

Legislative Pay Hike Ruled Unconstitutional

Issue To Go Before Voters In May Primary

Court Acts on Chapman Test Case

Salem—UPI—The State Supreme Court ruled today that a legislative pay hike approved by the 1959 Legislature is unconstitutional. The act would have increased salaries of legislators from \$600 a year to \$2,100. State Sen. R. F. Chapman (D-Coos Bay) filed the test case naming Secretary of State Howell Appaling Jr. defendant. Appaling had refused to put the increase through. To Go To Voters

The high court said: "Where a state constitution in plain unambiguous language fixes the compensation of a state officer whether it can be a member of the Legislature or of the executive or judicial departments of the government, the effect is to divest the Legislature of power to determine that the compensation shall be something different unless there are other provisions of the constitution from which a contrary intention can be drawn."

The issue will still go before the voters in the May primary. Along with passing the bill for the raise, the Legislature provided for a test at the polls.

Right To Consider

The opinion, written by Justice Hall S. Lusk, concluded that the people in adopting a 1950 amendment had the right to consider and must have considered that they were exercising and not surrendering their accustomed and frequently invoked power to fix the compensation of members of the Legislative Assembly.

Chapman had argued that when the 1950 amendments were adopted, the words "not exceeding" with reference to compensation were omitted and claimed that this introduced an ambiguity. The court noted that the argument in support of the amendment in a Voters' Pamphlet contained a statement reading: "The constitution of Oregon has justly reserved unto the people the right to set the compensation of members of the legislative assembly."

Among Lowest Paid

The opinion said "It is apparent that the Legislative Assembly by seeking in 1954 the power to fix the compensation of its members by submitting to the people in 1955, 1956 and 1959 a constitutional amendment increasing their compensation and by the quoted statement in the Voters' Pamphlet has placed upon the 1950 amendment a construction contrary to which the relator flows."

Storm Loads Up Portland Hotels

Portland—UPI—While other businesses slowed down in the face of a snowstorm, Portland hotels were booming. Downtown hotels were filled to capacity when major downtown firms reserved blocks of rooms for employees who could fight through snowdrifts Tuesday night.

Morse Petitions Filing Delayed

Salem—UPI—E. G. Neal of Salem, head of a Morse-for-President drive, said today he will not be able to file the necessary petitions on Jan. 25 as planned and announced earlier.

Springfield Man Dies in Air Crash

Springfield, Ore.—UPI—Leland U. DeJean, 34, owner of McKenzie Aircraft Repair, was killed today in the crash of an airplane he had rebuilt from three other planes.

Kennedy Slates Oregon Speeches

Portland—UPI—Sen. John F. Kennedy of Massachusetts, candidate for the Democratic presidential nomination, will make four major speeches in Oregon during a two-day visit Feb. 9 and 10, his local headquarters said today.

WEATHER

FORECAST: Cloudy tonight and Thursday with occasional rain tonight and heavier rain Thursday. Gusty wind diminishing Thursday. Low tonight 42. High Thursday 50.

FILES—County Assessor Ray Schumacher yesterday filed in the county elections department for reelection to a second four-year term. Deadline for filing a petition for the primary election is March 11.

Ike Urges Inflation War

Economic Report Carries Appeal To Hold Line

Unprecedented Prosperity Seen

Washington—UPI—President Eisenhower, rallying the nation to a new battle against inflation, today urged some industries to cut prices and labor to keep wages in line. The President did not specify what industries, but a White House source said he had steel and autos in mind. He sounded the anti-inflation battle cry in a generally optimistic annual economic report to Congress. Combined Effort Needed

Eisenhower foresaw a decade of unprecedented prosperity. But he cautioned that it could be achieved only through the combined efforts of businessmen, labor, consumers, and government at all levels.

In a direct appeal for some price cuts, he told industry that "price reductions warranted by especially rapid productivity gains must be a normal and frequent feature of our economy."

Steel and Autos

And he told labor that wage increases should remain "within the limits of general productivity gains."

A White House source, discussing the President's price-cut appeal, said Eisenhower specifically had steel and autos in mind. The battle against inflation and emphasis that it is not government's war alone highlighted the Chief Executive's annual economic report, a massive document prepared with the help of the Council of Economic Advisers.

Eisenhower said that "there are good grounds for confidence" that the nation's economic advance of 1959 can be extended through 1960 and, with appropriate action, "well beyond the present year."

Consumer Responsibility

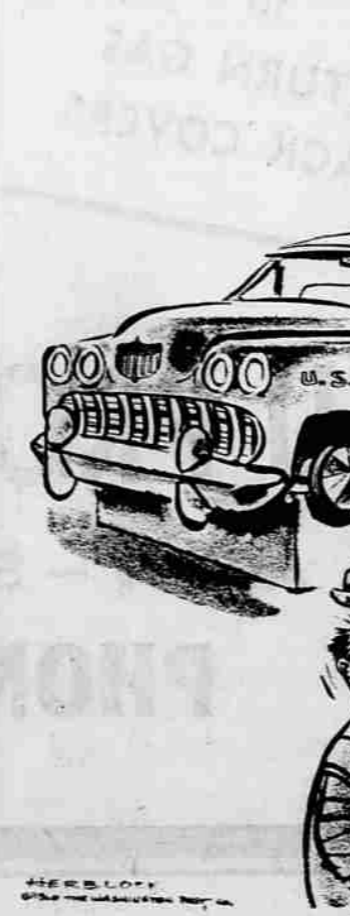
"Government policies must be supplemented by appropriate private actions, especially with respect to profits and wages," he said. "In our system of free competitive enterprise and shared responsibility, we do not rely on government alone for the achievement of inflation-free economic growth."

The President said the American consumer would have to be just as responsible as industry and labor for keeping the nation on the road to higher economic standards. He called on the consumer to be alert and opposed to arbitrary attempts "to establish prices or wages at levels that are inconsistent with the general welfare."

No Flu Epidemic Reported in State

Portland—UPI—The State Board of Health reported today that influenza cases have increased slightly but there is no indication yet of an epidemic. A total of 810 flu cases was listed by the Board compared to 793 for the previous week.

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TRIBUNE

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De Gaulle Calls Algerian Head For Showdown

General Accused Of Harsh Criticism

Paris—UPI—Paratroop Gen. Jacques Massu issued a carefully worded communique today pledging his loyalty to the chief of the French army in Algeria but not directly to President Charles de Gaulle.

An angry de Gaulle abruptly summoned the major general to Paris Tuesday night for a showdown on whether the paratroops hero was plotting an army-backed anti-de Gaulle uprising in Algiers.

Massu was accused of harsh criticism of de Gaulle at a moment when unrest in Algeria was increasing every hour, both among the army and the right-wing French settlers who fear a de Gaulle "sellout."

Led 1958 Revolt

It was Massu, 51, the lean and hawk-faced head of army and civilian affairs in Algiers that led the May 13, 1958, revolt which swept away the Fourth French Republic and brought de Gaulle to power.

He was quoted this week by a German newspaper as saying the army was wondering if it had made a mistake in backing de Gaulle, hinting at the use of force and accusing him of becoming a leftist. Later he denied making the statements.

Today after a long conference between Massu and Armed Forces Minister Pierre Guillaumat, Massu again denied the story and affirmed his loyalty to the Algerian commander-in-chief, Gen. Andre Challe.

Condemnation Suit Starts in Court

A state highway condemnation suit involving property owned by Richard H. and Geneva Long near Rogue River continued today in circuit court.

The Longs are asking \$39,250 for 3.8 acres of property to be used for the new Highway 99 freeway right-of-way. The land is located near Evans Creek and between the railroad tracks and the Rogue river. The Longs have based their determination of property value on river front foot basis.

Estimates made by real estate appraisers who have testified so far ranged from \$35 to \$50 a front foot. Long, the property owner, was the first to take the witness stand yesterday following selection of the jury. E. L. Bartholomew, real estate man and appraiser, followed Long and, Ben Allen, real estate broker from Gold Hill, was on the witness stand late yesterday afternoon and most of this morning.

Cuban Editor Takes Refuge in United States

Favorite Target Of Government

Miami, Fla.—UPI—Cuban newspaper editor Jorge Zayas fled to the United States from Havana today. He was the first newspaperman to go into exile in a year of the revolutionary Castro government.

Zayas was hurried through customs here and taken to the federal building where U. S. government officials began questioning him about his flight from Cuba.

Zayas, a graduate of the Columbia University School of Journalism and member of the Inter-American Press Association, sought asylum in the Ecuadorian Embassy Tuesday.

Free To Leave

Zayas' departure followed by less than 24 hours a Cuban State Department announcement that he was free to leave the country when he wished.

As a result, his diplomatic status in the Ecuadorian Embassy was changed from that of a political exile to a house guest of the ambassador.

Zayas, managing editor of Avance, leading afternoon daily, has been a favorite target of the government and the controlled press for the past six months. He fled to the Ecuadorian Embassy for safety when Prime Minister Fidel Castro made a personal attack on him in a radio broadcast Monday night.



LEWIS P. CRUTCHER

'Cityscape' Is Topic of Chamber Dinner Speaker

Lewis P. Crutcher, Portland architect who initiated a move which resulted in decorative trees being placed in downtown Portland, will speak on "Cityscape" at the annual meeting of the Jackson County Chamber of Commerce at 7:30 p.m. Saturday, Jan. 23, at the Rogue Valley Country Club.

Crutcher is chairman of the design zone committee of the Portland city planning commission. He also is consulting architect for a new citizen's organization, Downtown Portland, Inc.

Included in Saturday's discussion will be the results of his talks with St. Helens and Hood River citizens concerning shade trees, muted signs, minimized utility poles and control of automobile traffic.

Discussed Items

These are among the items which he discussed with Portland groups when he presented proposals for restoring the city to its former famed beauty more than a year ago. He proposed to restore Portland's former beauty by "returning the city to the people" by improving the heart of the city for the enjoyment and use of the pedestrian. Downtown Portland, Inc., was formed to plan for the restoration of the city's beauty.

The design zone committee of the planning commission is in the process of setting up initial standards to insure appropriate development of new construction in strategic areas.

Crutcher is a member of the Portland Art commission and a trustee of the Portland Art museum in addition to other civic activities.

He received his bachelor of architecture at the University of Washington, and his master of fine arts in architecture at Claremont Graduate school, California.

Farm Groups To Ask Chemical Study

Washington—UPI—Eleven farm groups, concerned by the government method of cracking down on possibly unsafe food, prepared today to ask President Eisenhower for a special study on the use of chemicals in agriculture.

Wreckage of U.S. Navy Plane Believed Sighted

Second Turkish Air Crash Fatal To 42

Ankara, Turkey—UPI—Wreckage believed to be that of a missing U.S. Navy plane with 16 persons aboard was sighted today in the snow-dusted Taurus Mountains of Turkey.

The sighting was reported by the Coordinated Rescue Center on Nicosia, Cyprus.

There was no immediate report on either signs of life or bodies near the wreckage. In Mountain Valley

The crash site was in a high mountain valley, at about 8,000 feet altitude. Royal Air Force and American mountain rescue teams headed for it immediately.

The missing plane, a Martin Mercator twin-engine patrol craft, was on a flight from Naples, Italy, to Adana, Turkey.

If the wreckage is that of the missing plane, it will mean two major plane crashes occurred in Turkey Tuesday night with the possible loss of 58 lives.

Third Air Disaster

A Scandinavian Airlines Caravelle jet crashed at Ankara airport in a fog, killing 42 persons, including an American. Officials were reported checking the possibility that the Turkish control tower and the plane crew made twin errors to cause the crash.

Crash of the Navy plane would be the third disaster in two days, bringing the toll to a possible 108 lives. Fifty persons were killed Monday night in the crash of a Capital Airlines prop-jet Viscount near Holdcroft, Va.

Wing Snagged

The twin-jet SAS Caravelle, banking for a gentle, curving approach to Esenboga airport, snagged its right wing on a low hill within sight of the airport and exploded on impact with such force the clothes were ripped from the victims. The plane caught fire immediately.

Some officials said the crash may have been caused by a navigation error aboard the plane. There may also have been faulty control tower instructions, they said.

Spots of Ice Are Reported in Area

Spots of ice were reported on mountain highways in southern Oregon today. Highway 99 over the Siskiyou, Highway 66 over the Green Springs, and Highway 62 at Prospect all had spots of ice, state police said. No new snow was reported in southern Oregon during the past 24 hours, but the weather forecast called for rain in the Medford area tonight and Thursday.

Crater Lake National park reported 53 inches of snow on the ground this morning, compared to 33 inches at this time last year, and 100 inches in 1958. The accumulative snowfall at Crater Lake this year is 148 inches, compared to 135 inches at this time last year, and 265 inches in 1958.

Twenty-five inches of snow is reported at roadside on the Green Springs, 16 inches on the Siskiyou and 7 inches at Prospect.

First State Income Tax Refunds Mailed

Salem—UPI—Electronic equipment turned out the 100 state income tax and checks today—several weeks ahead of the first refunds for 1958.

Gunnar's Speech Says Mautz Not Candidate

Oregon Republican National Committeeman Robert T. Mautz of Portland will not seek reelection to the office this year, according to State GOP Chairman Peter Gunnar.

Gunnar said in a speech prepared to be delivered to Jackson county Republicans at the Rogue Valley Country club tonight that Mautz "definitely will not be a candidate for reelection." He said there was "keen disappointment" on learning the decision.

Mautz, a Portland attorney, has served on the national committee since 1956. He would have to stand election in the May primary.

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Washington—UPI—Eleven farm groups, concerned by the government method of cracking down on possibly unsafe food, prepared today to ask President Eisenhower for a special study on the use of chemicals in agriculture.

The farm organizations, whose chief target is Arthur S. Flemming, secretary of health, education and welfare, want Eisenhower to name a fact-finding commission. They said it also could look into the administration of federal laws dealing with farm and food chemicals.

Their move was disclosed in the wake of the government's order Tuesday banning use of a widely employed farm pesticide, Heptachlor, under conditions found to leave a poisonous by-product on food and feed crops.

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