

A Growing Paper  
Constant effort at im-  
provement is being made by  
The Statesman. New fea-  
tures and departments are  
receiving general approval.

FOUNDED 1851

Salem, Oregon, Friday Morning, October 25, 1935

The Weather  
Fair today and Saturday  
but fog at night; mild; Max.  
Temp. Thursday 61, Min. 28,  
clear with light variable  
winds.

EIGHTY-FIFTH YEAR

No. 182

## Planning Board Reports on Capitol Needs

### McManan Hits Mileage Claim But It Is Paid

Charge Made by Sheriff Not Justified Says Acting Judge

Various Alleged Abuses, Past and Present, of Officials Flayed

Circuit Judge L. H. McMahan, as acting county judge, yesterday filed with the county court a protest of the mileage claims of Sheriff A. C. Burk and called attention also to other alleged unlawful expenditure of public funds.

Pointing to the separate claims filed by the sheriff, McMahan concludes that they are three things: That the sheriff has an active and inquiring mind; that he does not confine his official activities to the duties of his office; that this court would at all times be an easy mark for the promotion of a shell game.

The protest then mentions investigations by the sheriff of many beer halls in and out of Salem, claims the sheriff knew gambling was going on in them in defiance of law, and that neither the sheriff nor district attorney did anything about the gambling situation.

### Strain on Relief Funds Mentioned

The protest enters into the strained finances with regard to relief funds, and points to nearly \$30,000 "lawlessly taken from the people" by various county officials, winding this segregation up with a slap at the commissioners. "The old graft of keeping the court open all the time in order to collect \$5 a day for doing nothing one-half of the time. Graft in all totaling fully \$40,000, and continuing."

Incidentally, Sheriff Burk late yesterday was paid on signature of the two commissioners, his mileage claim. McMahan's protest, the fourth filed on claims presented for September by the district attorney and sheriff's offices and the expenditure of Paul Marbach, delinquent dog license collector, follows in order.

"I call your attention to some bills of the sheriff and to other unlawful expenditures of public funds. The law provides that the sheriff shall provide his actual traveling expenses, necessarily incurred. In order to collect these expenses he must show that his bill calls for no more than actual expenses and that the expenses were necessarily incurred in the performance of duties imposed upon him by law. The burden is upon him to prove these two elements. In the case of the bill for a warrant, although the riot did not occur in the officer's presence, as no arrest was made it is fair to assume that there was no riot."

Investigating Fights Held Vain  
"I find bills for investigating fights. Without a warrant an officer cannot arrest any man for fighting, unless the fight takes place in the officer's presence. As a fight would be over before the sheriff could get to the place and he could not therefore, make an arrest, these bills, evidently, not necessarily incurred."

"I find bills for investigating automobile wrecks. The duty of investigating wrecks on the highway is by law made a special duty of the state police. Nine state policemen are stationed in Salem and their cars are equipped with radios. As soon as a wreck is reported, the nearest car thereto is called and ordered to investigate. There is no excuse for the sheriff making such investigations."

"There are also bills for investigating fights in Salem and a bill for 15 miles travel in Salem investigating a complaint about tin cans, whatever that may mean. As Salem provides 15 policemen and a special duty to enforce the law, it is apparently not necessary for the sheriff to investigate city fights or city cans."

"There are bills for investigating family rows, bills for inspecting country dances in the grange hall at McElroy, at McHama, and other places; bills for patrolling and patrolling game areas. These bills but illustrate the absurdities of a majority of all the bills. They prove three things: That the sheriff has an active and inquiring mind; that he does not confine his official activities to the duties of his office; that this court would at all times be an easy mark for the promotion of a shell game."

"This court knows that many beer halls in Salem and out of Salem."

### Mass Slaying Solved, Claimed

#### Leo Hall Held After Woman Makes Charge

Beer Parlor Waitress is Accused; Was With Him, Admits

Suspect Silent; Crime of Erland's Point Last Year is Recalled

SEATTLE, Oct. 25.—(AP)—County Prosecutor Warren G. Magnuson said today he had a statement from a man implicating Leo Hall, 33, in the slaying of Frank Akin in Portland, Ore., in 1933, and that he believed the Portland case would be solved with the mass slaying of six persons at Erland Point near Bremerton, Wash., in 1934.

Oregon officers questioned Hall early this morning, after King county, Seattle, officers had finished, temporarily grilling him about the Erland Point case.

SEATTLE, Oct. 24.—(AP)—Stonily defiant, Leo Hall, former pugilist and dry dock worker, was questioned by authorities tonight in connection with the Easter season sextuple slaying at Erland's Point, in 1934.

Sheriff William B. Severys made public a signed statement by Mrs. Larry Poulos, 27, beer parlor waitress, admitting participating in a holdup which she said preceded the killings at a fashionable beach colony near Bremerton.

Mrs. Poulos named Hall, Severys said, as the mass slayer of Mr. and Mrs. Frank Flieder, Mr. and Mrs. Eugene Chenevert, Mag. Jordan and Ezra M. "Fred" Bolcom.

Some of victims brutally beaten. The six bodies, some of them brutally beaten with hammer and furnace shaker, some shot and one stabbed, were discovered in the Flieder home on the eve of Easter Sunday. They had been killed the previous Wednesday, authorities decided after investigation.

Prosecutor R. W. Miller of Kitsap county, scene of the crime, joined with Seattle authorities in questioning Hall and Mrs. Poulos tonight.

Capt. Ernest Yoris, chief of the homicide squad of the Seattle police, said questioning of Hall would "continue indefinitely—maybe all night."

"Hall seems to have a lot on his mind," Yoris said. "A lot of corroborations." (Turn to Page 2, Col. 3)

### Gervais Granted Additional Funds

WASHINGTON, Oct. 24.—(AP)—Public Works Administrator Ives announced today increases totaling \$425,102 in loans and grants for non-federal projects from the old PWA funds.

Increases because bids exceeded original estimates included: Gervais, Ore.—Grant for school construction, \$15,000 to \$17,700.

Sandy, Ore.—Grant for school construction, \$16,100 to \$17,900.

### House Moves to Sidetrack Unnecessary Legislation

With expressed determination to hold the business of the session to a minimum and to consider only emergency legislation, the house yesterday morning adopted a resolution referring all bills to the legislation and rules committee before allowing the measure to come upon the floor of the house. The committee would serve as a "graveyard" for non-emergency legislation.

That the house members are trying to keep to the main issue of the session, that is the building of the new capitol, is evidenced by the fact that only three bills have made their appearance in the house.

Full Investigation of Fire is Sought  
House bill 3 introduced by Senators Carney and Zimmerman and Representative Harrison provides for the appointment of a committee to investigate and determine the origin of the fire which destroyed the capitol. Two members are to be appointed

### Flames Driven by Fierce Wind Lay Waste Film Colony Palatial Homes



Photo rushed north by airplane shows all that remains of a palatial home in the Altadena section near Los Angeles; a gate, a chimney and an ash dump, following the fire that leveled 50 homes with a loss of \$2,000,000, Wednesday. Up to last night the loss in the vicinity of Los Angeles had risen to \$8,000,000. — International Illustrated News photo.

### Second Victim of Crash Badly Hurt

Virgil Long in Critical Condition; C. D. Hyde of Dallas Killed

OREGON CITY, Ore., Oct. 24.—(AP)—Virgil Long, driver of the car which hurtled from the Pacific highway near here early today, was still in a critical condition in a hospital here tonight.

C. D. Hyde, 50, Dallas grocer, was killed in the mishap. Others injured include: Forrest Yexley and Albert Holder. Both were hospitalized.

All three men were rendered unconscious. Their car burst into flames when it crashed to the railroad tracks near New Era.

Passing motorists extinguished the blaze and aided in bringing the injured men here.

C. P. Hyde, Dallas grocer who was fatally injured early Thursday morning, was formerly employed with Safeway stores at Dallas as manager, and about a year ago he and Virgil Long, also hurt in the accident, went into partnership in their own venture.

The party was enroute home from an initiation ceremony of the Eagles in Portland Wednesday night. Hyde was active in that lodge. Surviving him are Mrs. Hyde and a son, Jay; his mother, Mrs. Rachel Hyde-Wicks and sister, Mrs. Francis Ziegler, both of Corvallis; and a brother, Lloyd F. Hyde of Philomath.

Mr. Hyde was born in Philomath September 27, 1899. His grandfather, John L. Hyde, was a Dallas druggist in the early days (Turn to Page 11, Col. 5)

### Dutch Schultz and 3 of Henchmen Die

Rosenkrantz Last of Four to Succumb; Police Seek Slayers

NEWARK, N. J., Oct. 25.—(Friday)—Bernard Rosenkrantz, shot down with Dutch Schultz and two other Schultz lieutenants Wednesday night, died in city hospital at 3:20 a. m., today.

NEWARK, N. J., Oct. 24.—(AP)—Dutch Schultz' Fliegenheimer died tonight from gangland bullets, victim of underworld violence which brought death to two lieutenants, and sent three other men to hospitals, two dangerously wounded.

The man who was overlord of Manhattan's illicit beer traffic in the best days of the prohibition era, ceased his delirious rantings about 8 o'clock tonight after a day of agonizing pain, and lapsed into unconsciousness. He died 35 minutes later.

Schultz died only a few minutes after Deputy Chief John Halter finished a radio appeal for help to enable police to track down the slayers who trapped Schultz and three henchmen in a downtown Newark cafe last night.

### Three Are Killed, Idaho Farm Blaze

CALDWELL, Idaho, Oct. 24.—(AP)—Death tonight had claimed the third victim of a fire which early today razed the home of Mr. and Mrs. Ralph Young, located about 20 miles from here.

The dead: Nellie Young, 16; Donald Sevy, 2, and Grace Young 6. Nellie Young died in the blazing home after attempting to hand Grace out the window to her mother. The window and floor collapsed, dropping Nellie to the basement where her body was later recovered with that of Donald who remained in the house. Before she died, Nellie had passed Ralph Sevy, 3, and Jimmy Sevy, 1, to her mother.

### Senator Fisher Figures In Auto Collision With Local Man; Nobody Hurt

City police were called to State and Court streets at 10:50 o'clock last night to investigate an automobile accident in which State Senator Walter S. Fisher, Roseburg, and George Becker, 418 North Commercial street, were the drivers. None of the occupants of either machine was injured. A rear fender on Becker's light sedan was partially crushed, a front fender and hub cap of the senator's heavy victoria coupe dented.

### Senate Taking Big Swath; 12 More Bills In

Two are Passed; Plea of Governor Ignored in Business Handled

Three Similar Measures Providing Capitol Commission In

Twelve bills were introduced in the senate yesterday, bringing in the total to 32, the variety of subjects going far beyond the "emergency" test suggested by Governor Martin. Two bills were passed, one by Senator Byron to correct a defective title in a 1935 act to enable Multnomah county to finance its old age pensions; another, by Senator Wallace and Representative Olen, to allow the legislature to ask the supreme court for five-day advisory opinions on constitutional questions. It is supposed to be used to settle the question of where the capitol may go.

Senator Burke opposed the latter bill by saying he hoped the people would get through talking about boundaries. "The people want the building on the old site. They may move the capitol to Portland."

Senator Wallace said there was no such purpose, but a desire to find out just what rights the legislature had. "My mind is open, and I believe the legislature should have an open mind. Only four opposed the bill: Burke, Stringer, Staples and Zimmerman."

The capitol question was laid before the senate with three bills introduced, alike save that each bill used a different location to cover the three discussed possibilities. The bills were drawn by Ralph Moody, assistant attorney general, for use of the committees as a working basis for consideration. They were ordered introduced in the senate. The committees went on record that no member of the committee was bound to support any recommendation made by the committees.

The general provisions of the bills as drawn by Moody are as follows. (Turn to Page 13, Col. 7)

### Only One Dead in Storm Off Alaska

KETCHIKAN, Alaska, Oct. 24.—(AP)—All salmon trollers of a fleet of 12 caught in a raging gale two days ago had been accounted for tonight, with the toll of loss one man drowned and three boats sunk.

The victim was Harold Morath, of Ketchikan, owner and only man aboard the small troller Premier, which foundered in deep water Tuesday, the coast guard cutter Cyane radioed here.

The troller, also operated by one man, sank in the same area and the E. Nielson, with a two-man crew, went down half a mile northwest of Cora point, the Cyane messaged. All three men were saved and the Cyane was bringing the Nielson's crew here tonight.

Another troller, the Venus, Capt. William Muenier, rescued the troller's owner as the small fleet raced to safety at Coronation island. Seven of the fleet, feared lost for many hours, were found near the island today by the light-house tender Hemlock.

### Townsend Voices Plea of Harmony

CHICAGO, Oct. 24.—(AP)—Plea for internal harmony and prophecies of imminent realization of their program were voiced by founders of the Townsend clubs tonight before the organization's first national convention.

Dr. Francis B. Townsend and R. E. Clements, national secretary, who jointly fathered the movement, predicted their plan for providing pensions of \$200 a month to persons of 60 and beyond would shortly be enacted into law.

### Remodeling of Oregon Prison Will Be Urged

Fire Protection Need is Stressed in Bill to Reach Hopper Soon

Grange Power and Chain Store Ghosts About Ready to Walk

Two legislative familiars, boogies to many legislators, political provender for others, are expected to appear today. They are the grange power bill, and a chain store tax bill. The grange power bill will be a substitute for vetoed HB 404, which lies on the table in the house. The bill will be introduced under the sponsorship of the house committee on public utilities and is said to carry a reference clause, thus seeking to place the question before the people.

The chair store tax bill will also come up, though the exact form the bill will take is not known. Prison Bill Backed By Multnomah Man  
Plans for the remodeling of the state penitentiary are contemplated in a bill which will be introduced under the sponsorship of Representative Ellis Barnes of Multnomah, chairman of the public institutions committee. The plan is said to have the approval of the penitentiary officials and the need which has long been apparent has been further stressed by the capitol fire, officials pointing out that there would be a large loss of life if fire should break out in the prison buildings under present conditions.

The bill would make an appropriation of \$75,000 to be expended under the direction of the board of control for the rehabilitation of the capitol.

WASHINGTON, Oct. 24.—(AP)—President Roosevelt told the nation tonight that relief "furnished by funds received from taxation should decrease as rapidly as human needs will allow."

Appealing by radio to the nation to participate in the 1935 mobilization for human needs, Mr. Roosevelt reported that private industry is "taking up the slack" in unemployment.

### Roosevelt Urges Private Charity

Relief Provided by Tax Must End Rapidly as Possible, Message

WASHINGTON, Oct. 24.—(AP)—President Roosevelt told the nation tonight that relief "furnished by funds received from taxation should decrease as rapidly as human needs will allow."

Appealing by radio to the nation to participate in the 1935 mobilization for human needs, Mr. Roosevelt reported that private industry is "taking up the slack" in unemployment.

He asserted that the September employment gain of 350,000 in private industries reporting to the department of labor was "the largest for any single month in the past year and a half."

But this pickup, he declared, was all the more reason to give to charity.

In addition to decreasing government relief, the executive said it was of greater importance that private charity should take over the duty completely of providing means for those physically unable to work.

"But we do want to emphasize 'work,'" he said. "Neither government nor government relief wants to help people who can work but who won't work."

### Business Closing Here Armistice Day Planned

Assurance that virtually all Salem business houses, other than restaurants and confectioneries, would close up shop November 11 in observance of Armistice day was given last night by Lawrence N. Simon. He said the Salem Business Men's League, of which he is president, had voted full closing on that day.

### Mrs. Anna E. Atchison Wins Round Table Recipe Contest

By JESSIE STEELE  
The winners of this week's recipe contest are as follows: First prize of \$4 in cash to Mrs. Anna E. Atchison, 1191 Sixth street; the second prizes of 50 cents each to Mrs. C. Harold, 2338 State street, and to Mrs. F. L. Wilson, route 5. All prizes may be obtained by calling at The Statesman office.

### First Hearing Held Upon Site Question Before Committees

Space Requirement Stressed With No Recommendation as to Definite Location; Heights Praised

Open Hearing is Scheduled Tonight; Bills Covering Three Choices Are Introduced in Senate

Capitol Developments Thursday

1. Bills introduced in senate covering state capitol reconstruction; alternate sites; old location; old location plus adjacent ground; Candalaria heights.
2. Bill passed senate authorizing advisory opinion on constitutional questions; may be used to get court opinion on limits eligible.
3. Public hearing last night at which state planning board and officials urged larger grounds.

THE house and senate joint committees in charge of the capitol construction question gave the planning board and state officials an opportunity to present their recommendations respecting a site and the requirements of the state for public buildings at an open hearing last night. A number of speakers appeared but the presentation was poorly organized and not effectively centered, in the judgment of listeners. No specific site was urged except that Architect Hutchinson of the highway department and Secretary Gosselin answered objections to the Candalaria heights proposal and praised its possibilities. The planning board speakers confined their remarks to emphasis on need for larger grounds.

### Film Celebrities' Homes Threatened

Flames Are Near Malibu Colony; DeMille's Place in Peril

SANTA MONICA, Cal., Oct. 25.—(Friday)—(AP)—The palatial retreats of scores of film celebrities were confronted with the most serious threat of the week's fire menace shortly after midnight when flames from the mountain country to the east were whipped by a strong wind to within a quarter of a mile of the Malibu beach colony.

W. H. Crowell, investigator for the planning board, who made studies of the space requirements for the next decade, said that the expansion had been 35 percent the past ten years, and gave an estimated increase of 55 percent for the next decade, with special emphasis on greater need for storage vaults. Jameson Parker, chairman of the public works committee of the planning board, discussed their studies of the problem which had begun even before the fire. He developed two principal points. First, the wisest plan, architecturally and economically is for a group of buildings, conceived in advance and built as needed; and second, the need for ample ground to begin with so heavy costs will not be incurred later. "Every capitol development since a civil war has been on the group plan," he said.

### Fire, Blast Wreck Large Paint Plant

NORTH KANSAS CITY, Mo., Oct. 24.—(AP)—Fire accompanied by a series of explosions injured three men and destroyed a three-story building at the plant of the Cook Paint and Varnish company here late today.

The company's loss was estimated by C. R. Cook, president, in excess of \$200,000. The fire which followed an explosion in a vat of chemicals in the concern's research laboratory, was controlled by firemen from Kansas City and North Kansas City after a three-hour battle.

A company employe, William Fleming, 25, a blender, was seriously burned when flaming liquid from the vat was thrown on him by the first explosion, the cause of which was not determined.

### Bill Lowering Pension Age Reported Favorably

The senate judiciary committee Thursday voted to report out favorably a bill by Senator Byron reducing the old age pension qualification from 70 to 65 years. This bill is in conformity with the federal security act enacted at the last session of congress.

### Long Range View Urged by Gosselin

W. L. Gosselin, secretary to the governor, speaking as a private citizen, urged long range development. He pointed out the logical direction of Salem's development would be south because of impediments in the other three directions. The present old buildings would continue to be used until obsolete.

O. R. Beas of Portland, chairman of the planning board, offered expert services to the committee and promised to furnish a technical man next week. Prof. F. A. Parsons of the university, also a planning board member, made a plea for planning to meet the needs of a growing state. It would be false economy and poor statesmanship to do otherwise, he said; and urged the board to take the capitol building (Turn to Page 2, Col. 4)