

# REPEAL WINS; TWO STATES DRY

## DECISION NEAR ON POLICY FOR WATER SYSTEM

Answer to Latest Query is  
Expected Today; Case  
In Court Resumed

Elliott Returns From His  
Trip East, Company's  
Stand May Be Told

The next two days are expected to bring definite indications of the course the city will pursue in its plans to acquire and build a water system, reports from city and Oregon-Washington Water Service company officials revealed last night. At the same time City Attorney Kowitz announced that pending litigation over validity of the city's \$2,500,000 water bond issue would be resumed in circuit court early next week.

An answer is expected today from the Washington, D. C., office of United States Senator Charles L. McNary to a query sent yesterday to ascertain the truth of a report that PWA officials are granting loans for purchase of utilities to carry out municipal projects or to build competing systems. The message was sent yesterday following a conference between Kowitz and Senator McNary here. It developed that there was some doubt as to authenticity of the report on which the council Monday night based its action in ordering an application for a \$500,000 additional PWA loan to use in buying the existing water system or building a competitive one.

Another indicator is anticipated tonight when E. C. Elliott, president of the Oregon-Washington Water Service company, is scheduled to arrive in San Francisco from New York city where he has been conferring with Chase National bank officers regarding the water company's accepting city bonds in payment for its local plant. J. T. Delaney, local water company manager, last night said he expected tonight to communicate with Mr. Elliott by long distance telephone and possibly report results of Mr. Elliott's eastern trip.

That Mr. Elliott would come to Salem at once if "anything can be worked out" was stated last night by Walter E. Keyes, attorney for the water company. Mr. Keyes also indicated that the outcome of Mr. Elliott's New York conference would be known here soon.

The city attorney yesterday arranged to have a hearing before Circuit Judge L. G. Levelling here at 1:30 p. m. next Monday on the city's demurrer to the water company's 147-page answer in the bond litigation. The case was remanded by the supreme court to the lower court for consideration of this answer.

If the reply from Washington, D. C., confirms the report had here, city officials will probably start at once preparing a comprehensive application for the \$500,000 loan for submission to C. C. Hockley, Oregon PWA engineer. This loan would be in addition to the \$1,500,000 loan and grant allotment made for improving the local water system and connecting it with the contemplated North Santiam river mountain supply.

## Students Adopt Resolution Over Nelson Address

EUGENE, Ore., Nov. 7. (AP)—Petitions worded similarly to the resolution adopted unanimously by the University of Oregon faculty and staff yesterday demanding the resignation of Roscoe C. Nelson, Portland attorney, as president of the state board of higher education, were circulated among students at the university today and tonight bore the signatures of about 1000 of the students.

Stanley R. Stevenson, president of the Eugene chamber of commerce, said directors of the chamber were unable to agree on a policy in the controversy and no action was taken.

## Auto is Stolen But Soon Found

Lora L. Gower of Silverton not only had to find a parking place when he came to Salem last night but he also had to find his car after returning to the parking spot he chose on Court street after reporting to police that his car was missing. Gower found it near the Royal Court apartments, Chemeketa and Capitol streets.

## Epidemic of Burglary is Held Solved

Blood on a broken window pane at the H. A. Cornoyer house at 775 North Sumner street last night to what city police believed is the break they have been anxiously awaiting for over six weeks — apprehension of the man who with almost monotonous regularity has been breaking into local residences by day and night.

After investigating a burglary at the Cornoyer residence last night, two policemen later took their man into custody at Commercial and Chemeketa streets, tentatively identifying him by a freshly cut finger. They declined to reveal his name but said he was a local youth, about 19 years old. Samples of the blood on the window and of that on the youth's fresh bandage were taken for comparison.

Since late September police have been harried by recurrent burglaries. In most cases only money and jewelry have been taken, home owners reported. No great sums were stolen from any one place. During October, 14 cases of burglary and 13 of larceny were reported to police.

## STANDINGS SHIFTED IN BRIDGE TOURNAMENT

Some Leaders Fall and New  
Players Come to Fore;  
Slams are Made

Another closely contested evening of play in The Oregon Statesman's contract bridge tournament Tuesday night at the Marlon hotel saw a number of new pairs advance to high places in the scoring. Several of the higher scorers in former evenings of play fell by the wayside and failed to place.

Playing with Sheldon set before the play opened by Mrs. William H. Quinn, tournament director, a number of the players received small slam contracts and made them. A few more venturesome players achieved grand slam contracts when not vulnerable.

Play was exceedingly close, the scores compiled early this morning showing that in several instances only ten points separated one team from another.

High honors for the evening, consisting of both sections and east-west, north-south pairs went to Mr. and Mrs. Oliver Huston.

The places by sections and sides, follow: section one, north and south: first: Miss Ruthita Hoffman and Steve Crockett. Second: Mr. and Mrs. Sheldon F. Sackett.

Third: Two pairs tied: Mrs. James Linn and Mrs. Harry Hawkins with Mrs. J. H. Callaghan and Mrs. Roy Simmons.

(Turn to Page 2, Col. 8)

## Airplane Helps In Search for Zielinski Body

An airplane search to locate the body of Leo Zielinski, late Marlon county deputy sheriff, proved futile yesterday, Sheriff A. C. Burk reported on his return here with Lee U. Eyerly. Together they flew along the Clackamas river below the spot where Zielinski is believed to have drowned a week ago Monday when his car plunged into the stream.

Rivermen have been employed to patrol the river and nets are kept at its mouth at night in order that the body may be retrieved as soon as it comes to the surface, Burk said. From the plane he was able plainly to see the river bottom except in the deep holes.

## Demos Lose in Big Cities But Elect Some Mayors

(By the Associated Press)

Democrats lost control of mayoral posts in two of the country's largest cities, New York and Cleveland, yesterday, but made offsetting gains in others.

Florence H. LaGuardia, independent republican who ran on a fusion ticket, won in New York city by a large plurality.

In Cleveland Harry Davis, republican, was conceded victory by Ray Miller, democratic incumbent, after a nip and tuck race. Davis is a former governor of Ohio.

Frederick Mansfield, democrat, was elected mayor of Boston in a six-sided race in which the lead frequently changed during the counting of ballots. The three leaders were: Mansfield (D) 49,408; Nichols (R) 47,499; Foley (D) 40,911.

An early lead held by Nichols, republican, in Boston, was changed in later returns to a slight lead for Mansfield, democrat, in a race in which four democrats and two republicans were candidates.

## STATEMENT BY NELSON IS HINT HE MAY RESIGN

Many Asking Him to Stay,  
Including Some Eugene  
Grads, He Declares

Integrity Not at Stake so  
"Under Fire" Angle to  
Carry No Weight

PORTLAND, Nov. 7. (AP)—An indication that Roscoe C. Nelson, Portland attorney, may resign tomorrow as president of the state board of higher education was seen here tonight in a statement he issued a day after the University of Oregon faculty and staff had adopted a unanimous resolution demanding his resignation.

Governor Julius L. Meier, however, asked if Nelson had submitted a resignation, replied: "He has not."

Nelson, commenting on the demand made Saturday by Wayne L. Morse, dean of the Oregon law school, before the annual homecoming alumni banquet and by the university faculty yesterday that he resign, said that he had received hundreds of requests today urging him to "carry on."

"Many have called me to say, 'Keep up the good fight, and to advise, 'Don't resign under fire,'" Nelson stated. "But my integrity is not impugned in this matter, so this 'under fire' angle is not an element."

"The personal abuse added to the tremendous work of the job itself make the position on the board quite unpleasant. I am not an office-holder, in the usual sense of the term, so might not be expected to take such abuse and like it."

"I can never express my gratitude and appreciation to the legion of persons who have called, written or telephoned to plead for the interest of the state and the university itself, for that matter, with me not to resign. Among these are scores of University of Oregon alumni."

"I hope, when I reach a final decision in what I conceive to be the best course for the state, (Turn to Page 2, Col. 1)

## LEGION WILL HEAR DRUM CORPS CASE

The American Legion national executive committee will consider the Salem drum corps' protest over its disqualification in the national contest at Chicago last September at the next meeting of that body in Indianapolis, Ind., J. T. Delaney, state drum corps chairman, announced here yesterday. En route home from New York, Delaney conferred with Legion officials at Indianapolis and informed them that Capital Post No. 9 would file a formal statement of its case.

Delaney reaffirmed reports that the national judge advocate and drum corps committee of the Legion had admitted at Chicago that authority was lacking for disqualifying a corps in the national contest. On that and the grounds that timing at the contest was not according to the rules, the local petition for clarification of the rules and payment of second prize money will be filed by Capital Post, he stated.

All through the eastern states Legionnaires commented favorably on the Salem corps' appearance, Delaney found.

## Demos Lose in Big Cities But Elect Some Mayors

(By the Associated Press)

William McNair, young democrat, had a good lead in early returns over John S. Herron, Melon-backed candidate for mayor of Pittsburgh.

Democrats made striking gains in up-state New York, Buffalo elected a democratic mayor for the first time since 1914, Rochester went democratic for the first time in 30 years; Poughkeepsie, nearest city to the home of President Roosevelt, named a democrat for the first time since its incorporation 33 years ago.

In Jamestown a 34-year-old newspaper reporter, Leon F. Roberts, unseated Samuel A. Carlson, who has been mayor 24 years.

There was a considerable overturn on both sides in smaller cities.

In Connecticut, the democrats were overturned at Hartford and Bridgeport. In the latter city, Jasper McLevy, a socialist, went in with a majority of the city council. It was the first time a socialist had been elected to a mayoralty in Connecticut.

## Governor of N. C. Said it And is Right

RALEIGH, N. C., Nov. 7. (AP)—And the governor of North Carolina said to the governor of South Carolina—

For the benefit of the younger generation the story might well be repeated.

Once upon a time before prohibition was taken seriously in the Carolinas or anywhere else, the states of North Carolina and South Carolina fell out about a boundary dispute.

The governors of the two states — good men and true — disliked the wrangling so they met to settle the matter after long discussions the issue was ended to the pleasure of all, but much argument had gone back and forth across the table and throats were dry.

No the governor of North Carolina — he was visiting and couldn't come right out and ask for one — kind of hinted: "It's a long time between drinks."

Well, it has been and apparently it's going to be.

## CLOSING ARMISTICE DAY IS MOOT POINT

Legion Not Making Request  
This Year; Two-Hour  
Shutdown Likely

The American Legion will not ask Salem merchants to close up shop Armistice day this year, because of present conditions, but instead will leave it to the businessmen as to their manner of observing this commemorative, a statement issued last night by Claude McKenney, commander of Capital Post No. 9, indicates.

The statement was given out following a meeting of the post executive and celebration committees and a conference with a representative of the merchants.

Some merchants, it was reported at the meeting, favor closing their doors from 11 a. m. to 1 p. m., others will vary the closing; but generally business houses will be open the major part of the day.

McKenney's statement reads as follows:

"The American Legion has always considered Armistice day a day of Thanksgiving for the home and the peace brought to the world. The American Legion believes that the day should be fittingly observed each year by all people joining in the day's activities.

"The American Legion believes that just as in war all industries and businesses should cease their respective activities and join in their communities, all of which naturally tends to create a real spirit of love and devotion to the country. Such a wholehearted observance on the part of all the people will create a real spirit of Americanism and teach the people to live as well as die for their country."

"It is with the deepest regret that we of the American Legion can not expect a complete observance of this sacred day for this year owing to the peculiar circumstances which are confronting all of us today."

## Roosevelt Eyes Election Trend, Remains Silent

WASHINGTON, Nov. 7. (AP)—President Roosevelt noted in silence tonight mayoral elections which brought defeat to democratic candidates in New York and some other major cities and the prohibition vote which saw a breaking of the line of successive states favoring repeal.

Mr. Roosevelt had carefully refrained from associating himself with the New York and other contests. But his national party chairman, James A. Farley, who is also New York state chairman, aligned himself with Joseph V. McKee who was defeated in the three-cornered New York contest by Florence H. LaGuardia, the fusion candidate.

## Port's Officials Asked to Resign

PORTLAND, Nov. 7. (AP)—A recommendation that the port of Portland commission request the resignations of James H. Folger, general manager and engineer; James P. Doyle, assistant secretary; James Healy, dock superintendent; and R. W. Nelson, assistant engineer was made in a majority report submitted today by a special committee named to investigate charges of irregularity and unwise use of public money by the port's executives.

## SEVEN SLAIN IN KENTUCKY OVER ELECTION ROWS

Three Dead in Harlan Coal  
Region; Outbreaks in  
Other Areas Noted

Count Votes Today; Repeal  
Forces Confident They  
Will Carry State

LOUISVILLE, Ky., Nov. 7. (AP)—Heavy voting and outbreaks of violence that caused seven men to be killed and four wounded marked a chill, gray election day in Kentucky. The vote on repeal of the 18th amendment and on state issues served to bring out a large number of voters.

The first violence reported was in Louisville where Hugh Childs, 50, a negro democrat, was shot to death in an argument with other negroes near a polling place. A suspect was questioned but no formal charges made.

Three men were killed and two critically wounded at Layman in the Harlan county coal fields. Watt Dearing, 72, was seriously wounded in Fleming county, and his son, Jim, 48, was arrested in connection with the shooting, which was said to have been over the election. Near Hopkinsville, in Christian county, Lloyd Marquess, 22, was stabbed four times when he intervened in a quarrel at a polling place. His alleged assailant was a negro.

The Harlan county men killed were Z. B. Blanton, 46, A. H. Hensley, 57, and John Blanton, 24. Jesse Blanton, 26, and Zach Hensley, 21, a son of A. H. Hensley, were wounded. Witnesses said Zach Hensley started shooting at Jesse Blanton and a general fight followed. Voters and spectators scurried to cover at the men shot it out. Officers were told the participants had engaged in a dispute over the election.

Hannibal Sharp, 38, a negro, was killed and his alleged assailant, John Nance, 50, negro, was wounded in an election quarrel in Middleboro, Jack Parker, (Turn to Page 2, Col. 1)

## POWER LINE FROM BONNEVILLE PLAN

HOOD RIVER, Ore., Nov. 7. (AP)—Plans for extension of high voltage transmission lines to various Oregon municipalities from the Bonneville dam power structure, were revealed here today in a letter from Alfred P. Dobson of Portland.

He said he represents a number of civic-minded residents of Portland who have learned that federal money may be obtained provided a complete statement of each city's setup is filed immediately, and application made before January 1.

Dobson sought determination of the municipal, industrial and domestic electrical needs and the existing average rate of each. He also asked the city to provide details of its franchise or contract with public utilities and asked if the municipality is willing to purchase a franchise. The council took no action.

## Pinchot's Home Town Votes for Sunday Baseball

MILFORD, Pa., Nov. 7. (AP)—Milford borough and township, home of Gifford Pinchot, Pennsylvania's dry governor, today voted for Sunday baseball and football for the sale of beer.

Pinchot opposed liberalization of the Sabbath, but signed the bill which allowed communities to vote today on licensing football and baseball.

## Injunction Stops Warehouse Case

Judge L. G. Levelling in circuit court yesterday gave a decision enjoining further law action, pending the supreme court's decision on an equitable defense made in the case of Cawree Brothers with the Fisher Warehouse Mill company and bonding company which bonded the warehouse company for the Cawree Brothers grain stored there. Cawree Brothers brought the law action for about \$5000 in a bond, alleging that grain they stored in the warehouse had been converted.

## Both Carolinas Spurn Wet Move But 36th Moist State Recorded; Ohio, Pennsylvania, Utah Enough

## Tammany Loses First Mayoralty Race in 19 Years; LaGuardia in

Violence, Fraudulent  
Voting Features of  
N. Y. Election

Leads Victory  
Over Tammany

NEW YORK, Nov. 7. (AP)—Fiorello H. LaGuardia was elected mayor of New York city tonight in a bitter contest that saw the Tammany candidate, Mayor John P. O'Brien, shoved into third place behind Joseph V. McKee, whom Postmaster General Farley had supported.

Historic Tammany Hall conceded LaGuardia's election for a four-year term within two and a half hours after the last of 2,000,000 voters had registered their choice.

It was the first time since 1914, when John Purroy Mitchell was elected mayor on a fusion ticket, that Tammany had been defeated.

Although the fiery LaGuardia, who four years ago was defeated for mayor by James J. Walker, pled up a strong lead, the contest for the other two major offices on the board of estimate were comparatively close.

Frank J. Prtal, democrat, who has asserted his independence of Tammany, held a slight lead for comptroller, and Bernard S. Deutch, LaGuardia's running mate on the fusion ticket, was ahead for president of the board of aldermen.

Tammany, however, maintained enough strength in Manhattan to place Samuel Levy in the van for borough president and William C. Dodge for district attorney.

Ferdinand Pecora, the senate banking committee's counsel was far behind in the district attorney race.

As the returns were being counted, police and court officials began a cleanup of the cases of violence and fraudulent voting reported during the day. Of 36 warrants issued by the court of general sessions for illegal registration, only two were executed.

Blackjack squads worked in some lower east side districts with almost the precision of the voting machines before the polls (Turn to Page 2, Col. 7)

## California Jail Breaker Caught By State Police

OREGON CITY, Ore., Nov. 7. (AP)—Recognized by his photo published in a detective story magazine, William E. Boyd, 24, wanted in Santa Ana, Cal., where he escaped from jail while awaiting trial on charges of impersonating an army officer, was arrested at Oswego, near here, today, police said, after threatening a state policeman with a loaded revolver.

State Policemen Snow and Walsh, the arresting officers, said Boyd admitted he was wanted in California and claimed his true name is Patrick C. Murphy.

## Great "Buy Now" Campaign Ready to Start Thursday

Final preparations for Salem's official NRA Buy Now campaign were to be made today, preparatory to formal opening of the move here tomorrow.

Thursday morning at 10 o'clock, the city fire sirens will sound announcing the opening of the Buy Now movement. In the downtown streets sirens will be sounded while various manufacturing plants have been asked to blow their whistles for one minute at 10 a. m.

A crew of workers was scheduled to be out early this morning decorating downtown street crossings with the Buy Now slogan. At nine o'clock distribution of cards to all participating merchants will be under way. In addition, a stencil "If everyone spends, everyone works," will be placed on the window of each firm participating in the movement.

Later in the day the first full page newspaper advertisement an-



F. H. LA GUARDIA

## PORT DISTRICT FOR DOCK IS SUGGESTED

Meeting of Civic Leaders is  
Called Tonight to Vote  
On Special Election

Whether or not Salem people will be asked to sign petitions calling for a popular vote to form a port district to obtain a PWA loan of about \$100,000 to construct a municipal dock here, will be determined at a meeting to be held at the chamber of commerce tonight at 8 o'clock.

The decision one way or the other on the proposal will be in the hands of presidents of all service clubs, heavy shippers, city aldermen and members of the county court, who have been asked to attend the session tonight.

Should the port plan be favored and a popular vote called, the public work administration money obtained, if any, would be 30 per cent a gift of the government and the other 70 per cent would be paid back over a 25-year period at 4 per cent and on the earnings of the municipal project. The city would not be bonded and the borrowing would in no way be a liability to the city.

Call for the meeting was issued yesterday by B. E. Sisson, president of the chamber of commerce, and was made following a meeting with the chamber board of directors Monday night at which time Shelby Wiggins of Portland outlined what other cities are doing to secure PWA funds for municipal docks and other enterprises.

(Turn to Page 2, Col. 7)

## DECISIVE VOTE RECORDED FOR PROHIBITION

Utah Majority Grows With  
Late Returns; Eastern  
States Go Strong

Kentucky Result to Decide  
Whether Ratification is  
December 5 or 6

(By the Associated Press)

With Utah prohibition leaders conceding that state has joined Pennsylvania and Ohio in voting repeal yesterday, the eighteenth amendment has been ousted from the constitution.

Returns from about half of Utah's precincts showed nearly a two-to-one lead for repealists. Ohioans gave repeal a 600,000 majority while Pennsylvania went overwhelmingly wet.

North Carolina stayed dry by a large vote. South Carolina also voted against repeal by a narrow margin.

Thirty-three states have voted repeal. Only three were needed to complete the job. Kentucky ballots will be counted at 10 a. m. today.

(By the Associated Press)

The eighteenth amendment was apparently voted out of the constitution yesterday on the face of returns from Utah, Pennsylvania, and Ohio.

Mounting majorities in Utah, on returns that came from representative sections of the state recorded repealists as gaining victories in districts that hitherto had voted for repeal as doubtful. These gave assurance to repealists that the final total would record the state as the 36th to vote for repeal.

Already, by a 100,000 majority, Ohioans had registered themselves in favor of repeal. Pennsylvania had followed by a six to one vote.

The returns from Utah, coming from late closing precincts, changed the trend after North Carolina and South Carolina had chosen to stand by prohibition, the former by a wide majority, the latter by one that thinned as the evening dragged on.

The aspects in North and South Carolina left it for Kentucky to decide whether repeal would become effective on December 5 or be deferred until December 6.

Ohio, Pennsylvania and Utah will hold their ratifying conventions on December 5. If Kentucky, which voted yesterday but does not count ballots until today, votes for repeal, ratification by the necessary 36 states would be had with the affirmative action of Ohio, Pennsylvania and Utah. If not, it would be deferred until the following day when Maine holds her ratifying convention.

## CRIMINAL WARD AT PEN HOSPITAL CARE

The criminal insane ward which is proposed to construct within the walls of the state penitentiary must be conducted as a part of the state hospital and not as a part of the penitentiary in case criminal insane patients are to be transferred to the ward, Attorney General Van Winkle held in an opinion handed down here Tuesday. The opinion was asked by state hospital officials.

Van Winkle held that the treatment of patients in the ward shall be by and under the supervision of the hospital physicians. The ward was estimated to cost \$85,000.

The board of control has authorized, Van Winkle continued, to transfer patients back to the state penitentiary from the state hospital who previously were transferred to the insane wards from the prison.

Should the insane ward be a part of the penitentiary, the board could not transfer insane patients there, since they had not been committed to the penitentiary.