

## PROBLEM OFFERED BY SCHOOL BUDGET

Committee Believes Special Election or Careful Pruning Is Only Solution

## TEACHERS ASK INCREASE

Street Sweepers Command More Money During Year Than Average Pedagog Declares Delegation of Three

The school board is confronted with the problem of a shortage of \$9600 in the budget for this year, it was revealed last night at the meeting of the school board in conjunction with the budget committee of taxpayers. One of two courses must be pursued; either a special election must be held asking for the amount needed, or the money must be pruned from the various expenditures set down as being necessary in the proposed budget. The total amount asked is \$333,632, of which the biggest item is \$237,970 for personal services.

Besides this the teachers of the city have organized to ask for a readjustment of their salary schedule. To make a satisfactory readjustment it is held that between \$40,000 and \$50,000 will be needed. Under the proposed schedule submitted to the budget committee by a committee of three teachers, the minimum salary for elementary teachers would be \$1200 and for the junior high school teachers and senior high school teachers \$1450. Under this new plan it would also be the purpose to raise the standards of teaching in the Salem schools. For instance, teachers in order to receive the minimum of \$1200 would have to have had normal school training, and in addition two years' experience in teaching. This, it is held, would induce teachers of proven worth to sign with the Salem schools.

Miss Crowley, one of the teachers, told the budget committee that the increase if granted would not take effect until next year, and the teachers feel the need for immediate relief. Consequently she suggested that also this year the teachers be allowed a month's additional pay to defray summer school expenses, which the teachers are asked to take. Miss Creech, another teacher, told the committee that living costs have increased approximately 50 per cent since the last salary readjustment was made in 1919.

Prof. Dodson, the third member of the teachers' committee, declared that street sweepers in Salem are getting from \$104 to \$110 a month, the year around, while school teachers are getting as low as \$82.50 when their salary is averaged for twelve months. He showed that policemen in the city get \$1500 a year, and declared that he gets the same amount for caring for the education of 300 children. He expressed it as his belief that teachers should be allowed sufficient remuneration to allow them to live as they should and to lay a little aside for furthering their own training. He also advocated that the same experience draw the same pay. Under the present system, he said, ele-

(Continued on page 2)

## INDIANS FILE PROTESTS

COMMISSIONER IS CHARGED WITH VIOLATING DUTY

HELENA, Mont., Nov. 3.—(By Associated Press.)—Charges that Charles H. Burke, commissioner of Indian affairs at Washington, "has knowingly and intentionally permitted the property of Indians to be misappropriated, wasted and squandered and that he has violated his duty as commissioner of Indian affairs in many ways," were made today by representatives of the seven Montana tribes at a pow wow in Helena today and forwarded to President Coolidge as a request for the removal of the commissioner.

There are thirteen charges in the resolution asking for Burke's removal and with them is a request for "an opportunity to prove said charges" and the further request "that the Indian bureau will not be allowed to investigate itself."

The request for Burke's removal is signed by fourteen councilmen of the seven Montana tribes. The delegates are in convention here to determine on a course of action on several problems relating to the welfare of the various tribes. A. A. Gror, of Helena, is acting as legal adviser for the Indians.

Among the charges against Burke is the charge that he has deliberately and maliciously withheld tribal payments as punishment to Indians.

## LEGION MOBILIZED FOR FIRST FALL OFFENSIVE

OPENING GUNS IN FINANCIAL DRIVE ARE FIRED

Armistice Day Tickets Go On Sale Today; Big Success Already Indicated

Heavy artillery was mobilized last night and the American Legion is ready to fire the opening gun in the ticket selling drive for the Salem sector today in the first annual Armistice Day offensive. Support and reserves are in position and all committees await the zero hour. Twelve thousand of the tickets have been drafted and no quarter will be offered until all are disposed of.

"Something for your money and buy Legion tickets is the war cry," according to Biddie Bishop, general in charge of campaign. "If the Armistice Day celebration proves the success that is already indicated, Capital Post No. 9 will have sufficient funds to carry on its activities throughout the year and the post will adopt this method of raising needed money in future years. Armistice Day is the Legionnaires day to celebrate and to provide the necessary finances. Dues are not sufficient to take care of entertainments and post activities and to finish payments on the equipment for the drum and bugle corps. The fifty suits and instruments represent an investment of \$5000."

Legion tickets entitle the holder to attend one of two football games, the first between Willamette and Albany college prior to the big morning parade a week from today and the second in the afternoon between Salem and Eugene high school eleven. A ticket will enable the holder to see the show at the Oregon, Bligh or Hellig theaters while another card-board will permit dancing at either the Crystal Garden or the Armory. One-half the price of the ticket, 50 cents, goes to the Legion and the remainder to the management of the various attractions. In any event the holder gets full value for his "four-bit" investment.

Legion men who have been issued blocks of tickets are Fred Powell, Ray Bassett, Raymond Boice, Lloyd Rigdon, Archie Holt, Vic McKenzie, Bill Watkins, Claude McKinney, Carl Gabrielson, Bud Mason, Brazier Small, Frank Durbin, Jr., Walter Zosel, Jess George, Dan Fry, Jr., Carl Hinges, Harlan Fellers, Rufe White, George Griffith, W. K. McKnight, Earl Ronda and P. D. Quisenberry.

## LINER BADLY BATTERED

BERENGARIA PASSENGERS INJURED IN TERRIFIC STORM

CHERBOURG, France, Nov. 3.—(By Associated Press.)—Fifty or more passengers landed from the steamship Berengaria today with bandaged heads, arms in splints or sprained legs. They were injured on the voyage in the most terrific storm, in the captain's estimation, the ship had ever encountered.

The tempest struck the Berengaria last Saturday and lasted 24 hours. The seas ran mountain high. One terrific wave caused the ship to stand on end, and such passengers and members of the crew as happened to be on deck were thrown violently.

The commander of the Berengaria said that in all his 32 years at sea he had never seen weather equal to that experienced during this trip, culminating in the tempest of Saturday. The liner arrived in port here more than half a day late. The liner Avon from South America was 24 hours overdue owing to the gale.

## FILM SHIEK GOES EAST

VALENTINO SAYS HE WILL NOT VISIT HIS WIFE

HOLLYWOOD, Cal., Nov. 3.—(By Associated Press.)—Rudolph Valentino, noted lover of the screen, departed today for New York and London after taking pains to explain that he was not going east to see his wife, the former Winifred Hudnut.

"She probably will have returned to New York from Paris by the time I arrive," he explained, "but I am not going to see her."

The motion picture shiek, who recently announced he and Mrs. Valentino were enjoying a "marital vacation," said he planned to spend the Christmas holidays in Italy, returning here early next year.

## VETERAN PLAYER DIES

BALTIMORE, Md., Nov. 3.—(AP.)—Samuel Frock, 45, veteran baseball player, died here today. Frock was moundman for the Pittsburgh Pirates in 1909, and later for the Boston Braves and Baltimore Orioles.

## FEW UPSETS NOTED IN BALLOT RESULTS

Official Returns From Thirteen States Fail to Contradict Predictions

## PARTY HONORS DIVIDED

Democrats Again Win Tremendous Victory in New York; Republican Is Elected Boston Mayor

NEW YORK, Nov. 3.—(By Associated Press.)—With only 343 district missing out of 3073 in the city, Senator James Walker, democrat, had a lead of more than 353,000 over Frank D. Waterman, republican, for mayor. The vote: Walker 65,351; Waterman 305,789.

Few upsets in yesterday's elections in 13 states were indicated on the face of unofficial returns reported up to midnight.

The democrats won a smashing victory in the New York city election and their candidate for governor of New Jersey was leading at that hour, but by a steadily dwindling majority.

A republican was elected mayor of Boston for the first time since 1907 and the republicans retained control of the municipal government of Indianapolis, and wrested Evansville, La Fayette and other important Indiana cities from democratic control, but lost the mayoralty of South Bend.

The democrats elected a governor of Virginia with the usual large plurality, but the contest for treasurer in this state furnished a surprise after the religious issue had been injected.

Results in the congressional fight in the Third Kentucky district still was in doubt at midnight, with the republican party winning in the Third New Jersey district. A democrat was leading in Kentucky. The mayoralty fight in Louisville, Ky., furnished a close race between democrats and republicans, with first the candidate of one party and that of the other taking the lead.

It appears that a complete count would be necessary before the result would be certain.

In the New York city election, with only 193 districts missing out of 4073, State Senator James J. Walker, democrat, had rolled up a lead of more than 350,000 over F. D. Waterman, republican for mayor. The vote stood: Walker, 657,496; Waterman, 319,495.

In the New Jersey gubernatorial race A. Harry Moore, democrat, held a lead of 31,000 over State Senator Arthur Whitney, republican, with a third of the state reported in. Later returns, embracing half the state reduced this lead to 19,216, however, with Whitney steadily cutting down the margin with which Moore came out of his

(Continued on page 2)

## ASSOCIATED CHARITIES TO BE AIDED BY CLUBS

COMMUNITY CHEST IS NOT TO BE USED THIS YEAR

Salem Federation of Clubs Will Meet Situation Without Any Delay

At a meeting of the Salem Federation of Clubs, held last evening at the Chamber of Commerce the general consensus of opinion was that the big job to be attended to without delay was in helping the Associated Charities.

The idea of a community chest met with general favor but not to be put in operation until sometime next year, possibly next fall before various organizations go out on their annual drives for money.

Mrs. John A. Carson and Harry Levy both spoke at length on the present need of funds for the Associated Charities. Gideon Stolz made a motion which was unanimously carried, that the first thing to do was to contribute towards the Associated Charities, and his motion was taken as the sense of the meeting.

Dr. Henry E. Morris, president of the Salem Federation of Clubs, said that the meeting had been called to get the general opinion on a community chest for some future time.

Miss Amelia Feary, assistant director of nursing service of the Marion county child health demonstration, spoke in favor of a community chest, basing her remarks on experience on community chest work in Tacoma and other cities.

To investigate the community chest in towns about the size of Salem, and to make recommendations, a committee was appointed consisting of J. Wm. Chambers, Jos. H. Albert and G. E. McAfee.

## "OPEN HOUSES" SLATED

VICK BROTHERS AND SALEM LAUNDRY ARE HOSTS

Salem people will have an opportunity today and Thursday to "see how it works." On these two days Vick Brothers and the new Salem Laundry will hold open house for Salem. Vick Brothers will give a demonstration in their radio department, with models and styles on exhibition. Three makes of radios will be heard, the Spitzdorf, the Atwater-Kent and the Super-tone. Each will be explained thoroughly by Chester Way, radio expert with the company. The newest in radio equipment will be exhibited at the display.

The laundry company has made preparations for a practical exhibit of all machinery in the plant and will have this machinery in operation on the two nights. The washers, dryers, rollers and other devices will be demonstrated and will be operated as they are in everyday usage. The laundry is located across the street from Vick Brothers.

Both displays will start at 7:30 in the evening and will close at 9:30 o'clock.

## SUPREME COURT RULES ZONING CONSTITUTIONAL

VALIDITY OF EUGENE BOND ELECTION UPHELD

Opinion Has Effect on City; Appointment of Special Committee Expected

Both the constitutionality of the Portland zoning ordinance and the validity of a special election at Eugene authorizing a municipal bond issue of \$500,000 for the erection of an auditorium on the campus of the University of Oregon were upheld in opinions by the supreme court Tuesday. The zoning opinion was written by Justice Burnett with Justices Bean, Brown, Coshaw and Belt concurring and Chief Justice McBride and Justice Rand dissenting. Judge Robert G. Morrow, of the lower Multnomah court, was reversed. The Eugene opinion, written by Justice Bean with Chief Justice McBride and Justice Coshaw and Rand concurring and Justices Burnett and Brown dissenting, reverses Judge Percy H. Kelly, of Marion county, who heard the case. Because Salem is seeking to zone the city and a special committee authorized, the Portland opinion is of unusual interest to Salem. Mayor J. B. Ciesy has deferred from naming his committee pending the court ruling on the Portland plan.

The Portland ordinance was attacked by Ernest Kroner and Frank Michels, who were prohibited from erecting a creamery on two lots at Thirteenth and Pine. In a suit instigated against the city when steps were taken to prevent the erecting of the building. "It is plain," says the opinion, "that governmental agencies entrusted with the policepower, as the city of Portland is, can enact laws regulating the use of property for business purposes. Otherwise it would be permissible to erect a powder mill on the site of the Hotel Portland or to install a slue factory next to the city hall or to erect a boiler shop adjacent to the First Congregational church. Such things would be legitimate but for the restraint of the police power. The difference between such instances and the present contention is in degree and not in principle.

"Applied to the present situation, it is very clear that a creamery, with its boilers, milk cans, delivery trucks, process of manufacturing and fire risks of the business, requires treatment in the way of regulation different from that appropriate to a mere private dwelling."

"The property of the plaintiffs is not taken," says the opinion further. "They have precisely the same estate that they had before. All that the people of Portland have said is that within certain districts certain businesses shall not be carried on and the property situated therein shall not be used for such undertakings. It is far more convenient and conducive to the welfare of the city that enterprises of certain kinds shall

be carried on in certain districts than that they shall be carried on everywhere. The zoning ordinance is a valid exercise of the police power of the city."

Mr. Reid advised the court in support of his motion to dismiss the charges and specifications against Colonel Mitchell soon after it was called to order by Major General Robert Howze. He declared emphatically that the prosecution had failed when it rested its case yesterday, to introduce in evidence any of the elements necessary to constitute the offenses it charged in the specifications.

Colonel Mitchell's criticisms of the war and navy departments on the ground that they were incompetent, criminally negligent and almost treasonable in the conduct of national defense, Mr. Reid said, were not made in a way that proved "intent" to bring discredit on the military services and he contended the prosecution had not proved the "intent" as required by courts martial regulations.

The motion was rejected by the court after it had listened to a brief counter argument by Colonel Moreland, who asserted that the evidence he had submitted was sufficient to sustain the charges and specifications against the defendant.

Respecting the question of intent, Colonel Moreland asked how it could be established, adding that Colonel Mitchell's "head cannot be opened or his heart exposed for the purpose of ascertaining what he thinks or feels." He declared that in the majority of cases where "intent" was the issue it had been determined exclusively by what the defendant "says and does."

## COUNSEL BATTLE IN AIR OFFICER'S CASE

Trial Before Army Court Martial Tribunal Is Halted Until Monday

## DEFENSE PLEA DENIED

Motion of Counsel to Dismiss Case on Grounds of Insufficient Proof Is Refused by Court

WASHINGTON, Nov. 3.—(By Associated Press.)—Prosecution and defense counsel battled to a tie today with the court martial tribunal trying Colonel William Mitchell on charges of conduct prejudicial to good order and military discipline sitting as umpire and finally adjourning the contest until Monday.

The prosecution headed by Col. Sherman Moreland, scored first when the court declined to free the air officer on a motion by Representative Frank R. Reid, civilian defense counsel, who contended that not a scintilla of evidence of guilt had been presented against the air officer. The defense then scored its victory, the court deciding it should be permitted to call what witnesses it believed necessary and directing the prosecution "to take immediate steps to proceed" with the summoning of the long list of witnesses and the production of voluminous records from government files it had requested.

A compromise on the request to summon three cabinet officers, Secretaries Davis of the war department, Wilbur of the navy and Jardine of the agriculture, was effected by the defense and prosecution attorneys at a conference called later in the day. It was agreed that the presence of the cabinet members in court would be waived provided the records in their possession were produced by authorized agents.

A further compromise is probable in the matter of summoning witnesses from Honolulu and other far away places. Their testimony will be sought in the form of depositions to be offered in evidence by the defense. This move is put forward as a means of expediting the trial, now threatening to extend over a considerable period and also to save the government the heavy expense of bringing such witnesses to Washington.

Mr. Reid advised the court in support of his motion to dismiss the charges and specifications against Colonel Mitchell soon after it was called to order by Major General Robert Howze. He declared emphatically that the prosecution had failed when it rested its case yesterday, to introduce in evidence any of the elements necessary to constitute the offenses it charged in the specifications.

Colonel Mitchell's criticisms of the war and navy departments on the ground that they were incompetent, criminally negligent and almost treasonable in the conduct of national defense, Mr. Reid said, were not made in a way that proved "intent" to bring discredit on the military services and he contended the prosecution had not proved the "intent" as required by courts martial regulations.

The motion was rejected by the court after it had listened to a brief counter argument by Colonel Moreland, who asserted that the evidence he had submitted was sufficient to sustain the charges and specifications against the defendant.

Respecting the question of intent, Colonel Moreland asked how it could be established, adding that Colonel Mitchell's "head cannot be opened or his heart exposed for the purpose of ascertaining what he thinks or feels." He declared that in the majority of cases where "intent" was the issue it had been determined exclusively by what the defendant "says and does."

## THREE POSITIONS FILED

GOVERNOR ANNOUNCES APPOINTMENTS TUESDAY

Three appointments were announced Tuesday while Governor Walter M. Pierce was in Portland. Marshall N. Dana, Portland newspaperman, accepted the place left vacant on the state parole board through the resignation of W. G. McLaren, also of Portland.

Judge G. F. Skipworth of Eugene, a member of the board of regents for the University of Oregon, succeeding the late C. E. Woodson of Heppner.

Judge Richard Deich was appointed a member of the battleship Oregon commission to succeed Colonel U. G. Worrlow.

## TOOZE SEEKS POSITION OF STATE SCHOOL HEAD

WILL BE REPUBLICAN CANDIDATE AT PRIMARIES

Long Active in Educational Affairs; Editor of Oregon Teachers' Monthly

F. J. Tooze, editor of the Oregon Teachers' Monthly, has announced his candidacy for the Republican nomination at the May primary election for state school superintendent to succeed J. A. Churchill, who is resigning at the end of his present term of office to assume the presidency of the Southern Oregon Normal school at Ashland. Mr. Tooze has had extensive educational training and successful experience in school teaching and administration. He is also a member of the senate of the state legislature.

Upon completion of his public school education in Michigan, Mr. Tooze was graduated from the Michigan State Normal after a six-year course, received a degree of bachelor pedagogy. Following this he was awarded a bachelor of arts degree from the University of Michigan, where he took advanced work in educational history, philosophy and administration.

After teaching in rural schools for several years he became an instructor and principal of village schools for four years, later becoming a superintendent of city schools, including nine years at Oregon City while five other years were spent in this position. Mr. Tooze engaged in educational work in the YMCA and teacher-training in Portland for two years, and has always given freely of his time in the educational work of the YMCA, particularly doing welfare work in the World war period. He is a county institute instructor and a member of the committee on education in the 1923 and 1925 legislatures. During the last session he was chairman of the senate ways and means committee.

At present he is editor and manager of the Oregon Teachers' Monthly, Oregon's educational magazine; edits the Pacific Home-stead, one of the leading periodicals of the northwest, and finds time to contribute regularly editorials on educational, civic and political matters to the Oregon Statesman. He is a church member, granger, and belongs to the Pythian and Modern Woodmen orders.

The committee plans to have a bill ready for presentation to the house when congress meets December 7, and Chairman Green said today he believed it would take little time in reaching decisions on new rate schedules. He will insist that the income tax reductions be made effective for incomes of this year on which taxes are paid next year.

Repeal or reduction of practically every tax now on the statutes has been urged during the hearings, and if the committee heeded all appeals, the total reduction would reach almost \$750,000,000. While such reduction of course is impossible, committee members have indicated an intention to reduce the special levies on various business to a greater extent than proposed by the treasury.

At the concluding session of the hearing today the committee was told by A. W. Gregg, solicitor of the internal revenue bureau that it would be current in its work within the next year, despite 73,000 unclosed cases still pending.

Arguments also were heard today for repeal of the taxes on steamship tickets, coin operated devices and on brokers dealing in theater tickets, while the investment banker's association urged reduction of the income rates to a maximum of 25 per cent, normal and surtaxes combined, and repeal of the inheritance and gift levels. The national grange, however, submitted a brief asking for retention of the present surtax rates, and a graduated inheritance tax.

He said he had definite information, however, that Ray Cannon, Milwaukee attorney, was representing Jack Kearns as well as Jack Dempsey in the move to throw the Fitzsimmons' treaty overboard, and that the main purpose behind the move was to give Kearns at least two more Dempsey fights under the contract he has with the champion which does not expire until next August.

As it stands now the Fitzsimmons' contract prohibits Dempsey from risking his title before giving Harry Wills a chance at it.

## LABOR GAIN IS LARGE

135 SEATS ARE SECURED IN MUNICIPAL ELECTIONS

LONDON, Nov. 3.—(By Associated Press.)—Complete returns from the municipal elections held throughout the country show total net gains of labor of 135 seats—47 in the provinces and 88 in London, where labor now has a majority in eight of its 28 boroughs.

## VANDERBILT OPERATED ON

ATLANTA, Ga., Nov. 3.—(By Associated Press.)—Cornelius Vanderbilt, Jr., wealthy newspaper publisher, was operated on today for the second time within two weeks for an infection of the jaw.

## WORK ON TAX BILL IS TO START TODAY

Committee Is Expected to Go Beyond Limit Set By Secretary Mellon

## COOLIDGE GIVES VIEWS

President Sees No Harm in Going Above Suggested Mark; \$350,000,000 Slice That in Order

WASHINGTON, Nov. 3.—(By Associated Press.)—Public hearing of proposals for revision of the revenue law was completed today by the house ways and means committee and it will start work tomorrow on a bill to reduce taxes. While asked by Secretary Mellon to keep the reductions within a total of \$300,000,000 a year, a number of committee members were prepared tonight to go beyond this mark to accomplish the widespread revision in rates desired.

In this connection, President Coolidge let it be known that he sees no harm in going above this limit, if necessary and the belief prevailed tonight that the committee would recommend a reduction of at least \$350,000,000 of the annual tax burden.

How the reduction will be apportioned among the various forms of taxes will be among the first problems tackled by the committee in executive session. Slashes in the normal and surtax income tax rates are expected to account for about \$150,000,000 of the reduction with the remainder divided among the inheritance tax and the various miscellaneous and excise rates, many of which probably will be repealed.

The committee plans to have a bill ready for presentation to the house when congress meets December 7, and Chairman Green said today he believed it would take little time in reaching decisions on new rate schedules. He will insist that the income tax reductions be made effective for incomes of this year on which taxes are paid next year.

Repeal or reduction of practically every tax now on the statutes has been urged during the hearings, and if the committee heeded all appeals, the total reduction would reach almost \$750,000,000. While such reduction of course is impossible, committee members have indicated an intention to reduce the special levies on various business to a greater extent than proposed by the treasury.

At the concluding session of the hearing today the committee was told by A. W. Gregg, solicitor of the internal revenue bureau that it would be current in its work within the next year, despite 73,000 unclosed cases still pending.

Arguments also were heard today for repeal of the taxes on steamship tickets, coin operated devices and on brokers dealing in theater tickets, while the investment banker's association urged reduction of the income rates to a maximum of 25 per cent, normal and surtaxes combined, and repeal of the inheritance and gift levels. The national grange, however, submitted a brief asking for retention of the present surtax rates, and a graduated inheritance tax.

He said he had definite information, however, that Ray Cannon, Milwaukee attorney, was representing Jack Kearns as well as Jack Dempsey in the move to throw the Fitzsimmons' treaty overboard, and that the main purpose behind the move was to give Kearns at least two more Dempsey fights under the contract he has with the champion which does not expire until next August.

As it stands now the Fitzsimmons' contract prohibits Dempsey from risking his title before giving Harry Wills a chance at it.

Respecting the question of intent, Colonel Moreland asked how it could be established, adding that Colonel Mitchell's "head cannot be opened or his heart exposed for the purpose of ascertaining what he thinks or feels." He declared that in the majority of cases where "intent" was the issue it had been determined exclusively by what the defendant "says and does."

## PAINLEVE WINS FIGHT

FIRST PARLIAMENT BATTLE WON BY NEW MINISTRY

PARIS, Nov. 3.—(By Associated Press.)—The Painleve ministry won its first fight in parliament today, thanks to the support of former political enemies, gaining at least a short lease of life by a vote of 221 to 183. This in fact but not in spirit, was a vote of confidence in the new cabinet, although 121 deputies abstained from voting.

The moderates and conservatives fearing the disastrous effects of a further prolonged political crisis, rallied to the support of Premier Painleve, in sufficient numbers to offset the socialist defection. In so doing, however, they made it clear through their spokesman, M. Landry, that their vote was not an expression of confidence in the cabinet, but a vote to end the existing chaotic condition of public affairs.

The vote in favor of the cabinet falls far short of the usual significance of such action because many deputies who refused to overthrow the cabinet opposed the financial conceptions as outlined in the premier's declaration. The fact that the pound sterling was at 120 and the dollar at 24.8 in francs caused a great impression during the debate and exercised considerable influence on the decision of hesitating deputies.