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The Oregon Statesman

FOUNDED 1851

Salem, Oregon, Tuesday Morning, December 5, 1933

THE WEATHER
Unsettled with rains today, rain Wednesday; Max. Temp. Monday 47, Min. 39, rain .06 inch, river -1.2 feet, southeast wind.

No. 217

EIGHTY-THIRD YEAR

QUASI-CHANGE GAMES LICENSE BILL APPROVED

Vandevort Leads In Lonely
Fight Upon Legalizing
Of 'Beano' Games

Supreme Court Decision Is
Cited In Protest But
Without Avail

The city council last night disregarded vociferous complaints from Alderman H. H. Vandevort that the city had no legal "right to license gambling" and on roll call voted 10 to 2 to approve an ordinance imposing a \$50 semi-annual license fee on dart and beano games.

"I ask you, Mr. City Attorney," Vandevort spoke up, pointing to City Attorney Chris J. Kowitz, "if the city has a right to license gambling."

Kowitz replied in the negative. "The supreme court holds a beano game to be gambling," declared Vandevort. "We've no right to go ahead and license gambling."

Alderman Walter Fuhrer took the challenge, asking:

"Can you prove it's gambling? What is life if it isn't a gamble anyway?"

Points Out Benefit From Supervision

The license measure will give police supervision over the games, explained Dr. O. A. Olson, who as license committee chairman, sponsored the bill.

"There are gambling devices all over this town," interjected Alderman S. A. Hughes. "I see boys and girls playing them, punchboards and such. You can't throw one out and not the other."

Alderman Frank E. Needham asserted that the dart games running here had no blanks, that there was "no more gambling in this than going to Alderman Vandevort and buying sheep."

Alderman Vandevort and Henderson voted against the license bill; voting aye were Alderman Armistead, Boatwright, Duce, Fuhrer, Hughes, Kuhn, Needham, Olson, O'Hara and Townsend. Alderman Paul Hendricks refused to vote.

Renovating City Hall Is Approved

Another roll call was required to determine whether or not the council should appropriate \$30 to buy blankets for Hotel de Minto. The motion carried despite Alderman O'Hara's statement that the emergency fund was exhausted. A suggestion by Alderman Needham that each councilman and the mayor contribute the money was dropped.

The council quickly approved a proposal, suggested by Mayor McKay, that the city apply for CWA aid to renovate the interior of the city hall. The application will include a plan by Alderman Olson to re-arrange firemen's sleeping quarters.

(Turn to Page 2, Col. 5)

WOMAN STRUCK BY AUTO; UNCONSCIOUS

INDEPENDENCE, Dec. 4. — (Special) — Mrs. Sarah Irvine, 85, was improving today from injuries sustained Sunday when she was struck by an automobile driven by Fred Hyde. Mrs. Irvine, badly bruised, still was unconscious Monday afternoon but attending physicians announced she was recovering.

Mrs. Irvine, accompanied by Mrs. Seeley, was on her way to church Sunday night when she was struck while crossing Monmouth street. Mrs. Seeley, who is partially deaf, gained the opposite side of the street before she realized Mrs. Irvine was not at her side.

Hyde was moving slowly at the time of the crash, according to reports. He was helped in taking Mrs. Irvine to her home by members of the church congregation.

BUY CHRISTMAS SEALS

Prospects of increased shipping on the Willamette river here are to be investigated by a committee of aldermen and other citizens to be named by Mayor Douglas McKay as the result of a motion passed at the council session last night after that body had approved a resolution authorizing the city attorney to submit a new application for a \$95,000 PWA municipal dock loan.

The council overrode Alderman H. H. Vandevort's protest in passing the resolution but acceded to the wishes of the fiery representatives from the first ward when it instructed the utilities committee to cooperate with the city attorney in attempting to collect rent from the Salem Navigation company for use of the city property on which its present dock stands.

Vandevort charged the city stood to lose its waterfront property through probable foreclosure if the new dock were built and loan payments not met. He declared the city had paid \$100,000 for this property and had collected but \$1 rent for its use. City Attorney Kowitz stated the city might be able to collect rent

Hand - Little Sisterly Advice To Old City of Brotherly Love



LINDBERGH HELD UP BY RIVER CALM

Surface Tension Blamed For
Failure of Heavy Load
To Lift Off Water

BATHURST, Gambia, Dec. 4. — Their big red monoplane held in the Gambia river by an almost dead calm, Col. and Mrs. Charles A. Lindbergh waited tonight for the first fresh wind to lift them on a flight to South America.

Now long the calm will continue could only be guessed at. That such conditions often last many days along the West African coast is known to the sorrow of many mariners.

Repetitively Colonel Lindbergh has tried to lift the heavy plane from the unruffled surface of the lower river. With a load of fuel sufficient to carry them across nearly 1900 miles of open sea the craft refused to rise. Surface tension held the pontoons as in a groove.

From November to March is the season for what is known as the "harmattan," a hot, dry desert wind which comes from the vast interior region. The "harmattan" blows intermittently.

The colonel spent the morning overhauling the monoplane after failure of repeated attempts to take off last night. Mrs. Lindbergh helped him. Later she slept a short time while additional gasoline was jettisoned to lighten the load.

Previously 40 gallons of fuel and considerable baggage was unloaded but the craft still was too heavy to overcome a lack of headwind for a takeoff.

Over time fines reach high mark

Municipal Judge Poulson collected 147 fifty cent fines from motorists whose cars were tagged the past two weeks for violating parking regulations, he reported to the city council last night. He stated he had returned 314 tags that had not been acknowledged, Kowitz told the aldermen. The period, city officers tagged 439 cars, Chief Frank A. Minto informed the council in writing.

Shipping Prospects Upon
Willamette to be Probed

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from August 1930 on, the time the navigation company's five-year lease ran out.

The aldermen, tired of rehashing the municipal water system negotiations at every session, voted to discontinue reports from the city attorney along this line at each session.

A modified proposal, reported as having been formulated Sunday and submitted to E. C. Elliott, president of the Oregon-Washington Water Service company, for purchase of its plant here, is not likely to be accepted, Kowitz told the aldermen. The plan consists of the city's paying the company \$300,000 in PWA money, if it can be obtained, \$300,000 worth of city bonds and the remainder, or upwards of \$300,000 from the sale of city bonds. This scheme was suggested by District Attorney William H. Trindle, formerly city attorney, it is understood.

No word has been received relative to the city's latest application for a \$900,000 PWA loan for purchasing or building a water system, Kowitz reported. He said city officials were at a loss to know what to do next.

Flax Loan Wins
Approval, Word

Announcement that the chamber of commerce had been informed by Senator McNary that the three and a half million dollar loan for the flax industry in the Willamette valley had been approved by President Roosevelt was made at the chamber Monday noon.

ROSENBLUM WINS
PORT WORTH, Tex., Dec. 4. — (P) — Maxie Rosenbloom, New York, light heavyweight boxing champion, won a ten round decision over Wilson Dunn, the wild Oklahoma City Indian, here tonight. Both judges voted the scrap a draw. Referee Billy Montgomery balloted for Rosenbloom.

MAE WEST HOLDUP
CONFESSION MADE

LOS ANGELES, Dec. 4. — (P) — An indictment charging Harry Voller, Morris Cohen and Edward H. Friedman, who police said were the three men who robbed Mae West, film actress, of \$20,400 in money and jewels more than one year ago was returned today by the county grand jury.

The indictment, charging robbery, was returned after Miss West and her manager, James Timony, appeared before the grand jury, and told of the September 1932 holdup in which the actress tossed from an automobile a purse containing \$3400 in cash and jewels she valued at \$17,000.

ANTI-HUEY MOB RAISES FUROR OVER ELECTION

Shots Fired as Truck Said
To Be Carrying Ballots
Evades Angry Crowd

Long Hanged in Effigy and
Plans Made to Uphold
Orders of Court

BATON ROUGE, La., Dec. 4. — (P) — Shots were exchanged tonight on the Amite river bridge between a group of Livingston citizens and occupants of a truck, believed by the men to be hauling new ballots from Baton Rouge to replace ballots burned earlier in the night on the main street of Denham Springs.

The truck ran off the bridge and swerved into a swamp road and escaped from the 25 armed citizens angered over the calling of an election in the sixth district without holding a democratic primary.

No one was injured in the exchange of some 20 shots, but the shooting added to the grave fears of bloodshed held by officials.

Earlier in the evening, men traveling in 15 automobiles had seized the ballots and tally sheets for Livingston parish from a storehouse at Centerville, the parish seat, and had taken them to the main street of Denham Springs, the largest town in the parish, and burned them in a public bonfire.

Twenty-five states, however, will remain dry under state laws, although some of these permit the importation of whiskey from other states.

In Pennsylvania, Ohio and Utah — the three states that hold ratification — the new program will be carried out under the C. W. A. was discussed at the city council meeting Monday night. Should the new program go through it will care for 140 unemployed men. Further city work was discussed but was left to the various committees. Installing tennis courts for the city met with hearty approval from the council. Further C. W. A. programs could be carried on at Silverton.

The judiciary committee was instructed to prepare ordinances to be in readiness for the city council in regard to the local liquor law, so that the city would be ready to meet the situation when the state liquor laws are adopted.

M. J. Dalon was instructed to count the loads of gravel used in the street work of the C. W. A. and report this to Sylvan McCreary, time keeper. Dalon reported that 26 loads had been hauled for West street and 6 loads for Chadwick street.

A communication from the aeronautics board suggesting that the city apply for improvements on the local airport in case the government passes on laws allowing this improvement. The (Turn to Page 2, Col. 1)

ECONOMY IS TOPIC
IN SECRET SESSION

Aldermen Go Into Huddle on
Finances; Purpose is
To Satisfy Banks

With a scant four weeks remaining in the year, Salem's aldermen last night suddenly took a notion to discuss ways to economy. To this end they remained after their regular meeting in a session barred to the public.

Just what concrete plans, if any, they considered in order to save the city money and remedy the immediate situation wherein city employees are having difficulty in cashing warrants, none of the aldermen would state. They talked over various matters for upwards of half an hour, then decided, Mayor McKay facetiously remarked, to turn out the council chamber lights "to save electricity."

The secret session was called by the mayor after Alderman S. A. Hughes requested it. Hughes asked for the discussion following a declaration by Alderman David O'Hara that "if the expenses of the city can be reduced, we ought to reduce them."

O'Hara pointed out that 48.8 per cent of taxes due last month from the last levy were delinquent. No definite answer was forthcoming when Alderman V. E. Kuhn asked for specific suggestions toward retrenchment in city expenditures.

In moving that the council be requested to gather for the economy talkfest, Hughes said:

"We don't want notoriety; the aldermen don't want to see their initials in print. We want to satisfy the banks we're doing the best we can."

Mosquito Relief
Program Slated
For Early Start

PORTLAND, Dec. 4. — (P) — A total of 1700 men in Oregon and Washington will be hired immediately for mosquito elimination control in the two states, H. H. Stage, in charge of the federal bureau of entomology headquarters here, informed the Portland chamber of commerce today.

The civil works administration has allocated \$100,000 for Oregon and \$77,100 for Washington to carry on this work, which will be largely diking, draining and brush cutting.

Workers will be hired from the regular relief rolls, Stage said.

Bogus Dollars
Circulate Here

Bogus dollars, reported prevalent in northern California a few days ago, apparently have traveled north, for at one local restaurant Sunday a counterfeit silver dollar was detected—but not until it had been accepted from some unknown person.

Liquor Tide to Roll Today; Control in Oregon Debated

OREGON IS ONE STATE LACKING CONTROL LAWS

Utah, Pennsylvania, Ohio
To Ratify Amendment,
End Prohibition

25 Commonwealths Remain
Dry; Washington Solons
Speed Legislation

(By the Associated Press)

Under the watchful eyes of state and federal officials, plans went forward last night for ratifying the legal sale of liquor in 23 states of the Union.

The formal ratification by three additional states, transmission by them of word to the state department they had approved repeal of the Eighteenth amendment, and the proclamation by President Roosevelt of the adoption of the repealing amendment were the legal steps that remained to be taken today to break down national prohibition.

Twenty-five states, however, will remain dry under state laws, although some of these permit the importation of whiskey from other states.

In Pennsylvania, Ohio and Utah — the three states that hold ratification — the new program will be carried out under the C. W. A. was discussed at the city council meeting Monday night. Should the new program go through it will care for 140 unemployed men. Further city work was discussed but was left to the various committees. Installing tennis courts for the city met with hearty approval from the council. Further C. W. A. programs could be carried on at Silverton.

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GASOLINE TAX FOR
SCHOOL AID, PLAN

Two cents out of each five collected on gasoline taxes by the state would go to a school fund, distributed ratably to all districts, a bill introduced late Monday in the house provides.

Representative Johnson of Washington county sponsored the measure which is understood to have the backing of the state senate. State labor is said to favor a diversion of one cent for schools.

Johnson avers the measure will relieve existing distress among schools.

The measure was drawn by the attorney-general's office. The attorney-general held that gasoline tax could not be diverted from the highway commission without enacting entirely new legislation which will repeal all existing statutes on gasoline taxation.

The rate of tax — five cents a gallon — and the method of collection, remain the same as under existing laws.

Bill to Authorize Coast
Bridges Faces Final Vote

The Boston firm, last Saturday, advised the highway commission this measure violated the constitutional provision prohibiting appropriation of state funds for construction of local roads. The objection was withdrawn, however, when the attorneys were informed the supreme court had held a state highway is not a local road within the meaning of the constitutional provision.

A resolution, which will accompany the bill to the senate floor today, calls upon the state highway commission to use funds, now appropriated for the use of ferries, in the repayment of the loan to the federal government. The resolution stipulates that these funds, up to \$175,000 a year, be appropriated in this manner, increasing from its present figure as ferry appropriations increase.

Utah Insists on Honor Of Making Nation Wet; Ratify About 7:30 P.M.

Impressive Ceremonies Planned; Nation to Go
Moist Immediately Though Proclamation
By President Will Be Made Later

SALT LAKE CITY, Dec. 4. — (AP) — Utah was ready tonight to drive home the thirty-sixth and final nail in the coffin of federal prohibition, and had plans completed to do it with pomp and ceremony.

With members of Utah's original constitutional convention of 1895 present as guests of honor, together with other state and civic notables, the convention will be called to order at noon by Governor Henry H. Blood, officers of the Utah national guard will act as ushers.

The delegates are expected to complete their duties at 7:30 p.m. Immediately after meeting at noon they will organize and appointment of resolutions and credentials committees will be named. A recess until 7 o'clock will then be taken. Upon reassembling they anticipate completion of their task in half an hour.

"We are determined no other state shall take this glory away from Utah," said Franklin R. Riser, president of the Utah League for Prohibition repeal and a convention delegate, in commenting upon Utah's latest apparent determination to await ratification (Turn to Page 2, Col. 2)

SILVERTON ARGUES NEW CWA RELIEF

Water Commission Applies
For Additional Work
To Hire 140 Men

SILVERTON, Dec. 4. — (Special) — That the water commission is making application for a further relief program to be carried out under the C. W. A. was discussed at the city council meeting Monday night. Should the new program go through it will care for 140 unemployed men. Further city work was discussed but was left to the various committees. Installing tennis courts for the city met with hearty approval from the council. Further C. W. A. programs could be carried on at Silverton.

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MORTGAGE RELIEF
IS EYED BY JUDGE

Foreclosure in Which Home
Loan Bonds are Refused
Denied Execution

Home owners of Salem who are faced with the loss of their homes by pressing mortgages, are to be given consideration by Circuit Judge L. G. Lewelling.

Precedent was established yesterday when the court refused to issue an execution to E. F. and Florence Whelan, calling for the sale of a house and store building in foreclosure of a \$3000 mortgage on the property owned by Sarah Kelley. The mortgages refused to accept home loan bonds in payment of the debt. Any rental obtained from the place, however, shall go to the mortgagee, the court ruled.

The opinion, handed down yesterday by Judge Lewelling, makes it a responsibility of the mortgagee together with the mortgagor to sustain a portion of the loss felt by property owners due to the economic depression.

Fixing of an upset value on the property after testimony has been taken will be the future action of the court in case it becomes necessary for the property owner to sue. Judge Lewelling announced last night.

"I cannot force these mortgages to accept the home loan bonds, but I can establish an upset value on the property, on my own motion, after testimony has been taken, so that the property owner is not left out in the cold," Judge Lewelling said. "The mortgagee comes into this court of equity on an equity basis, expecting equity and equity is going to be done."

"If this property was of sufficient value four years ago to loan \$3000 on it, the true worth of the place was greatly in excess of that figure. True, we have had an economic depression since then but values have not dropped to the extent of fixing an upset value, (Turn to Page 2, Col. 3)

3.2 Beer Priced
Nickle a Bottle
As Cleanup Made

PORTLAND, Dec. 4. — (P) — Several Portland stores began a battle of the beer bottles today, and nationally known eastern brands, formerly selling here at from 15 cents to 20 cents a bottle, went to 21 per cent which they wanted added if they handled the business. Kaste urged sale of whiskey be made open to every store without any fixed price — "then Fred Meyer will fix the price for the whole state"; and said his chain offered to handle the statewide distribution at 5 cents a bottle. He denounced piling on taxes and costs of state stores because it (Turn to Page 2, Col. 3)

Trial of Second
Negro Closed in
Scottsboro Case

DECATUR, Ala., Dec. 4. — (P) — The fate of Clarence Norris, one of the seven negro defendants in the Scottsboro case, charged with attacking Mrs. Victoria Price, was given to a Morgan county jury at 5:56 p.m. today.

Before the jury could retire, Samuel S. Leibowitz, chief of council, filed 13 exceptions to the one hour and 20 minute charge, delaying retirement to 6:17 p.m. at the jury's request. Deliberation was deferred until 8:39 a.m. tomorrow.

POSTMASTERS NAMED
WASHINGTON, Dec. 4. — (P) — The postoffice department announced today the appointment of Fred S. Crowley, as postmaster at Nappa, Ore., and Fred S. Odell, as postmaster at Glenview, Ore. Both are fourth class offices.