

NOW IS THE TIME
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WEATHER
Fair but becoming cloudy today; warmer; rain Thursday; Max. Temp. Tuesday 61, Min. 40, river -1.4 feet, rain .06 inch.

EIGHTY-SECOND YEAR

CITY'S APPEAL OF MANDAMUS TO BE RUSHED

Water Repeal Case Will be Placed Before Supreme Court Today, Word

Early Hearing Promised so Notice may be Given If Vote Allowed

Appeal will be taken today to the state supreme court on a writ of mandamus issued late yesterday by Judge L. H. McMahan which compels City Recorder Poulson to prepare and distribute special ballots for the November 8 election on which will be proposed repeal of the water purchase charter amendment adopted December 15, 1931.

City Attorney Trindle yesterday announced his decision to appear as soon as Judge McMahan had held adversely to the city attorney's position that the special vote could not be taken because the petitions calling for it were filed less than 45 days before the general election.

In his decision, Judge McMahan held that the state law regarding the initiative and referendum does not apply to cities which in their own charters and by ordinance have provided to exercise this power. Judge McMahan upheld the contention of Walter E. Keyes, attorney for T. M. Hicks, a petitioner for repeal, that Salem's ordinance providing for filing not more than 30 days before election should prevail.

Case Advanced on Docket, is Planned

It is understood the supreme court, because of the short time remaining before election, will advance the case on its docket and hear it either today or Thursday. If the mandamus is upheld, decision must be given by the end of this week in order to permit Poulson to give 10 days' notice to all voters. The city recorder yesterday said it would take him four days to prepare the notices to all voters. These notices must be in the mails not less than ten days before the election.

The petitioners for repeal ask citizens to reverse their decision of last December calling for a bond issue of not to exceed \$2,500,000 for purchase or construction of a city water plant and additions thereto. The petitioners allege that if this threat of municipal ownership is removed, the Oregon-Washington Water Service company will complete its new filter plant, work on which ceased when Salem voted in 1930 to acquire a water plant and the election was subsequently declared invalid.

HONOR IS PAID TO THOMAS A. EDISON

WEST ORANGE, N. J., Oct. 18 (AP)—The memory of Thomas Alva Edison, the electrical wizard, was honored today at simple services in which his former co-workers and family played the most important parts.

At 3:24 a. m.—the time the inventor died—just a year ago—thirteen of his former associates stood in the dark and rain and placed a wreath on the Edison grave.

Not a word was spoken. The men bowed in silent prayer, then filed silently away.

At noon, a memorial service was held in Mr. Edison's laboratory at the West Orange plant. The laboratory has not been used since the inventor's death. His desk remains as it was. It was draped in purple and surrounded by flowers. Resting on its flat top was a bronze bust of the man who once used it.

There were about 300 persons at the ceremony, including Mrs. Edison, the three sons of the late inventor, Thomas, Jr., Theodore and Charles, his daughter, Mrs. John Eyre Sloan and his former secretary, William H. Meadowcroft.

States Entitled To Reapportionment Solon Districts

WASHINGTON, Oct. 18—(AP)—The states were given unrestricted freedom by a supreme court ruling today to map out their congressional districts as they see fit.

The highest tribunal upheld the recent redistricting of Mississippi and declared regulations imposed in the federal reapportionment act of 1911 were no longer in force.

REVEALS TUMOR CURE
ST. LOUIS, Oct. 18—(AP)—Treatment of brain tumors by direct implantation of radium into the human brain, without harm to the patient, was described to the clinical congress of the American college of surgeons tonight.

The Seance



THE ANSWER TO THE FARMER'S QUESTION IS, SOMETHING SOUND THAT FITS A SQUARE HOLE IS NEITHER FISH NOR TOWEL, SOUNDS LIKE A CRICKEN AND HAS RED FEATHERS. NEXT QUESTION PLEASE.

New York Herald-Tribune

BRITAIN ABROGATES PACT WITH RUSSIA

Parliament Opens in High Spirits but Jobless Darken Picture

LONDON, Oct. 18—(AP)—The spirit of empire prevailed in Westminster as parliament reassembled today and heard from Dominion Secretary J. H. Thomas that Great Britain had abrogated her trade pact with soviet Russia in accordance with the imperial policy formulated at the Ottawa economic conference.

Later Neville Chamberlain, chancellor of the exchequer, described the Ottawa agreements, the purpose of which is to consolidate the empire with emphasis on trade and commerce.

But just across the Thames in ancient Lambeth, a poorer class section, battalions of unemployed covered to protest their plight before the legislators, and before their demonstration had got very far it broke out into a riot that brought many casualties.

Police reserves, however, prevented the demonstrators from disturbing the calm of historic Westminster, and parliament proceeded with its work while the battle raged a few blocks away. The lawmakers had long since concluded their deliberations for the day before the rioting had ended in Lambeth. Quiet was not restored there until 11 p. m.

In the empire panorama that was laid before parliament, there appeared one smudge. It was the breakdown in negotiations between the government of the united kingdom and President Esmonde de Valera of the Irish free state for settlement of the land annuities dispute. This argument has led to a tariff war between the two countries.

DO-X DESIGNER DIES
MUNICH, Germany, Oct. 18—(AP)—Maurice Dornier, co-designer with his brother Claude of the giant flying boat DO-X, died today at the age of 44.

Reynolds Family Willing To Drop Murder Charges

WINSTON SALEM, N. C., Oct. 18—(AP)—Attorneys for W. N. Reynolds revealed tonight he has written Solicitor Carlisle Higgins that the Reynolds family will not oppose the dropping of murder charges against Libby Holman, Reynolds and Albert Walker, charged with slaying Smith Reynolds, if the prosecuting officer feels he has insufficient evidence to seek a conviction.

At the same time the attorneys, Manley Hendon and Womble, disclosed that after a two months study of the case they had been unable to find sufficient evidence to justify them in advising the family to join in prosecution of the case.

Solicitor Higgins was out of the city, and efforts to reach him were not successful.

Scarface Al To Make Bid For Release

ATLANTA, Oct. 18—(AP)—Prisoner 40,886 will put aside his blue-gray denim uniform tomorrow on Thursday and "Scarface Al" Capone, Chicago's erstwhile gang chief, will emerge from Atlanta federal penitentiary to wage another legal battle for his freedom.

His petition for a writ of habeas corpus is scheduled to be heard in federal court tomorrow before Judge Marvin Underwood, but a trial now in progress may delay it for a day.

The gangster is serving a 10-year sentence for a violation of the income tax laws in 1926, 1927 and 1928, and seeks his freedom on the contention that prosecution is barred by the statute of limitations.

The filing of the petition September 21 gave Capone his first few minutes in the open since he was brought to the penitentiary, heavily manacled, last May 4 to begin his term. He was taken to court for the filing of the petition, but Judge Underwood postponed the hearing until tomorrow.

Use of Common Sense is Plea Of Ray Wilbur

IOWA CITY, Ia., Oct. 18—(AP)—An appeal to voters "to use common sense and not the emotions" in casting their ballots in the coming election was made tonight by Dr. Ray Lyman Wilbur, secretary of the interior in a campaign speech for President Hoover.

Secretary Wilbur asserted that "the most critical question before our people is whether they are to register a protest vote against the depression and thereby defeat our economic recovery which is now on its way or whether they will use their intelligence and allow President Hoover to lead the way out."

Legion Not Back Of Bonus March

TOPEKA, Oct. 18—(AP)—Louis A. Johnson, national commander of the American Legion, denied a published report that the legion was co-operating in another projected bonus march on Washington.

"As national commander of the American Legion, I have not approved and thoroughly disapprove of any bonus march on Washington," he said.

Weber Guilty of Larceny, Admits

PORTLAND, Ore., Oct. 18—(AP)—Edward G. Weber, former secretary-treasurer of the National Savings and Loan association, pleaded guilty in circuit court here today to a charge of larceny by embezzlement of \$500 June 20, 1932.

His case was continued to November 1 for sentence.

DEBT OF ELECTRIC FIRM SAID HIGHER

Large Amount out From Valuation, Claim of Thomas in Probe

PORTLAND, Ore., Oct. 18—(AP)—Resuming his hearing on the relations of the Pacific Northwest Public Service company and its parent, the Central Public Service corporation of Chicago, state Public Utility Commissioner Charles M. Thomas sought to develop today that the funded debt of the Portland utility and its subsidiary, the Portland General Electric company, had been increased by \$26,279,766 since the Albert E. Peirce controlled utility group gained control of the companies in 1929.

From the testimony of Claude R. Lester, chief engineer for the commission, Thomas drew the inference that a large part of this amount had been "diverted from this community" through impairment of the Portland company's credits for the benefit of other units of the Central Public Service corporation.

"It appears to me," Thomas said, "that there were bad deals and that even though they had been good deals they would still have been bad. What business has a local operating company here investing in the operation of utility companies in the middle west? It is my position that they had no business whatever."

The reference was to a triangular transaction whereby the Portland General Electric company assumed possession of \$5,680,000 of the stock of the Central Gas and Electric, a subsidiary of the C. P. S.

The stock came by way of the Pacific Northwest Public Service company to settle for proceeds of a \$7,500,000 debenture issue retained by the C. P. S.

Deputy Sheriff Taken for Deer But Shot Fails

MEDFORD, Ore., Oct. 18—(AP)—Deputy Sheriff Paul Jennings narrowly escaped serious injury late Monday, he disclosed here today, when a hunter mistook him for a deer.

Jennings said he was seated on a log on Wagner Butte near Ashland. A rifle cracked and a bullet plinged at his feet. The district attorney's office said that the hunter, trailed to his camp, admitted shooting.

Republicans Are Dry Says Ritchie

CHICAGO, Oct. 18—(AP)—Governor Albert C. Ritchie, in two addresses to Chicago voters tonight, said the republican platform offered "no hope" for ousting the 18th amendment from the constitution.

VOTE COERCION CHARGES BRING QUICK DENIALS

Roosevelt Campaign Chief Says Rubber Companies Dictate to Workers

Ford Company Statement in Support of Hoover is Also Under Fire

NEW YORK, Oct. 18—(AP)—From democratic national headquarters today came a statement that three Ohio rubber companies are "carrying on a campaign of intimidation among workers in an effort to secure votes for President Hoover."

James A. Farley, Roosevelt-Garner campaign chief, made public the allegation while commenting on a statement issued by the Ford Motor company to its employees, which disclaimed any attempt to "control any man's vote," and concluded:

"To prevent times from getting worse and to help them to get better, President Hoover must be elected."

The report from Ohio came from Virgil E. Rogers, state central committeeman, in a telegram to Farley. It was quickly denied by officials of the three companies named.

"Last Frantic Move" Says Demo Leader

Referring to the Ford statement and the report from Ohio, Farley said:

"I am not at all surprised at this, because for a long time we anticipated that this would be the last frantic move of the republican leaders to re-elect President Hoover."

Clifton Slusser, vice-president of the Goodyear company, made an unqualified denial of the report and said:

"It has been a settled company policy over many years to urge all employees to vote as a citizenship duty, but the policy has been equally definite that Goodyear as a company is to take no part in political elections."

James D. Tew, president of the B. F. Goodrich company, said any allegations that his concern "has instructed or in any way coerced employees to vote for any candidate for office in the November election is untrue."

R. R. Gross, Firestone factory manager in Akron, said:

"We have made no statements to our employees as to what party they should support."

ELECTION OUTCOME WILL HURT NOBODY

NEW YORK, Oct. 18—(AP)—Richard Washburn Child, former diplomat, writer and chairman of the republicans for Roosevelt league, made public today a protest of nationally known educators and publicists sent to the democratic and republican national committees asking them to condemn what Child described as "shipwreck politics."

The protest, Child said, was presented by Lothrop Stoddard, lecturer and author, and read in part:

"No blow will be struck at the safety of our national life no matter which of the leading candidates for the presidency is elected.

"We deplore and denounce political tactics appealing for political purposes the confidence of the nation, predicting evil, preaching disaster, injuring American reputation and credit abroad.

(Signed) Hendrick Van Loon, Lothrop Stoddard, Christopher Morley, Burton Holmes, Richard Washburn Child, Ida M. Tarbell, Henry Bruere, Virginia C. Gilder-sleeve, Frederic R. Sawyer, John Erskine."

Justice Delay in Luper Case Subject for Probe

Judge L. H. McMahan yesterday called upon the Marion county grand jury to ascertain why an indictment brought January 29 of this year against Eha Luper, former state engineer, had not been prosecuted.

McMahan pointed out in his letter that the fifth term of court since the indictment was returned is now in progress without an arraignment of Luper.

District Attorney John H. Carson immediately countered McMahan's suggestion with a request that a public investigation of the delay be made, inasmuch as the grand jury's action would be secret.

Luper was originally indicted February 2, 1932, on charge of larceny of public money in the sum of \$4847.33. When Judge Shipworth of Eugene held the grand jury had not been legally appointed, the indictment was quashed and a second indictment by a new jury came in December 18, 1932. This indictment charged the engineer with making a profit from using public money.

All Judges but Two Cut Own Pay; One of Holdouts, McMahan

Local Jurist Continues to Pocket \$500 Each Month, all Others Except Baker man Take 10 per Cent Less Voluntarily

FIVE of seven circuit judges throughout the state, who in a checkup made by The Statesman last month had taken no reductions in August paychecks, either reduced the amount of their warrants 10 per cent for September or rebated 10 per cent to the state. This information was obtained yesterday at the office of the secretary of state.

Out of 28 circuit judges in the state, only two now have made no adjustment in their salaries. These two are Judge C. H. McCulloch of Baker who continues to draw salary at the rate of \$458.33 a month and Judge L. H. McMahan of Salem who continues to draw his warrant of \$500 a month.

The net savings in state costs in September over August in pay to judges was \$250 accomplished by \$50 a month less taken by Judges Brand, Shipworth, Hewitt, Tassell and Walker.

Salaries for circuit judges are set by law and reductions are entirely voluntary on the part of the jurists, the law providing no judge's salary may be reduced during the period for which he was elected.

When the payroll of state employees was reduced from three to 1 per cent July 1, 1932, many of the judges voluntarily agreed to reduce their salaries in line with existing conditions.

Janet Scovymth of Portland was selected the most healthy girl and Edward Still of Walla Walla, Wash., the most healthy boy in the annual 4-H club growth and health contest.

Charlotte Fisher of Dudley, Idaho, was judged second healthiest girl and Beth Francis, Morgan, Utah, was named third.

Other boys selected were: Burdette Robinson, Wasco county, Ore.; second; Robert Magnuson, Worley, Idaho, third.

The Washington county, Ore., 4-H team won the meat judging contest with a score of 105. Other teams placing were: Portland, 97; Whitman county, Wash., 91; Lewis county, Wash., 88; Lane county, Ore., 87; Eiko county, Nev., 59.

The Cowitz county, Wash., team won the 4-H poultry judging contest. The Marion county, Ore., team took the crops judging event. To the Lewis and Clark county, Mont., team went first place in the home economics judging.

The payroll of the board's office showed the following:

6 clerks hired at from \$80 to \$135 a month.

4 auditors and assistants hired at from \$135 to \$300 a month.

3 bookkeepers hired at \$115 to \$120 a month.

6 stenographers hired at from \$85 to \$110 a month.

1 superintendent of properties at \$200 a month.

In addition to these employees on a full-time basis, the September report shows that 10 part-time workers being paid 40c an hour except for one assistant statistician who was paid \$1 an hour.

(Turn to page 2, col. 1)

California Gain Made by Demos

SAN FRANCISCO, Oct. 18—(AP)—A gain of more than a half million in democratic registration in California for the November election, reducing to less than 400,000 the republican lead of nearly a million in 1928, was revealed today by an Associated Press tabulation of complete, semi-official registration figures from all but one county in the state.

Justice Delay in Luper Case Subject for Probe

Luper, with his attorney, Oscar W. Hayter of Dallas, and John H. Carson, district attorney, representing the state, appeared before Judge McMahan early this year but no plea was taken and thus without a formal arraignment, the case never came up for trial. Meanwhile friends of Luper have sought to have the case dismissed. A form of petition asking dismissal was presented to the district attorney's office with a blank left for the signatures of both Judge McMahan and the district attorney. Neither one of the parties has indicated he would sign such a petition or seek dismissal.

An affidavit of prejudice was filed by Luper's counsel against Judge McMahan in the first indictment but the affidavit was not renewed in the second indictment on which Luper is yet to be arraigned.

Judge McMahan originally brought the matter of Luper's alleged use of public funds to the grand jury's attention.

LINDSAY SHORN OF POWERS IN SCHOOL SETUP

Kerr Made Chief Official Of Higher Education; Move Significant

Secretary Expected to go When Contract up; Cost Of Office Here High

By SHELDON F. SACKETT
Direct subordination of Dr. E. E. Lindsay, executive secretary of the board of higher education, to Dr. W. J. Kerr, chancellor, was agreed upon by the board in meeting Monday in Portland. By a new article in the board's by-laws the chancellor was named chief administrative officer and his authority was designated as "complete" subject only to the board's approval in start elections.

The board's action was deemed here yesterday as a direct move to curb the rapidly growing higher education bureau at the statehouse here. It was held by those who know higher educational affairs in Oregon as the beginning of the end of the bureau here and probably the death-knell of the executive secretary's job. Friction which developed while Dr. Kerr was president of Oregon State college and Lindsay, secretary, it is thought will lead to Lindsay's ouster when his three-year contract is up in 1935.

Cost of Education Bureau Here Mounts

Illustrations of the mounting costs of the higher educational bureau here were obtained yesterday in figures at the secretary of state's office. The payroll filed for payment there shows that the higher education department here cost \$3443.74 in September in salaries for employed workers. This is exclusive of all transportation items, of all supplies, miscellaneous costs and the stipend of the board.

Twenty-one persons were employed here on a full time basis while business offices were continued at all the state institutions of higher education. Of these 21 persons, 18 worked full-time in September. An investigation revealed that employees have not yet been subjected to the general wage and salary reductions which have generally prevailed at the statehouse.

Expensive Payroll Shown

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(Turn to page 2, col. 1)

TRADE SHOWS BIG GAIN, SEPTEMBER

WASHINGTON, Oct. 18—(AP)—For a second consecutive month, American trade increased in September.

A commerce department analysis today showed that both exports and imports were higher last month, and continued to rise from lows for the year established in July.

September exports were \$122,000,000 compared with \$109,128,000 in August and \$106,339,000 in July. The September imports were \$130,000,000 in August and \$129,429,000 in July.

For the first nine months of this year, goods shipped out of the United States were valued at \$1,183,334,000 compared with \$1,841,775,000 in the same period of 1931. Gold imports of \$27,957,000 in September left the country with a gain of \$27,897,000 worth of the metal because only \$60,000 was withdrawn. A year ago the imports were \$49,269,000 with exports \$28,798,000.

Late Sports

LOS ANGELES, Oct. 18—(AP)—A blond fighter from old Mexico, Alberto (Baby) Arizmendi, bobbed tantalizingly for ten rounds before the vision of Nevada Brown at the Olympic auditorium tonight to win a convincing decision. The Baby weighed 132 and his opponent a pound less.

Apparently rejuvenated after his visit to his native land recently, Arizmendi returned to the ring here tonight to win sight of the ten rounds and had the Los Angeles Jewish battler reeling on the ropes in the third and sixth. Brown won only the sixth by a narrow margin.