

CIRCULATION
Average for October, 1922: 5709
Daily only 5343
Daily and Sunday 5343
Average for six months ending
October 31, 1922:
Daily only 5874
Daily and Sunday 5485

IN THE CITY OF SALEM
and elsewhere in
Marion and Polk Counties
Nearly everybody reads
The Oregon Statesman
THE HOME NEWSPAPER

SEVENTY-SECOND YEAR

SALEM, OREGON, TUESDAY MORNING, NOVEMBER 7, 1922

PRICE: FIVE CENTS

FIFTY MINERS LOSE LIVES

Sloat Reward Can't be Paid by City

BIGGEST VOTE IN YEARS IS LIKELY TODAY

Republicans in California Claim Easy Victory and Democrats See Gains Over Previous Year.

RELIGIOUS ISSUE SETS OREGON AGOG

Poindexter Has Hard Race With Democrat—Nevada Claimed by G.O.P.

SAN FRANCISCO, Cal., Nov. 6.—Pre-election statements were issued by the political party leaders today, the majority party leaders claiming the standard bearers will be successful tomorrow and the minority party leaders declaring they would make gains over previous years.

Registrations Heavy
The registration in California for the election is 1,532,348 of which 968,429 registered as Republicans and 319,107 as Democrats.

Poindexter Has Race
Interest in Washington was divided between measures and men. The contest between Miles Poindexter, United States senator, who is seeking re-election, and C. C. Dill, his Democratic opponent, attracted more than state-wide attention.

Democrats Have Parade
The Republicans in New Mexico expect to send Mrs. Adeline Otero-Warren to Washington as a member of the national house of representatives, according to a statement issued today.

Pearson Hopeful
LOS ANGELES, Nov. 6.—William J. Pearson, Democratic candidate for governor, today announced that he had received the endorsement of the state committee.

THE WEATHER
OREGON: Rain; strong south-easterly gales along the coast.
LOCAL WEATHER (Monday)
Maximum temperature, 46.
Minimum temperature, 39.
River, 1 foot below normal level. Falling.
Atmosphere, cloudy.
Wind, southeast.

LAW WON'T ALLOW IT IS RULING

Appearing before the city council, last night, City Attorney Ray Smith threw a flock of monkey wrenches into the wheels of the Sloat reward fund, by saying that it seems to be utterly beyond the pale of the law for the city to pay such a reward. The distinction is clearly drawn between the city's right to pay for executing its own special ordinances, and paying under the state and national laws in which the city would not have legal jurisdiction.

What action the city council will take is not yet definitely determined. The report was received and filed for record, and no vote was taken. The general expression of the council is that the city is morally bound to pay the reward, though it was pointed out that there could be no "moral obligation" where there can be no legal right to expend the public funds.

The matter will be taken up again as soon as it can be thoroughly considered.

City Attorney Smith's opinion follows:
"At the last regular meeting of your honorable body the City Attorney was requested to bring in a written opinion as to the authority of the city to offer a reward for the arrest and conviction of one Sloat and I submit herewith the following opinion:
"As stated by McQuillan in his work on Municipal Corporations, Section 391, it is generally held that a municipal corporation may offer rewards for the apprehension and conviction of offenders against its local or municipal regulations. This is regarded as an incidental or implied power resulting from the obligation to preserve the safety and general welfare of the inhabitants and their property, but in the absence of express authority, a municipal corporation may not offer a reward for information leading to the arrest and conviction of state laws although committed within municipal limits for the reason that it is not for a municipal or corporate purpose but a duty devolving upon the state. The Charter of the city of Salem does not expressly authorize the offering of rewards and the rule as above stated is applicable in the Sloat case.

"In harmony with the rule as stated is the case of Baker vs. Washington, 7 D. C. 134. In this case it appears that immediately after the assassination of Pres. Lincoln, the Common Council of the City of Washington passed an act offering \$20,000.00 for the arrest and conviction of the person or persons who assassinated President Lincoln and attempted the murder of Secretary Seward. Pursuant to this action the Mayor signed a proclamation offering the reward which was claimed by the plaintiff, Baker, who brought action to enforce its payment. It was contended by counsel for Baker that under the Charter provision granting power "to make laws for the preservation and safety of persons" that authority existed to offer the reward. The Court, however, held that a city is not organized with the view of enforcing the criminal laws of the state and that the council did not have authority to make the offer of reward and bind the city by its action.

"I am of the opinion that the rule as applied by the Court in the above case applies in this case and that the offer of reward in the Sloat case does not bind the city."

HARDING VOTES BY MAIL; WILL HEAR RETURNS

Many Officials in Washington Post Ballots, Some Go Home, Others Will Not Cast Ballots.

SPECIAL WIRE FOR EXECUTIVE OFFICES

Ex-President Wilson Will Go to Bed Early and Read It in the Papers

WASHINGTON, Nov. 6.—President Harding and four members of his official family, Secretaries Hughes, Weeks and Wallace, and Attorney General Daugherty, already have marked their ballots in tomorrow's election, mailing them to their home towns. Secretaries Denby, Fall and Davis and Postmaster General Work will vote in person at their legal places of residence but the two cabinet officers, Secretaries Mellon and Hoover will not vote. It was stated that they were unable to leave Washington because of press of public business.

Mrs. Harding Votes in Bed
The president and Mrs. Harding sent their ballots to Marion, Ohio, to be cast at the place where the executive has voted for years. Mrs. Harding marked her ballot while sitting up in her sick room.

Last reports on the progress of the campaign were received today and tonight by the executive. Returns from the election will be received at the executive offices over a special Associated Press wire and will be relayed to the executive over the telephone by Secretary Christian.

Wilson to Read Papers
So far as was learned former President Wilson had made no special arrangements for getting the returns at his S street home. He was expected to follow his usual custom of retiring comparatively early, relying upon the Wednesday newspaper to give him more detailed accounts of the results than it was possible for him to obtain by telephone from Democratic leaders during the early evening.

Mr. Wilson also has voted by mail, sending his marked ballot to his old home in Princeton, which he was accustomed to visit regularly on election day before his illness.

He is understood to have followed the progress of the campaign closely and has participated in it to some extent through the medium of letters to Democratic organizations.

Only a few senators and representatives are in Washington. Justices Not Voting
Of the senators, McCormick of Illinois, Sterling of South Dakota and McCumber and Ladd of North Dakota, voted by mail as did a number of representatives who remained here.

All members of the supreme court with the exception of Justice Pitney who is ill at his home in Morristown, N. J., remained in this city for over election day and it was stated that none had voted by mail.

STATESMAN TO GIVE ELECTION RETURNS AS COUNT COMES IN

Both County Chairmen Claim Marion County for Gubernatorial Candidates by 2000 votes—Tooze Concedes Few Precincts to Pierce, While Downing Says He Will Beat Olcott 3 to 1 in Salem.

As usual the Statesman will lead tonight in furnishing election returns to the public. Arrangements have been perfected with every precinct in the county for returns by telephone as soon as any of the count is available. The returns, as fast as they are received, will be announced by megaphone and posted at the front of the Statesman office. Salem and Marion county returns should begin to come in less than an hour after the polls close at 8 o'clock.

Prior to this time, however, interesting bulletins on the results of the elections in the east and middle west will be received and will be announced from the Statesman office. These should begin to come in about 6:30 o'clock.

For those persons who are unable to get downtown for the returns tonight the Statesman office will gladly furnish information by telephone to any who call this office.

FARMER WOMAN IS SUPPORTED

Testimony of Possible Eye Witness of Murder Corroborated Yesterday

NEW BRUNSWICK, N. J., Nov. 6.—(By the Associated Press)—The story told by Mrs. Jane Gibson, woman of considerable mystery, the self-styled "eye witness" of the double murder of the Rev. Edward Wheeler Hall and Mrs. Eleanor R. Mills, September 14, at last has been definitely corroborated, authorities said tonight.

It also was unofficially reported that the grand jury would be asked to return indictments against a woman and two men. An attorney who has figured prominently in the investigations said preparations were being already made to combat the testimony.

Mrs. Fraley Heard
The corroborating witness for Mrs. Gibson's story that she saw the rector and the choir leader slain while she was searching for farm looters on the Phillips homestead, Special Detective James Mason announced, is Mrs. A. C. Fraley, who lives near the scene where the two bodies were found.

Signorini Smith, grave digger, who boards at the Frayel house, has been arrested by state troopers and the substance of his testimony is being closely guarded. When approached by newspaper writers Smith has declined to talk and has repeatedly declared that the detectives have warned him not to discuss the double murder.

More Questions Asked
In preparation for presenting the entire case to the grand jury the authorities today began a general re-questioning of all persons who have previously been mentioned in connection with the case.

Interurban Phone Company to Occupy New Building
SILVERTON, Or., Nov. 6.—(Special to The Statesman)—The Interurban Telephone Company has just about completed its new building on West Main street and will move to their new quarters in the near future. The company has received its new switchboard which is automatic in every way, it is reported, will be a great improvement in efficiency over the one now used.

SCORES OF FAMILIES ARE SORROW STRICKEN AFTER EXPLOSION AT SPANGLER

SPANGLER, Pa., Nov. 6.—(By the Associated Press)—Between 50 and 60 miners were killed in the Reilly mine of the Reilly Coal company near here this morning, according to an official estimate made public at midnight by rescue workers and company officials.

The estimate was arrived at after rescue workers who have searched the explosion wrecked mine for two hours reported they believed there were no more survivors in the working.

Thirty-one rescued men are in the Spangler hospital. Officials of the company are still uncertain as to the exact number of men who went to work just a short time before the blast.

They believe that the total was between 90 and 95. Rescue men who had attempted to count the bodies they stumbled over in the workings declared they counted approximately 50, but said it is probable that a few more men perished in the unexplored chambers.

RALLY IS HELD AT SCOTTS MILLS

Tooze, Perkins and Reynolds Boost for Election of Mr. Olcott

Walter L. Tooze, Sr., chairman of the Republican county committee, was one of the visitors and speakers at an interesting political meeting held last night at Scotts Mills.

Rev. J. W. Perkins discussed the efficiency of the Olcott administration, beginning with his organization of the secretary of state's office, years ago, and extending on through the whole state service.

Lloyd Reynolds, candidate for the legislature, gave an especially clear, capable talk on the taxation problems. He is rated as one of the most effective speakers in the county on this question.

The meeting was presided over by Henry S. Daly of Scotts Mills, an old-time and never-failing political enthusiast. Much enthusiasm and applause is reported from the meeting.

FRIENDS SPEAK WELL OF POULSEN

They Say He Is Competent and Deserving of the Office of City Recorder

Mark Poulsen, candidate for city recorder, was for nine years chief clerk in the Southern Pacific freight office here, and he was afterwards connected with Hauser Brothers. He has been deputy under Recorder Earl Race for four and a half years, and he has assisted in all the activities of that office—including the un-official duties of city employment agent, for the good of the fruit growers and others.

Mr. Poulsen has lived in Salem for 17 years, and those who have worked with him and known him intimately say he is both competent and deserving in every way. Mr. Poulsen was high man in the primaries, and he knows every phase of the duties of the position to which he aspires.

They decided at midnight to remove the bodies before daybreak. Scores of women and children who had been at the mouth of the mine since early morning were induced to return home tonight.

Examination of the mine workings by experts tonight caused officials of the company to announce that the property damage in the explosion was very small.

No statement will be issued regarding the cause of the explosion until tomorrow at least. It was announced that a safety expert had made a trip through the mine short time before the men started working today and he reported to the company that the workings were free from gas.

Behind a brattice, hastily constructed by the entombed miners to shut out the deadly after damp from heading where they had taken refuge, the rescuers found four men alive and one dead.

PROSPECT FOR HEAVY VOTING IS PROMISING

Western Conditions Throughout Middle West and Mississippi Valley Good

CHICAGO, Nov. 6.—(By The Associated Press)—Weather conditions throughout the middle west and Mississippi valley—with the exception of the two Dakotas—are reported tonight as favorable for tomorrow's election.

Rain on the prairies of the Dakotas and snow in the Black Hills have rendered roads in many sections virtually impassable and threaten to cut down the country vote.

Republicans and Democrats in South Dakota both claim, as a result, they will have an advantage over the farmer members of the Non-Partisan League. The league candidate for governor is a woman, Miss Alice Lorraine Daly.

In Texas the supreme court, by an 11th hour decision, today ordered the name of Earle B. May for United States senator printed sent to all county clerks, but some doubt exists whether all can comply in time. Injunctions by his political opponents had prevented the printing heretofore. The name of his Republican opponent, George E. Peddy, has been stricken from the ballot because he was not nominated by a regular party convention.

Last minute meetings, speeches and the usual final hour claims of victory featured the closing campaigns throughout the middle western states.

A little later they came across another brattice, made of mine cars and bearing the legend burned on with a miner's lamp: "Sally" is Sacrificed

"There are 29 men behind this." The air was so bad her that "Sally," the bureau's pet canary bird used in testing the air, died. "It was a shame," said one of the crew. "We could have saved her if we had retreated to the good air. But where the lives of miners are concerned, I guess Sally would O. K. our act in going ahead."

The rescue crews, of which there were four, made up of five men each, tonight were especially hunting for Pat Flanagan, the fire boss. He went into the mine at 2:30 o'clock this morning and reported the mine was safe. He went down again at 6:40 o'clock and was not seen afterwards.

Rescue Crews Arrive
Early in the evening mine rescue crews from the Maryland Coal & Coke company at St. Michael, Pa., and the Pennsylvania Coal & Coke company at Johnstown, joined the federal rescuers and the Cambria Steel crew. The second United States rescue car was expected here from New York state tomorrow.

"The sad part of it," said one sturdy miner, "is that at least 20 of the victims were within a hundred feet of fresh air when they were overcome by gas."

Every effort tonight was being made to locate all of the living. As soon as that has been done, the work of removing the dead will commence.

Youth Saves Dozen Lives
Men, women and children by the score crowded the police lines near the shaft. Many of them had been there since they heard of the explosion early in the day and there was no indication they would leave their posts until the last body had been brought out. "On the cot of honor," at the

(Continued on page 2.)