

RENEWALS NOW DUE
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The Oregon Statesman

FOUNDED 1851

WEATHER

Unsettled followed by rain today, unsettled Wednesday. Max. Temp. Monday 64. Min. 32. River -2.6, part cloudy.

EIGHTIETH YEAR

Salem, Oregon, Tuesday Morning, October 21, 1930

No. 178

BURKE PARDON IS FAVORED BY VIEWING BOARD

Three Members Urge Freeing of Kenton Bank Head Who Took Funds

Matter is Before Governor Now; Reports Made on Other Requests

Conditional pardon for J. V. Burke of Portland, who is serving a seven year sentence in the state penitentiary here for misappropriation of funds of the Bank of Kenton in Portland, of which he was president, was recommended by three members of the state pardon board at its meeting here last week. It was disclosed Monday.

One member of the pardon board voted to defer action on Burke's case and the fifth favored commutation of his sentence. The recommendation is now before Governor Norblad for final action. Burke was received at the prison, April 12, 1929.

Two Pardons are Favored by Five

All five members of the pardon board joined in recommending a conditional pardon for Charles A. Murray, who is serving a term of eight years in the penitentiary for involuntary manslaughter. Records show that Murray ran down and killed a man while driving an automobile. He was intoxicated at the time of the accident. Murray was received at the prison from Lane county March 15, 1928.

The board also was unanimous in recommending a conditional pardon for S. Chibota, who is serving a life term in the penitentiary for slaying a companion while in a gambling game. Chibota was received at the prison May 2, 1921. Officials said he had been a trustee for several years. Chibota was received from Umatilla county.

A conditional pardon also was recommended for one who was received at the penitentiary January 20, 1918, from Multnomah county, to serve a life term for murder during a tong war. Fong was 18 years old at the time he was received at the prison and has served as a trustee for more than 10 years. Under the proposed conditional pardon Fong would pass into the community.

Famous Spanish Actor Mendoza Dies of Stroke

YIGO, Spain, Oct. 20.—(AP)—A paralytic stroke today caused the death of Diaz de Mendoza, Spanish actor and widower of the famous actress Maria Guerrero, who died several years ago.

De Mendoza belonged to the third nobility, being the Marquis of Fontenar Gaudie de Balotze, aristocracy objected to the use of his title while engaged in theatrical work. He was a manager at the time of his death and in the theatrical company bearing his name were several members of his family.

The actor died almost blind and in poverty. To support himself he had been forced to sell his palace in Madrid and to continue acting.

Oregon Briefs

SHOT FOR DEER
MEDFORD, Ore., Oct. 20.—(AP)—Norman Hawk, 35, was recovering today from a bullet wound in his leg received in a hunting accident Sunday. He suffered severely from loss of blood because a doctor was delayed in reaching him.

The shot was fired by Hawk's father, F. H. Hawks, 60, who thought he was shooting at a deer.

HUNTING IS GOOD
THE DALLES, Ore., Oct. 20.—(AP)—Wild geese were flying here today. The birds were seen in fields combined to make ideal hunting conditions.

An east wind and dropping temperature brought warnings of snow.

DOUGLAS COURT BIDS
ROSEBURG, Ore., Oct. 20.—(AP)—The county court today passed a resolution adopting the right of way of the Roosevelt highway north from Gardiner to the Lane county line. It was the first step in Douglas county's drive for completion of the coast highway.

The county is to furnish the right of way for a distance of four and a half miles. The county has employed Joe Murphy, a timber cruiser, to estimate the timber to be purchased on land needed for the road.

Salem man Escapes, 2 Companions Drown As Auto Submerged

Percy Blundell Breaks Window in Sedan, Swims to Shore of Pond; Cockrill Also Saves Self, Clear and Robenson Drown

"I have always figured when my time came to die I was ready." Carefully, without especial emotion, Percy Blundell, Salem man who narrowly escaped death near Lewiston, Idaho, Sunday, last night told at his home on South 12th street, the story of the tragedy in which Charles J. Clear, 40, president of the Oregon Packing company, and Charles E. Robenson, secretary of the company, lost their lives.

Leo O. Cockrill of Yakima, Wash., also escaped death. "We had started from Lewiston at 4:18 a. m. Sunday intending to drive north to Granger, Idaho, and back to Lewiston that night," said Blundell. "We had been on the road just 18 minutes when the mishap occurred. There was a heavy mist at the Washington water power dam. Here the road curves sharply at a slight rise. Part of the road is protected by a fence which ends before the curve is completed.

"Robenson who was driving the car, a Studebaker Commander, failed to see the full curve until the car left the road. He applied the brakes and almost had the machine stopped when the right wheel started down the side of the bank into the pond." Blundell said the car did a barrel-roll as it went down. He (Turn to page 10, col. 1)

EARLY VICTORY IS REBELS' FORECAST

Correspondent Taken Along On Flight Finds City Great Armed Camp

CURITYBA, Parana, Brazil, Oct. 20.—(AP)—An Associated Press correspondent, flying northward from Porto Alegre in a rebel bombing plane, arrived today in the southern insurgent army headquarters here and found the city filled with armed soldiers and civilians.

Curityba is displaying the greatest enthusiasm for the revolution. Crowds greeted the airplane at the airport and cheered the rebel fliers.

The plane was one of two being sent to the fighting front in the state of Santa Catarina, near the border with the Argentine, and the Associated Press correspondent was the only civilian passenger. This courtesy was extended by Oswaldo Aranha, provisional president of the Rio Grande do Sul.

The general staff of the rebel army in the south is located here and the commander-in-chief, Getulio Vargas, is expected here momentarily.

Belezeiro City Seen From Above

During the flight north from Porto Alegre, the airplane carrying the Associated Press correspondent flew directly over the besieged federal stronghold of Florianopolis, capital of Santa Catharina.

The correspondent experienced a ticklish sensation while passing over the island city, but the rebels made no attempt to molest the plane nor did the rebels attempt to drop bombs.

The journey from Porto Alegre which was made along the coast line, took 4 1/2 hours, in striking contrast with the minimum of three days by the railway trip between the two points.

Another journalist who made the flight, Assis Chateaubriand, director of "Journal," enlisted in the revolutionary army. He was bound for the front.

Inquest Planned Wednesday Into Death of Drake

PORTLAND, Ore., Oct. 20.—(AP)—Dr. East Smith, Multnomah county coroner, announced today an inquest into the circumstances surrounding the death of Robert E. Drake, patrolman, would be held here Wednesday.

Another Hunter Wounded
Geese now Flying South
Highway Route Approved
Mt. Angel man may die

WINTER MAKES JOB PROVIDING SERIOUS ISSUE

Government Commission to Rush Program Seeking Relief for Idle

Secretary Lamont Queries Industry Leaders on Probable Outlook

WASHINGTON, Oct. 20.—(AP)—Winter's crunching tread shuffled into step with the president's unemployment committee today by bringing the first biting freeze of the season to the capital on the same day the group meets to seek a means of shielding the nation's unemployed from distress during the cold months.

Freezing temperatures were forecast for tonight while the members of the cabinet committee were fixing tomorrow for a meeting to discuss how the nation can cooperate with local government and private industry in dealing with unemployment during the winter.

Secretary Lamont after a conference with President Hoover, indicated that as chairman of the cabinet committee appointed Saturday, he would summon his associates to the session immediately following the regular cabinet gathering.

Will Confer With Business Leaders
Secretaries Hyde Hurley, Wilbur, Davis and Mellon, with the addition of Eugene Meyer, governor of the Federal Reserve Bank, constitute the membership of the president's committee and with one or two exceptions are expected to be on hand.

In advance of the session, Secretary Lamont made a preliminary survey of the opinion of business leaders on the outlook, while a number of economic and industrial studies have been made for the president both by official organizations and by semi-private institutions, such as the chamber of commerce of the United States under whose jurisdiction the business survey system has been kept in operation since last fall.

The results of the inquiry will be known until the committee assemblies tomorrow, but it was intimated the administration contemplated seeking large relief appropriations from congress.

W. U. CELEBRATES CALDWELL VICTORY

Willamette university students at the Monday chapel period celebrated officially the victory over College of Idaho in Friday's football game. President Carl G. Doney praised the team and coach for going so far away to a different climate and a hostile territory and accomplishing the seemingly impossible.

Students gave a rousing welcome to Governor A. W. Norblad, who visited chapel for a few minutes and shared in the celebration.

Coach "Spec" Keene spoke a few words concerning the game in general. He expressed the opinion that Willamette people should forget the College of Idaho as far as football is concerned until next year. An equally hard game, he claimed, transpires next Saturday on Sweetland field as the homecoming game. The university plays College of Puget Sound, C. P. S. plans to bring a football contingent of nearly 300 students and friends.

Rally songs and yells concluded the program. They were directed by Helen Cochran and Donnell Saunders, song queen and yell king.

WEIZMANN RESIGNS AS POLICY IS TOLD

LONDON, Oct. 20.—(AP)—Publication of the long expected British declaration of policy in Palestine tonight provoked the immediate resignation of Dr. Chaim Weizmann as president of the international Zionist organization and of the Jewish agency for Palestine.

Commenting on the declaration, Dr. Weizmann wrote to colonial secretary Lord Passfield, that nobody could be more anxious than he to respond to an appeal for further cooperation if there were a basis for it.

DELAY GRANTED IN DON NACKER TRIAL

KLAMATH FALLS, Ore., Oct. 20.—(AP)—Upon motion of defense attorneys Judge Duncan today ordered the trial of Don Nacker, charged with the murder of Fred Dunbar, Klamath insurance man, continued until further order of the court.

Livestock Dealers Facing Charges of Boycotting Groups

WASHINGTON, Oct. 20.—(AP)—Forty seven commission men and dealers in the stock market were ordered today by the secretary of agriculture to show cause why they should not be suspended from operation on charges they had boycotted livestock cooperatives.

A referee for the department, yet to be designated, will hear evidence at East St. Louis, on November 6, where the commission men and dealers have been summoned to appear in answer in refutation of complaints.

WORK STARTS SOON ON SANTIAM ROAD

Grade Crossings Approved By P. S. C., Contract Let in Portland

ALBANY, Ore., Oct. 20.—(AP)—The public service commission at a meeting here today, granted the Oregon Electric railway permission to construct 13 grade crossings between Lebanon and Sweet Home, Ore., and approved a petition of the Southern Pacific and Oregon Electric railways to establish fiscal connections in Albany.

The 13 crossings will be part of the Santiam line the Oregon Electric will build from Albany.

PORTLAND, Ore., Oct. 20.—(AP)—Announcement was made today from the office of W. F. Turner, president of the S. P. and S., and the Oregon Electric systems, the contract for laying track on Lebanon, Ore., and Sweet Home, Ore., from Lebanon through Sweet Home has been awarded to the Hauser construction company.

The extension, although primarily for logging purposes, will be of standard gauge. Rails are now being loaded and will be shipped to Lebanon, Ore., this week. Work will be started late this week or early next week and if weather permits, officials said the road should be completed to Sweet Home by December 1.

About 175 men will be employed.

Delay Seems To Be Habit Of Aldermen

Shades of Fabius, the Delayer! This Roman notable would be veritably outclassed by the Salem city council when it comes to the granting of a permit for a spur track on High street to the Pacific General Electric Service company.

By some quirk the track was built before the permit was granted.

July 25 an ordinance to give legal authority to what had already been done, was introduced into council.

At the next meeting it was held up for some unknown reason. It slumbered along until two weeks ago when it apparently was passed.

Monday night it came back again. It might be proposed amendments tacked on, despite the fact that spur track was built, for better or worse!

"Let's take it up at our special meeting, October 30," proposed Alderman Hal Patton. The move was seconded and unanimously carried. Before Christmas there is promise the council will ratify what was done in the summer!

DRY LAW IS UPHELD BY COURT'S ACTION

WASHINGTON, Oct. 20.—(AP)—The state supreme court has declined to reconsider its decision upholding the constitutionality of the Volstead act.

The question bobbed up again today in an attack on the validity of the enforcement act, brought to the court by A. Stanley Copeland of Buffalo. The court, for a second time, refused to review his case.

BRAZIL'S RAINY SEASON DELAYS WAR OFFENSIVE

Planes and Ground Troops Both are Bothered by Mud, is Report

Federals and Rebels Still Contradict Each Other In Victory Claims

BURNOS AIRES, Oct. 20.—(AP)—Dispatches passing through here from the Brazilian war area today indicated the coming of the spring rainy season delayed large military operations over the week end in the main battle sector, Sao Paulo-Parana.

Airplanes found taking off and landing difficult, while ground troops found the going heavy and apparently rested on the battle lines established last week. One advice from rebel sources was that their "advance" on this front was continuing but it was not specific.

Fighting Centers in Four Areas
The fighting brought about by the revolutionary movement, which began October 3 as a result of dissatisfaction in the southern states over the national elections held last spring is developing principally in four areas.

These are in Sao Paulo-Parana, where rebel armies are pushing over a 200-mile front to gain the rich metropolis of Sao Paulo; in Minas Geraes, a large state northwest of the federal district which supplies much of Rio de Janeiro's food; in the far northeast where revolutionary army is marching south with the hope of capturing Bahia and ultimately driving on to the federal capital, Catharina which is the only rebel-held city in the south of Sao Paulo.

The most recent claims of both sides may be summarized as follows:
The federals assert:
That all positions in the Sao Paulo-Parana sector are being maintained.

That advances are being made in southern Minas Geraes.
That Campos, an important sugar-making center in the state of Rio de Janeiro, 137 miles north of the federal capital, has never been menaced by rebels from Minas Geraes as reported in revolutionary communiques.

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Aviatrix Clips Flight Record

Mrs. Keith Miller, noted British aviatrix who flew from Valley Stream, N. Y., to Los Angeles in 25 hours 44 minutes flying time, four 13 minutes under the record set a week earlier by Laura Ingalls of St. Louis, as the best coast-to-coast time for women fliers.



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OCTOBER TERM OF COURT IS STARTED

Swope-Rice Company Wins In Damage Action; Pleas Entered

Verdict for the plaintiff for \$500 in one cause of action and \$271.80 in the second cause of action was returned by the jury which Monday heard the case of J. W. Swope and A. A. Rice, doing business as the Swope-Rice construction company, against Feltstone company, Inc. The case was the first one to go before the jury in the October term of circuit court.

One divorce was granted and a number of motions heard on the opening day of the court term. Judge H. H. Mahan was presiding for the first time over a regular term in department one. No cases will be heard today, the case of Yamhill county against Gumm set for today, having been continued. The suit is condemnation proceeding over a road and comes here on change of venue.

Judge Hill of department two, who heard motions in the case of State vs. Martin, lawfully charge, will hear motions today. In the case against Martin, the action was continued for another term.

Payton Paroled After Guilty Plea
Other cases coming before Mahan were:
In state against M. A. Butler, charged with obtaining money under false pretenses. Butler was arraigned and will enter plea Saturday, October 25, at 9 a. m. Jessie Payton, also charged with obtaining money under false pretenses, will be heard today. (Turn to page 10, col. 3)

Poison Cause of Piper Death is Jury's Verdict

MEMPHIS, Ore., Oct. 20.—(AP)—The jury today returned a verdict of death by poisoning in the case of William E. Piper, 52, of Milwaukie, Ore., whose body was found in his automobile near Hebena today.

The jury did not decide whether or not the poison was self-administered. Piper is said to have threatened suicide.

Riot Story Exaggerated Legion Delegate Reports

Reports of rioting on Boston streets during the American Legion convention were grossly exaggerated by the press of the nation and brought less attention in Boston than they did through the country. This was the report made yesterday by Carl Gabrielson, state delegate, who attended the American Legion convention in Boston.

Gabrielson said he knew nothing of the "riots," which were made up by young men in Boston, until he read of them in the newspaper. The highlight of the convention was the parade, the longest ever held by the legion. Starting at 10 o'clock in the morning, the parade continued until 8:30 at night. Gabrielson said 100,000 special seats along the streets had been provided by Boston and all of these were sold. In the procession were 105 drum corps and 300 bands. Gabrielson said that the New England delegation was especially large. The parade had been going six and one-half hours before the Massachusetts delegation had orders to fall in.

While the New York attempted to intercept the modification of the 18th amendment into the business sessions of the legion, the move was taboed, Gabrielson reported. A motion was made but did not prevail that the legion endorse legislation for congress to make veterans' bonuses, due in 1945, subject to loans for 80 percent of the matured value of the bonus. The convention was the largest ever staged by the legion. Special trains came from points as distant as Michigan and Iowa. Hotels were packed. Despite the huge crowds, the men were orderly, said Gabrielson. He saw only one man so disorderly on the streets that police attention was necessary. The manager of the Stadler hotel which was convenient on headquarters, said total damage done in the 1300 rooms would not exceed \$150 and this was not more than ordinary wear and tear from so large an influx of guests.

ALDERMEN PUT OFF DECISIONS ON BIG ISSUES

Vetoed Trade Street Bill and Offer for Water Postponed Again

Important Matters to Come Up Before Council on October 30, Plan

Either the city council wants to be indoors the night of Halloween or else it has adopted the "delayed buck" strategy of many a football team for Monday night. It quickly postponed action on Mayor Lively's veto of the partial vacation of Trade street as well as action on the proposed offer for the water system here, to a special meeting, Thursday night, October 30.

Opponents of the Trade street vacation pointed to more acute motives for delay. Aldermen Purvine and Dancy were out of town and not at the meeting and it was surmised that some shuffling could be done after these men were back in the city and before the October meeting.

Proposes Survey For New System
The council heard Alderman Olson's resolution calling for an \$875,000 offer for the Salem water plant of the Oregon-Washington Water Service company, but put the decision on that matter off for ten days. Olson, as chairman of the public utilities committee, included in his resolution authority from the council for Bar & Cunningham to make a preliminary survey of the coast of building an entirely new water system for Salem, using either water from the Willamette river or from the North Santiam.

With these two major matters scheduled to come before the council last night, temporarily shovelled aside, the city solons hurried through a session of routine matter and adjourned by 9 o'clock, the earliest hour the council has concluded its meeting for many a moon.

Warrants for \$2,000 and \$3000 each were ordered drawn in favor of Bar & Cunningham. To draw interest but not to be paid until proceeds from bonds authorized for purchase of the water system can be had. The sale of the bonds has been held up pending settlement of an injunction suit brought by W. H. Henderson.

The council ordered insurance on property at the airport reduced from \$10,000 to \$5,000 and the policies distributed among firms. Expanding to \$225 for a shed to house implements and machinery for the case of the airport grounds was approved.

The council gave unanimous approval to Alderman Clark's motion to suspend the taking of the compulsory for the laundry work of the fire department. O'Hara had previously objected to this being placed with one company in the city without any bid being made.

State Seeks to Stop Dumping of Sawdust in bay

PORTLAND, Ore., Oct. 20.—(AP)—M. T. Hoy, master fish warden, said today the state of Oregon will go to court soon to compel the Pacific Spruce corporation to stop dumping sawdust from its mills into the waters of Yaquina bay in violation of state laws. Hoy returned today from a conference with Attorney General I. H. Van Winkle, Salem.

Hoy said Yaquina bay contains the state's most valuable oyster beds and the pollution from the mills is damaging the beds. Hoy said Judge Wallace McCammant, attorney for the Pacific Spruce corporation, had asked for a conference with himself, John V. Veatch, fish commissioner, and the attorney general before any action was taken. The conference will be held tomorrow.

MOON TAKE BREW?
MINDEN, Neb., Oct. 23.—(AP)—Orville Moon, a farmer living near Minden, today went on trial charged with breaking and entering the store house of John Cozyers, neighbor of Moon's, and removing two cases of home brew.

ALTO CEDRO, Cuba, Oct. 20.—(AP)—A barber and a shoemaker, using implements of their respective trades, fought a duel to the death today.

Joaquin Botch, the barber, and Manuel Lopez, the shoemaker, decided to settle a dispute with razor and leather knife. They retired to a lonely spot for their duel. Fifteen minutes later Lopez was dead. Botch was arrested charged with murder.

EDINBURGH, Scotland, Oct. 20.—(AP)—Pageantry of the past was revived today at historic St. Giles cathedral when the Duke of Graham, heir to the Duke of Montrose, married Isobel Sellar. Representatives of proud Scottish families attended in kilts as did the bridegroom. It was an ancestor of the Marquis who restored to the Highland clans the right to wear the tartan by obtaining repeal of the act of 1747.

The Marquis of Graham is 28 years old.

Ancient Scotch Pageantry Seen As Noble Weds

Shoemaker and Barber Battle With own Tools

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