturday night at Springfield and will leave Sunday morning for Los Angeles before returning to Washington.

Lebanon, Ore.—(U.P.)—State Sen. Mark Hatfield said last night the Democrats were prepared to spend "half a million dollars" to assure election of Sen. Wayne Morse next year.

Hatfield, a Republican, told the GOP Women's Club here that "it should be apparent . . . that the biggest guns in the Democrat party are already trained on Oregon in Sen. Morse's behalf." He cited recent visits of Democratic officials to the state and the forthcoming visit of ex-President Harry Truman.

"And right behind the big names will come the big money," Hatfield predicted.

Auto Goes Berserk; Driver Dies in Wreck

Susanville, Calif.—(U.P.)—A 1955 convertible gone berserk catapulted 165 feet on a lonely stretch of U.S. 395 north of here and killed its driver, David H. Bowles, 21, Portland, the Highway Patrol said last night.

Bowles, estimated to be speeding "in excess of 100 miles per hour" when he lost control of his car, had a day-old Oregon speeding citation in his pocket.

Capt. Robert Blossom, Susanville area Highway Patrol commander, said Bowles' car raced past another auto near Lively, Modoc county, went out of control and shot into the air. Blossom said the distance of the car's flight measured 165 feet. He said it was 979 feet from the point of takeoff to the spot the demolished car came to rest.

New Damage Suit Filed In Drowning Accident

Portland—(U.P.)—Another damage action resulting from the swamping last August of the vessel Mule Duzer at Bonneville dam was on file in Federal Court here today.

The latest petition is for \$100,000 for the widow and six children of Leonard L. Boylan, Cathlamet, Wash., who was one of five men drowned in the accident. It brings to \$245,000 the amount of death claims filed so far.

The complaint was brought against the United States by James L. Winton, administrator of Boylan's estate. The widow is Lydia Boylan.

Weather

FORECAST: Partly cloudy tonight and Saturday. Cooler tonight with low 33, slightly warmer Saturday with high near 60.

Highest Yesterday	48	Temp.
Lowest This Morning	35	
Pre. to 4:30 a.m. Today	.06	

MAILL TRIBUNE

D, OREGON, FRIDAY, APRIL 29, 1955 Price 5c No. 34



ON THE BRINK OF DISASTER—Only a fallen tree prevents these two men in their powerless boat from being swept over dam on the rain-swollen St. Joseph River near South Bend, Ind. One of the men, Curtis Miller, clings to a rope floated downstream from a rescue boat. The other, Louis Lanthier, clings to boat and tree.

County Budgeters Have Few Details Still To Work Out

Jackson county budgeters indicated today that a few minor details remain to be ironed out before the county budget for 1955-56 is completed. Judge Rodney Keating said he expects it to be ready about the middle of next week.

The new budget total is expected to be considerably larger than that for the current fiscal year because of the addition this year of \$685,859.07 in O&C funds which will be allocated to county school districts, and \$65,000 for construction of juvenile detention facilities.

Otherwise Nearly Same

However, with these items deducted, the budget will be only slightly larger than that for last year, it was indicated.

Members of the budget committee are Tom Wray, Roger Rath and Arnold Bohner. They meet in conjunction with the county court, including Keating and Commissioners Chester Wendt and L. G. Morthland.

The citizens budget committee of Medford reviewed the proposed city budget for fiscal year 1955-56 at the first in a series of meetings at the city hall last night.

Budget committee meetings will be held each Thursday night until the budget is approved.

Strike Authorized Against Long-Haulers

Portland—(U.P.)—An official of the Teamsters union said today a strike had been authorized against long-haul and transfer firms in Oregon but that no date had been set.

Both union and management officials indicated negotiations might continue although no new talks were scheduled.

The current contract expires Sunday. The union has been asking progressive wage increases up to 26 cents an hour more by 1957 plus better vacation, pension and working condition clauses.

346th Patient Carried By Mercy Flights Plane

A Mercy Flights, Inc., air ambulance plane left Medford at about 12:30 p.m. today for The Dallas to pick up a patient there, according to officials of the non-profit service.

The patient, Mrs. Clara Brace, was to be taken to San Francisco, where she will receive treatment for a kidney infection. She is the 346th patient to be carried by Mercy Flights.

Officials of Church Named by Delegates; Ordinations Tonight

The Rev. George J. Davis, Salem, was elected yesterday as assistant superintendent of the Oregon district of the Assemblies of God.

His post is a new office created by district delegates this week at their 19th annual convention here. Mr. Davis has been field representative for the district's extension plan. He will assist the Rev. Atwood Foster, Salem, the district superintendent.

Delegates also re-elected the Rev. Lester Carlsen, Springfield, as general presbyter. He will represent Oregon at the national general council session in August at Oklahoma City, Okla.

Sectional Presbyters

Ten sectional presbyters also were named. The ministers and their sections are C. W. Ahalt, Portland, 1; Thomas H. Fuller, Gresham, 2; Levi Larson, Salem, 3; William Garner, Coos Bay, 4; Vernon Klemin, Roseburg, 5; John Fuiten, Butte Falls, 6; Ernest W. Bedwell, Hood River, 7; B. M. Shelton, Milto-Freewater, 8; Willis W. Baker, Wallowa, 9, and Reina Bullock, Westport, 10.

Sunday school attendance in Assemblies of God has shown a consistent gain with a total of 14,306 in attendance during 1954. It was reported yesterday, an increase from 10,960 in 1950.

In last night's sermon, the Rev. Ralph M. Riggs, Springfield, Mo., general superintendent, noted that the Assemblies of God now constitute the strongest Protestant denomination in Alaska, with 20 churches. He stated that there are 12,512 churches around the world with more than 770,000 members.

Growth Cited

While the Assemblies of God rank 29th in total membership among denominations in the United States, Mr. Riggs pointed out that it ranks sixth in the number of missionaries serving abroad, and seventh in Sunday school attendance. Some 19,712 ministers serve the denomina-

US May Send Token Force To Formosa

Washington—(U.P.)—The United States is considering the possibility of moving a token force of American ground troops into Formosa, it was reported in usually well informed quarters today.

These sources said the purpose of placing such a contingent side by side with a U.A. jet fighter squadron now on Formosa would be to bolster Chinese Nationalist morale and offset opposition to a cease-fire in the Formosa Straits.

The possible project was understood to have been discussed with Generalissimo Chiang Kai-shek during the just concluded visit to Formosa by Adm. Arthur W. Radford, chairman of the Joint Chiefs of Staff, and Assistant Secretary of State Walter Robertson.

Senate Passes Bill On Obscene Comics

Salem—(U.P.)—A series of eight bills designed to ban the sale or distribution of crime or obscene comics to minors passed the Senate today with what some observers said was a surprising minimum of debate.

Sen. Mark Hatfield (R-Salem) objected to what he called the censor-like nature of some of the bills and said morality was something that should be attended to through the home and not through the Legislature.

Sen. Paul Geddes (R-Roseburg) said the package of bills would make it illegal to sell pocket size books with lewd, obscene or lascivious covers on them to minors, and would ban crime or sex comics that might influence youth toward crime or lewdness.

SAIGON REBELS CHASED

Rep. Powell Urges Release of Fliers As Step To Talks

Move Would Prove Premier's Sincerity

Honolulu—(U.P.)—Rep. Adam C. Powell said today President Eisenhower should confer with Chou En-lai about the Far East-provided the Chinese Communists first release 11 U.S. airmen.

Powell, a New York Democrat, stated his beliefs on the subject on his arrival here from Bandung, Indonesia, where he attended the Afro-Asian conference as an unofficial observer.

On Safe Ground

"On the basis of Chou's statement at the conference that he would talk with the United States regarding tensions in the Far East and Formosa, the President would be on safe ground to have a conference with Chou," Powell said.

But Powell said the first item on the agenda of such a conference should be a requirement that the Red Chinese premier make a "tangible move to prove his sincerity by releasing the 11 fliers."

Powell also reaffirmed a statement he made in Singapore that a Pakistan source had indicated Chou would be willing to release the fliers if the United States would sit down at the conference table.

He said he was much relieved to learn that the President had indicated the United States would be willing to hold such a conference.

Rejection 'Too Hasty'

Powell said a previous State Department comment seemingly rejecting Chou's offer was regarded by "all our friends as too hasty."

Powell said his idea of achieving peace in the Far East entailed two steps:

1. A Big Six conference for the Far East, composed of the five Colombo nations and the United States to form an Asia policy for the "first time in our lives."

2. The State Department should send American Negroes and Americans of Oriental extraction to embassies in the Far East.

"We should use our 25,000,000 colored people to prove we aren't an all white nation," he said.

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Bridge Collapses; Truck Falls Into River

The Dalles—(U.P.)—A truck and trailer dropped into the Klickitat river Wednesday night when the four-year-old Wahkiacus bridge, three miles east of Klickitat, Wash., collapsed.

The driver, E. C. Miller, was not injured.

The loss of the bridge virtually isolates Wahkiacus, a small community of about 30 persons.

Cause of the collapse has not been determined.

Baseball

AMERICAN

Boston	0	4	0
Chicago	7	11	1

Nixon, Brodowski (4), Smith (6), Trimble (8) and White; Donovan and Lollar.

State Fair Trade Act Ruled To Be Unconstitutional

Portland—(U.P.)—Circuit Judge Lowell Mundorff yesterday ruled that Oregon's fair trade act is unconstitutional because it improperly empowers the Legislature to set prices.

The ruling was expected to have important ramifications throughout the state's retail centers. It was handed down in a suit brought by General Electric company against Rolla H. Wahle, a Portland consumers' agent.

Fails To Set Standard

Judge Mundorff said the constitution prohibits the Legislature from fixing retail prices. He also ruled that it failed to set a standard and to guide price fixing.

General Electric sought to enjoin Wahle from advertising, offering for sale or selling any appliances made by GE at less than set by an agreement made with Sprouse-Ritz company of Portland, which was not a party in the suit.

The judge ruled the "fair trade" agreement with the company was invalid because although all GE retailers were bound by the Sprouse-Ritz pact, GE had offered no consideration for the contract.

Reliable informants said Gen. Paul Ely, the French supreme commander, consulted with American officials in Saigon on a joint effort to win a ceasefire. But the effort failed when Diem defied his Emperor and decided the time had come to smash the rebels.

School District Vote OKs Bonds

Central Point—Voters of School District 6C yesterday approved the issuance of \$350,000 worth of bonds to pay for two new school buildings.

The vote was 311 yes, 146 no. By polling places, the vote in Gold Hill was 89 yes, 115 no; in Central Point 222 yes, 31 no.

The school district plans a new four-room building at Gold Hill for elementary students, and a 12-room primary building at Central Point. They were made necessary by rapidly increasing enrollment totals in 6C, which have filled every existing classroom at both schools.

Superintendent of Schools H. P. Jewett said today that it is hoped construction can be started sometime in June. The Gold Hill unit will be rushed to completion, and may be ready for a portion of the 1955-56 school year. Both will be ready for the beginning of the 1956-57 school year.

Crowded, makeshift facilities will have to be used until the work is done.

Raft Lehi II Puts To Sea Without Skipper, 3 Others

San Francisco—(U.P.)—The comic-opera raft Lehi II finally shoved off on its delayed drifting trip to Hawaii today but typically something went wrong, the craft started its cruise with only one crew member aboard.

Skipper DeVere Baker and three crewmen were late arriving at Aquatic Park where the Lehi II was moored so "First Mate Lawrence Hall of Tacoma put to sea without them."

Baker, at this point numbered to setbacks, promptly hired a fishing boat to take him and fellow sailors William Sousa, Crawford Hartley and George Harris to the raft.

At last report the Lehi, with Baker and his men in hot pursuit, was bouncing on the waves under the Golden Gate Bridge headed for the open sea.

The confusion over the Lehi's departure, nothing new in a running saga that saw the first Lehi abandoned off the California coast last summer, resulted from threatening weather.

Original plans called for the raft to leave at 8 a.m., but Baker scanned the cloudy skies and delayed the sailing until after 8 a.m.

But apparently no one told Hall about the change in plans. He showed up on schedule and waited patiently until about 7:30 but when the others failed to arrive he got the Lehi going on his own.

Free of Currents

Present plans called for the fishing boat Sea Bee to tow the Lehi beyond the Farallon Islands, about 25 miles west of San Francisco.

Federal Troops Score Victory In Bloody Fight

Loyal Forces Attack Under Heavy Barrage

Saigon, Indochina—(U.P.)—Government troops destroyed the headquarters of the rebel Binh Xuyen gang and drove its commandos back to a river island today in a great but bloody civil war victory for pro-American Premier Ngo Dinh Diem.

The counter-attacking loyal troops, moving under cover of heavy mortar barrages, shattered the rebels' main strongpoints in a two-day battle that killed several hundred persons, wounded nearly 1000 and left 100,000 homeless.

Diem Spurns Order

In the wake of his victory, Diem spurned an order from Chief of State Bao Dai to fly to the Riviera and to give up control of the Army. His Cabinet sent a message to the absentee chief of state affirming that Diem's presence in Saigon was essential and that no one had the authority to replace him.

The government forces moved quickly to complete their victory over the tough Binh Xuyen troops.

Reliable informants said Gen. Paul Ely, the French supreme commander, consulted with American officials in Saigon on a joint effort to win a ceasefire. But the effort failed when Diem defied his Emperor and decided the time had come to smash the rebels.

In Defiance of Appeal

The second day of street-fighting in this flaming city began at dawn in defiance of Emperor Bao Dai's appeal to the government and to rebellious world troops to end the battle that has reduced the heart of Saigon to flames.

The Saigon city health service announced that "several hundred" soldiers and civilians have been killed and nearly 1,000 wounded in the past 24 hours of clashes.

An exact count of the dead and wounded was impossible, officials said. Corpses and groaning wounded littered Saigon's bullet-torn streets. A square mile of the city was in flames and rescue work was crippled.

Rescue Blown Up

The assault of the rebel headquarters climaxed a government battle of operations in Cholon, the drive toward the Binh Xuyen's Chinese sector of the city separated from Saigon itself by a canal. The government blew up the Y-bridge across the canal.

The bridge was blown up to prevent more Binh Xuyen rebels from the gang's 10,000-man forces from pouring into Saigon. Rebel headquarters were near the end of the bridge in the Chinese twin city.

Original plans called for the fishing boat Sea Bee to tow the Lehi beyond the Farallon Islands, about 25 miles west of San Francisco.

At that distance, Baker figured, the raft would be free of the southerly coastal currents that caused his first expedition last July to end in failure.