

Pay of District Attorney's Stenographer is Hit by McMahan

County Court Delays Action

None of Disputed Bills is Voted by Commissioners; Court Test Expected

The third of a series of protests which Circuit Judge McMahan, by virtue of his position as acting county judge, has been launching against bills paid regularly in the past by the county court, came forth yesterday, this one being directed at the bill for Muriel Martin for \$50 for services as stenographer in the office of the district attorney.

Earlier this week, McMahan made a protest against the claim of Paul Marnach, employed to investigate sheep claims and collect delinquent dog licenses, and followed this up with a protest against the monthly rent for the district attorney's office.

Neither County Commissioner Leroy Hewlett nor Commissioner Roy Nelson have given any indication of how the protests strike them, but the claims remained unpaid yesterday, though it takes but two of the three members of the court to allow them.

In view of this, the feeling is developing that payment of the bills will be held up until such a time, if and when, suit is filed to force the issue and to get a definite opinion on legality of the matter. Up to last night, no request had been made to the district attorney to have him present the questions to the attorney general for a ruling.

Holds Cost Excessive. In his protest yesterday on the stenographer's salary, McMahan points out that for the past 12 years the district attorney's office has cost the county over \$5,000 in stenographer's expenses, and also declares that recently the county court, without authority of law, bought for use of the district attorney's office a new typewriter.

McMahan's written protest continues: "Not only does the stenographer, paid by the county, do the official work, on this machine, but she also does his private work on it. . . (her salary) should be paid by the district attorney and not the county."

"The salary of the district attorney is \$2,700 . . . in full compensation for his services. The county court, without authority of law, has increased this salary to \$3,600. . . Public policy alone forbids a district attorney from being paid money he could not collect by law. If a county court has it within its power . . . to pay or not to pay a district attorney \$900 a year . . . that protection can be expected from lawless acts of the county court? . . . We find, for example

That when a sheriff is paid by the county court \$3,740 in excess of the amount allowed by law, that the district attorney makes no effort to force restitution to the defrauded taxpayers, presumably because the county court which violated the law by paying the money to that sheriff is liable to the taxpayers for the full amount. And it was also at the time this money was exposed to the members of this court who were responsible for the fraudulent payment of this large amount of money."

When a county official was indicted by the unanimous vote of the last grand jury for illegally obtaining money from the county district attorney's office with the consent of the grand jury foreman, the indictment and threw it into the waste basket, saying that the grand jury should not return it. In this case, if the officer had been convicted, then this court could have been held for money illegally paid and could have, therefore, been indicted for malfeasance. . . .

Once Decided Here. Circuit court records show that the question of legality of salary to the district attorney's stenographer came before the court here in June, 1932, when John Carson, then district attorney, brought a friendly suit against the county court, then composed of Judge J. C. Siegmund, Commissioners Jim Smith and Henry Potter.

Judge Arlie G. Walker, sitting on that case, held in October, 1932, that such salary was legal. On October 17, notice of appeal in the case was filed but the appeal was not perfected.

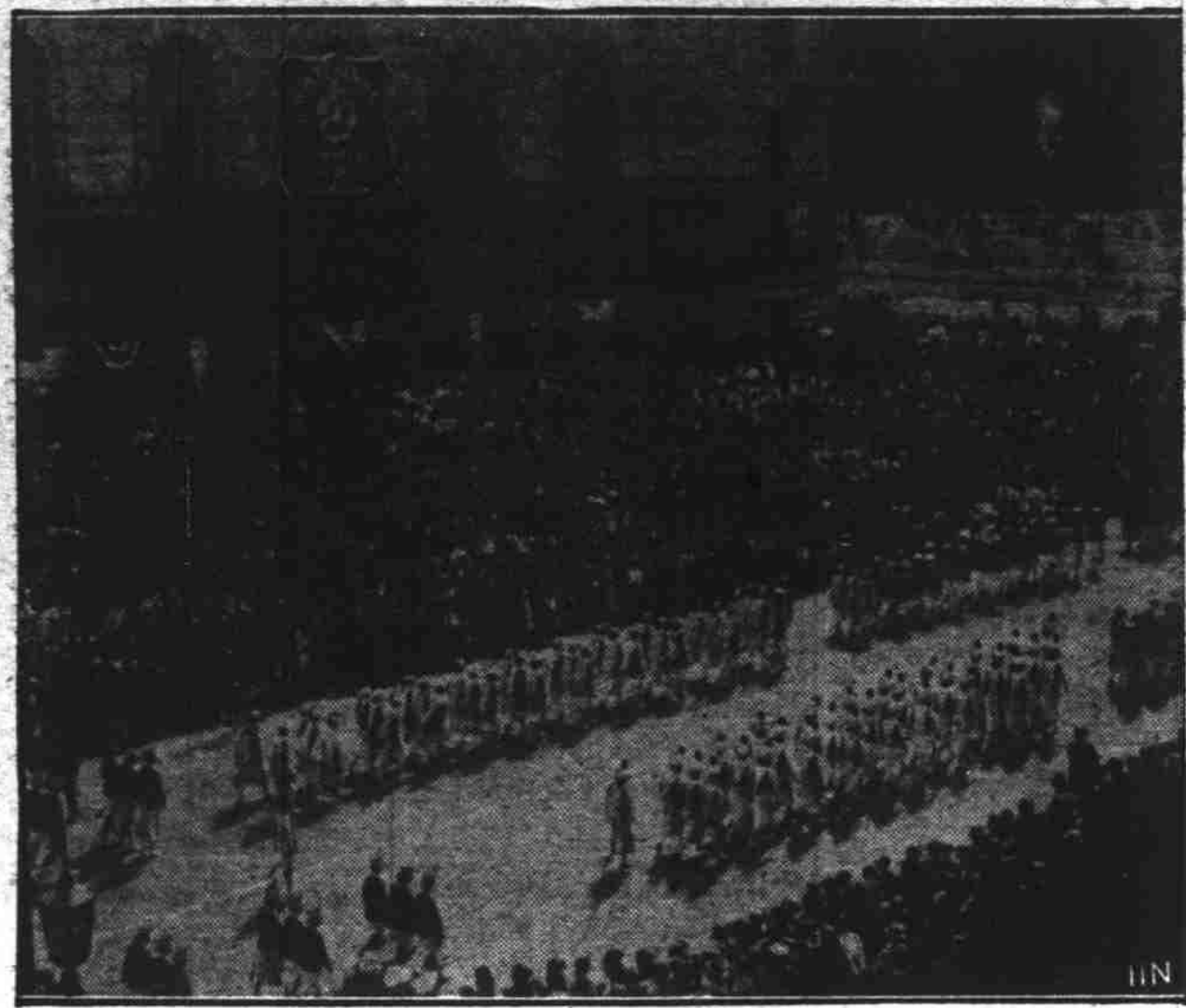
At that time the same salary, \$50 per month, was in question, and in the case the district attorney cited three opinions from the attorney general upholding payment by the county to stenographers of district attorneys in Polk, Umatilla and Yamhill counties.

Pohlschneiders' Corn Field Yields Over 40 Bushels to the Acre

A 34-acre field of corn owned by Pohlschneider Brothers near St. Paul was reported by the county agent's office yesterday to be averaging over 40 bushels of mature corn to the acre. The immature corn is being left on the ground to fatten 125 hogs for the fall market.

The seven ears exhibited in the county agent's office averaged a foot in length.

Parade Marks Closing of Eucharistic Congress



Crowds estimated at 300,000 lined downtown Cleveland to watch 20,000 others who marched in the closing ceremonies of the seventh national Eucharistic Congress. The marching units, boys, girls, nationality groups, prominent lay persons and dignitaries of the Catholic church, paraded for two hours before converging in the municipal stadium for final benediction and a message from His Holiness, Pope Pius XI, which was broadcast via short wave to the assembled multitude. Photo shows part of the parade as it passed public hall on the way to the stadium.

Dean Dagwell is Named as Bishop

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Ramsey of Portland was fourth with four.

Church officials said the election must be approved by the presiding bishop, all bishops of the United States and members of the standing committee of each diocese before Dean Dagwell can be consecrated.

Bishop Sumner, who had headed the Episcopal diocese of Oregon for 20 years since coming here from Chicago in 1915, died unexpectedly during a visit at Good Samaritan hospital September 4. He was stricken with a heart attack.

In addition to Dean Dagwell and the three runners-up at the convention tonight, others whose names had been placed in nomination included the Rev. Robert E. Browning of Baltimore, Dr. John C. Evans of Chicago, Rev. John R. Stocker of Massillon, O., Rev. George W. Swift of Salem, Ore., and Rev. R. A. A'Court of Portland.

At one point in the balloting Rev. Swift of Salem was reported as running second to next to Dean Dagwell.

Hemline Mountain Will Be Chemeketa's Goal; Climb Said Strenuous

Chemeketa will climb Hemline mountain in the Elkhorn district Sunday. The climb to the top is not an easy one, the entire trail being three miles of switchbacks.

Cars will leave the Senator hotel at 7:30 o'clock Sunday morning and drive to the forest ranger's cabin four miles beyond Elkhorn. Kenneth Jennings will be the leader for the trip.

The Call Board

GRAND
Today—Claudette Colbert in "She Married Her Boss."
Saturday—Spencer Tracy in "Dante's Inferno," and Baer-Louis fight pictures.

ELSNORE
Today—Bing Crosby in "Two for Tonight."

CAPITOL
Today—Double bill, Ted Lewis in "Here Comes the Band" and John Wayne in "Lawless Range."

STATE
Today—First run, Jan Kiepura in "My Heart is Calling" plus "Man of Aran."

HOLLYWOOD
Today—Double bill, "Border Brigands" with Buck Jones and "Make a Million" with Charles Starrett.

Bright-spirited comedy, lifting love songs and gay romance make Bing Crosby's "Two for Tonight," which opens at the Elsinore theatre today, one grand hour of fun and entertainment, topped by a supporting cast of skiffers, but none the less hilarious, comedians, headed by the buoyant and droll humor of Lynne Overman. A fine assortment of catchy melodies have been provided by Gordon and Revel, including "From the Top of Your Head to the Tip of Your Toes," "Without a Word of Warning," "Two for Tonight," "Takes Two to Make a Bargain" and "I Wish I Were Aladdin." Frank Tuttle's direction is swiftly paced, attains distinction by its excellence.

40 Large Hens Turn Up Feet in Earnest At Dinner on Beans

OAK POINT, Oct. 10.—Mr. and Mrs. Grove Peterson suffered quite a loss to their poultry flock Monday. When Mrs. Peterson, opening a can of string beans, sensed they were not just right, set them outside.

Grove came along later and threw them over to the chickens. About 40 laying hens died in a little while, probably from gases from the beans as they seemed to be only sour.

Tribes Gather to Protect Capital

(Continued from Page 1)

of Tatarikata and Jialmo, killing many. (The latter two towns are not shown on maps.)

The Ethiopian commune also said an Italian plane had crashed at Garasale, in the north, with two fliers killed and two dying.

Italian infantrymen were reported advancing in the Webbe and Shibel region, but it was claimed a thousand native Eritrean soldiers had deserted to Ethiopia and were nearing Makale with Italian planes in pursuit.

Fifty thousand Ethiopian troops equipped with modern arms, were marching to the defense of Addis Ababa under Ras Ginetcho, governor general of Kaffa province. Twenty thousand more were on their way under the command of Dedjazmach Apte Mariam.

Promotion Day is Scheduled Sunday

Rally and promotion day will be observed Sunday, at the Roseale Friends Sunday school, seven miles south of Salem. The school will convene at 10 a. m. as usual, and following the study hour, a short program will be given under the direction of Mrs. Floyd E. Bates, chairman of the Sunday school committee. The minister, Milo Clifton Ross, will speak on the theme, "Rally Day for Rally Day."

During the summer the school has grown month by month, until the September average attendance was double that of last year. Because of lack of room and in order to do better work, a junior department of 35 members was organized last June. A young people's class, taught by W. E. Way, was formed also. Due to promotions another class for college age young people will be started Sunday, under the leadership of Mrs. Mary E. Cammack.

Miss Phyllis Macy, graduate of Portland Bible Institute, will train the choir this winter. Miss Macy is a talented musician, and has had considerable experience in this line of work. She is in Salem this winter continuing her studies at Willamette university. She will come out Tuesday night, beginning October 15, to conduct the church choir.

Salem Grange to Meet Saturday, Miller Hall

Salem grange No. 16 will meet all day Saturday at Miller's hall, starting with the business meeting in the forenoon. Lunch will be served at noon, following which the Booster lecture hour will be held, at 1:30 o'clock. The Roberts grange will give the program, with the lecturer, Mrs. W. C. Pettyjohn of Roberts, in charge. The afternoon program is open to the public.

School Phone Changed

Installation of a two-line telephone circuit in the Salem school administration offices, including that of Superintendent Silas Galt, has caused a change in the number. The new number is 3197.

Governor Refuses Klamath Request

(Continued from Page 1)

"On September 20, 1935, the present grand jury adopted a resolution urging the county court to consider the advisability of similar action with respect to that part of the county outside of Klamath Falls and recommended that prosecution of operators be suspended pending such consideration."

Judge Charles D. A. With Conscience. Pray declared that on September 27, this year, the county court acted on the resolution and licensed 60 machines in Klamath county outside of Klamath Falls at \$30 a year. The applications were approved by the district attorney and sheriff, Pray said.

This was followed by a call for the grand jury which convened October 2.

"On the following morning," Pray continued, "Judge Ashurst, in open court, charged the district attorney with connivance with the slot machine interests and dismissed the jury pending the arrival of someone designated by the attorney general to conduct the investigation."

Pray said it was unfortunate that a breach between the judge and district attorney should have occurred.

"But when one official falls out with another it does not follow that the state should intervene," Pray continued. "The judge does not profess to be a crusader. His stated attitude is that unlicensed gamblers are at war with licensed gamblers and that soiled linen brought to his door by the controversy must be washed."

"Unfortunately, his seal in undertaking the task has caused him to step out of the role of arbiter into that of advocate. . . . No Reflection Upon Official's Integrity."

"No fact was imparted to me reflecting on the integrity of the district attorney. He may have erred in interpreting statutes."

"The situation is one into which the local officials have gotten themselves. It is one from which they can extricate themselves if they will. The district attorney has expressed himself as desirous of proceeding with the investigation and was so proceeding yesterday."

"It is respectfully submitted that he should be given ample opportunity to clear the situation before further consideration is given the request for intervening by the state."

Farmers Are Busy

The fall seeding of oats, vetch and wheat holds the time-lime among the farmers now, the county agent's office reported yesterday. The farmers throughout the county are reported to be busy at it.

STATE THEATRE
Last Day!
"Man of Aran"
— Plus —
Jan Kiepura in
"My Heart is Calling"
Saturday Only
CHARLIE RUGGLES
MARY BOLAND
PEOPLE WILL TALK
A Paramount Picture
A Swell Comedy
— Also —
"THE MIRACLE RIDER"
Chapter 8

Injunction is Granted Here

Order Restraining Police in Other Moves Denied by Judge McMahan

(Continued from Page 1)

found Tuesday. He also cleared R. M. Taylor, on the possession charge insofar as two Brown machines were concerned but continued action relative to another machine Taylor had when police visited his place.

Dismissal Likely Also for Vicary. Dismissal appeared likely for George Vicary as the owner of the marble game taken from his business place was expected to follow Brown's lead and assume responsibility for it Saturday.

City Attorney Kowitz denied an allegation made by Moylan that an agreement had been reached whereby Brown's boards were not to be disturbed as long as they remained padlocked. Kowitz said that before the anti-marble board ordinance was enacted Monday night, he had given it as his opinion that locked boards could not be taken by police but pointed out that possession of these devices was not then a violation of existing city regulations. Possession as well as operation is illegal under the new ordinance.

The status of the dart game cases in municipal court and of the equipment, now held behind locked doors and out of play, remained uncertain yesterday, with city officials inclined not to file complaints charging possession of illegal game equipment and no motion for trial of the non-licensing and lottery charges against A. F. Winter, proprietor, and George Millo, manager, yet filed.

Stronger Curb on Liquor is Sought

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of upstate hotel owners. Second, that that legislation might revive the prohibition issue.

Reports received by state officials indicated that the great majority of citizens are satisfied with operations of the present liquor control law, and are opposed to letting down the bars at this time.

Beer Resorts and Gambling targets. Most of the proposed legislation scheduled at the special sessions probably will deal with the operation of beer resorts. There has been little criticism of the state liquor stores.

Anti-gambling laws also were expected to receive consideration. These little laws, which will be directed at slot machines, marble boards and pin ball games. A number of tax bills also will be introduced.

Legislators said it was probable that the special session will run the full 30 days, and it might be necessary for Governor Martin to call a second special session.

Knitting, Fishing Popular Pursuits

Salem high school students are most interested in learning how to knit, to conduct themselves socially, to fish and to judge and study movies, if the attendance yesterday at the first sessions of the special interest clubs may be taken as a student body indicator.

Knitting twenty girls joined the Knitting club, of which Eula S. Creech and Marian Gary are faculty advisers. Eighty students attended the first meeting of the Etiquette club, which will be divided into two groups with Ola L. Clark and Agnes Derry as advisers.

Mary B. Smith and Lillian Davis will represent the faculty at the two units of the Movie club while Helen R. Edmundson and Nell Brown will join with the two Angling club groups in studying ways to catch more and bigger fish.

Twenty clubs in the special interest class were tentatively formed.

LAST DAY
Claudette COLBERT
'SHE MARRIED HER BOSS'
STARTS TOMORROW
Dante's Inferno
SPENCER TRACY
CLAIRE TREVOR
ALSO
BAER-LOUIS
Fight Pictures
GRAND
CONTINUOUS SHOW DAILY

Wire News Told Briefly

Associated Press Leased Wire Service

War is Over Water, Not Territory

DIREDAWA, Ethiopia, Oct. 10.—(AP)—Italy's advance into Ethiopia's southern province of Ogaden from Italian Somaliland is a fight for water rather than for territory, informed observers said today. Ethiopian irregulars composing the front line defense are being slowly pushed back from one well to the next under the relentless pressure of the motorized fascist army. Thirst is Italy's greatest handicap.

Wheat and Corn Crop Estimates Boosted

WASHINGTON, Oct. 10.—(AP)—The agriculture department today boosted its 1935 wheat crop estimate by four million bushels and corn production by 29 million bushels beyond its figure of a month ago. The report was projected into a situation where war tension again today swiftly lifted wheat prices. Its issuance, however, came after the closing of today's markets, which sagged from earlier highs toward the end of the day. The potato production estimate, contrasting with wheat and corn, was seven million bushels lower than last month.

Sanctions to Make No Difference, Italian View

ROME, Oct. 10.—(AP)—The action of the assembly of the League of Nations in voting sanctions against Italy "has changed nothing," an official Italian spokesman said tonight. Italy is following her same program in Africa, he asserted, the one "she has moved in all along in the full light of day."

Jilted Suitor Quoted as Confessing Slaying Girl

MONTICELLO, N. Y., Oct. 10.—(AP)—Trooper William Leins, of the New York state police, said tonight that Glenn Brasser, of Rochester, captured near here tonight, confessed that he strangled Muriel Hall, Rochester high school girl. Trooper Leins said Brasser, son of a Rochester dairy operator, admitted strangling the attractive Rochester girl in her Rochester home last night because she had refused to marry him. The girl was found dead on the floor of her home in the exclusive residential section of the city.

Italian Radio Says Britain at War in India

LONDON, Oct. 10.—(AP)—Reuters (British) news agency dispatch from Berlin tonight said listeners there heard a Rome radio station broadcast in German that severe fighting had taken place on the northwest frontier of India "with heavy British losses in dead and wounded." The British India office here said it had heard of no such fighting.

Claim Salem Lags In WPA Projects

(Continued from Page 1)

Delay and red tape in getting projects approved was discussed and suggestions made that the funds should be allotted to the state in a lump sum and that the federal government give the final approval by its agents in Portland instead of sending projects back to Washington.

Projects receiving the approval of the committee last night were retaining wall to be built on 12th street at the Shelton ditch crossing, a cook for lunches at the Liberty school, clearing of drifts in the Pudding river and the construction of an athletic field at Mt. Angel for the school district.

The committee directed that a letter be sent to County Judge Siegmund, a member of the committee, who is in a Bend hospital after being injured in an automobile accident.

Rev. Loeb of Puyallup Will Address Mission Festival Sunday Night

Rev. F. Loeb of Puyallup, Wash., who is well acquainted with home mission work in the Lutheran church in the middle west, will be the festival speaker at the annual mission festival to be held at Christ Lutheran church, 18th and State, Sunday. Rev. Loeb will speak at the German services at 9:30 a. m. and at 7 p. m. and Rev. Ernest Larson of Silverton, at the English services at 2:30 p. m.

Christ Lutheran church, with its Sunday school and women's missionary society, is sponsoring several projects in the foreign mission field in the Lutheran India Mission and the Lutheran mission, Madang, New Guinea. The offering Sunday will also be used for the work in these fields.

The members will bring their lunches and coffee will be served by the church at the noon hour and in the evening between the services.

Lenhart Wins Early

TACOMA, Oct. 10.—(AP)—Fred Lenhart, 174 1/2, Tacoma, knocked out Tom Patrick, 184 1/2, Los Angeles, with a terrific right hand to the jaw in the first round of the scheduled 10-round headliner of the boxing program here tonight.

SKATE TONIGHT

7:30 to 10:30
Dreamland
Rink
Admission 25c
Young People of All Salem Churches Invited
Benefit of Jason Lee Basketball Team

TWO FOR TONIGHT

Bing CROSBY
Quinn BENNETT
Mary Boland
Lynne Overman
Thelma Todd
Directed by Frank Tuttle
ADDED — NEWS — CARTOON

Tonight and Sat. CAPITOL

500 Seats 15c
TWO SMASH FEATURES
The Funniest Musical Smash in Years!
"HERE COMES THE BAND"
with Ted Lewis and Ted Healy
Virginia Bruce
Wayne's Latest and Fastest Hit!
JOHN WAYNE
in
"NEW FRONTIER"

Aloisi Denied British Radio

Fiery Envoy Left at Dead End of Microphone as Sanctions Begun

(Continued from Page 1)

ancial sanctions. A "general staff" was formed for the enforcement of the pressure against Premier Mussolini's nation and will hold its first meeting tomorrow.

Five nations were absent, Germany (which officially leaves the league October 21), Paraguay, Salvador, Guatemala and the Dominican republic. Austria and Hungary, friends of Italy which has protected them, opposed sanctions, and the votes of Italy and Ethiopia were not recorded. Although on record in support of economic sanctions, Switzerland made reservations concerning military ones.

A furious protest against the latest sanctions move was made by Baron Pompeo Aloisi, head of the Italian delegation. A spokesman said the Italian delegation, still awaiting orders, would probably leave for home tomorrow.

This informant said Italians are enraged and depressed over the assembly's stand against their nation.

Mrs. Wesolowski Is Recipe Winner

(Continued from Page 1)

with crackers. Good for school luncheon.

Mrs. Monica Wesolowski
1145 S. 14th
Peanut Cream Soup
1 pint water
1 pint milk
2 tablespoons peanut butter
2 tablespoons warm water
3 egg chopped celery
1/2 cup barley or rice
1 tablespoon flour
1 tablespoon butter
Pepper and salt
Boil water and milk together. Add peanut butter, dissolved in warm water, celery, barley or rice and seasonings. Ticken with flour and butter mixed together. Serves six.

Mrs. Joseph Johnson
341 N. 14th Street

Parasip Soup

Cook parsnips in as little water as possible until cooked very soft. Mash and put through a sieve or a potato ricer. You may use about 2 parts of this thick pulp to 1 part cream, or if cream isn't available a medium white sauce with a generous piece of butter will do. Heat piping hot, season with salt and pepper and serve. A dash of paprika, celery salt or a few crumbled, dried celery leaves may be used for garnish but they detract from the pure parasip flavor.

Mrs. Agnes Rickett
598 Settlemier Ave.
Woodburn

Grant P. T. A. to Meet Tonight; Program Will Include Music Numbers

The October meeting of Grant P.T.A. will be held tonight in the school auditorium. The complete program will be as follows:

Assembly songs, "America"; business period; greeting by the school principal, E. A. Miller; reading, "The Milkman," Dan Hedrick; songs, "Early Dawn," "Jack o' Lantern" and "Billy Boy" by fifth and sixth grade chorus; readings by Adell Anderson and Donald Reiger; instrumental numbers, Mrs. Broer, Kathleen and Marjorie Broer; address, "Impressions of Japan," Neil Brown, social science instructor, Salem high school. J. J. Fitzsimmons will preside.

ELSNORE TODAY and SATURDAY IT'S BING'S

Biggest and Funniest!!
6 Laff Stars

TWO FOR TONIGHT
Bing CROSBY
Quinn BENNETT
Mary Boland
Lynne Overman
Thelma Todd
Directed by Frank Tuttle
ADDED — NEWS — CARTOON

Home of Quality Meats

handled in a sanitary way
VALLEY MEAT MARKET
Clay McDowell, Prop.
178 South Commercial
Phone 3934

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