# Mahoney Deteats Copeland in NY Primary

## Borah Opens Constitution Debate With Plea for Free Court

## Sacredness of Instrument Is Theme in Talk

Theory Security Cannot Coincide With Liberty Assailed by Senator

Foreign Ideas Opposing US Plan Spread With Protection, Says

WAHINGTON, Sept. 16-(AP)-Senator Borah (R-Ida) appealed tonight for the maintenance of "uncontrolled courts" as the only guarantee that traditional American liberties will be pre-

in a speech commemorating the 150th anniversary of the signing of the constitution, he swung without preface into a discourse which carried his hearers back to the memorable battle of last winter over the administration proposal to re-

vamp the supreme court. Borah spoke in Constitution hall here at exercises sponsored by the Masonic order. His ad-

dress was broadcast. Still clinging to the objective of a reorganization of the high President Roosevelt also will deliver a Constitution

day address tomorrow night. -In addition to his remarks on the courts, Borah assailed as e termed a current nomic security can be had only by sacrificing personal liberty. He criticized those who, he

said, have been asserting that the longshoremen, that the charthe constitution is not a "sacred document." It is sacred, he said, against all changes except those written into it by the peo-

He referred scornfully to developments in the lands of the dictators, declaring that the constitution and free courts to interpret it safeguard America against such experiences. Recent Statements

In Germany are Hit And he took brusque exception to the recent statements emanating from Germany concerning the rights of nazis abroad.

Without referring to Germany by name, Borah referred to a "high official of a foreign gov-"high official of a total day ernment" and declared that offihis country, coming here to preach their doctrine must be protected by our government, that they must enjoy, as it were, immunity in their efforts to sow the seeds of religious intolerance, race hatred, and arbitrary

power among us. will have liberty of expression, over it. but if they break the law they will be put on trial "not in the puppet courts of their homeland, cent burial in the pet cemetery. but in independent courts . .

Referring again to the need for untrammelled courts, Borah said: "There is no such thing as security for the masses or protection for minority groups, politi-cal, racial, or religious, never has been, and in the the nature of things never can be, under any form of government save government where the people through their representatives make the laws and uncontrolled courts con-

There have been times, he said, when "political forces" have sought to disregard constitutional guarantees, and in fact to "close the courts." Bulwark Against

Seizure of Power "But," he added, "when national feeling has run high-as national feeling at times inevitably will-when great leaders the Southern Pacific railway banks and schools. Business have swayed with the storm-as great leaders sometimes do-the supreme court tribunal created by the fathers has remembered the constitution and thrown its shield about all who sought its protec-

When, in the haste of zeal of (Turn to Page 12, Col. 3.)

### Roosevelt and Vandenberg Talk On Constitution

(By the Associated Press) Addresses of President Roosevelt and Senator Vandenberg (R-Mich) in their constitution

"debate" will be broadcas... All networks will carry the president's speech beginning at 9:30 p.m. (EST) tonight (6:30

WEAF-NBC will broadcast address of Senator Vanden-

### Leads in Debate On Constitution



WILLIAM E. BORAH

## Dockmen Soon to Get CIO Charter

Only one Sawmill Running in Portland; Reign of **Terror Is Denied** 

PORTLAND, Ore., Sept. 16-(AP) -Possibility of another major labor split loomed today with word that a CIO charter for the Portland local of the longshoremen's

union was en route by mail. had been informed by Matt Meehan of Seattle, coast secretary of ter had been mailed, and probably

would be installed next week. Brost said Meehan intended to come to Portland to attend a meeting of CIO sawmill workers

The AFL-CIO sawmill fight was (Turn to Page 12, Col. 2.)

## "Yes-Man" Parrot Of De Mille Dies

HOLLYWOOD, Calif., Sept. 16ing and annoying yes-man, Joshua Witten, on what is now "Moira," a parrot, was killed to-

from the lot by DeMille's order. DeMille," and thereafter the perrot forgot everything else it knew. "Moira" was brought to location where the battle of New Orleans was being filmed for "The Borah declared these emissaries | Buccaneer." A gun-carriage ran

DeMille swallowed his huge hatred of "Moira," ordered a de-

## Inquest Ordered In Hunting Death

Oval "Buck" Engdahl, 19, fatally and veteran's organizations. injured last night by a rifle bullet while hunting snipe with a companion, Frank Kurdna.

said Engdahl was walking in mentaries on the constitution by front of Kurdna when the latter's Charles A. Sprague. Closing mugun discharged accidentally, the sic by Salem band, Justice John bullet striking Engdahl in the rear | L. Rand of the state supreme court

Kurdna, the report said, carried bridge where help, rushed on a houses aside from banks will rehandcar, arrived too late.

## Halted, First Embargo Step

Planes and Pistols not to Go to China Upon US-Owned Vessel

This Nation Is Asked to Join With League in Mediation Study

SAN PEDRO, Calif., Sept. 16-(AP)-China-bound war planes and pistols were halted in Los Angeles harbor today in the first enforcement of this week's presidential

Nineteen military airplanes and two cases of revolvers consigned to Hong Kong, and two cases of cartridges consigned to Saigon French Indo-China, were removed from the government owned merchantman Wichita, which put in here today for fuel en route to

Capt. John Valentine Redmond said this part of his cargo was unloaded to a barge on orders to him from his home office in New "We are not going into the far eastern war zone," he said.

### (Turn to Page 12, Col. 2.) John Brost, local longshore- Early Pioneer of State Dies at 81

"We will take on fuel oil later

today or tonight and then move

Mrs.T. E. Abrams Resident Here Most of Her Life; **Funeral Saturday** 

Mrs. T. E. Abrams, early Oregon pioneer, died at her home yesterday, at 81 years of age.
Funeral services will be held at Rigdon's Mortuary at 11:00 a. m. Saturday with Dr. J. E. Milligan conducting. Burial will be in the family plot in the Odd Fellows' cemetery

Odd Fellows' cemetery. Mrs. Abrams was born September 20, 1855 on the dona-(AP)-Cecil B. DeMille's most cloy- tion land claim of her father, Division street between 82nd and 40th streets in Portland, Oregon. Her father crossed the plains in

> her folks traded their land banks of the Willamette Slough at Salem, and later moved to Lincoln where they built a grist mill and sawmill, which were (Turn to Page 12, Col. 2.)

## **Constitution Day** Will Be Observed

Observance of the 150th anniversary of the signing of the NORTH BEND, Sept. 16 .- (AP)- gram at 10 a.m. in the auditorium Coroner Ennis Keizer of Coos of the new Salem high school county said today an inquest building under sponsorship of the would be called in the death of Marion County Bar association

Music by high school band, Gordon Finlay, director. Invocation The report received by officers by the Rev. George H. Swift. Com-

will preside. All state, city and county ofhis injured companion a mile to fices will be closed, as well as the

## FR Request for Resignation Snell to Present Of Hugo Black Being Talked 94 With License

WASHINGTON, Sept. 16-(AP)- sional leaders in the ranks of Talk that President Roosevelt the Klan. might ask Justice Hugo L. Black to resign from the supreme court was heard in the capital today amid new and bitter criticism of the Alabaman's alleged Ku Klux Klan member-

The Washington Evening Star had filed an information with person said the impression was growing the high tribunal contending that the president would adopt such a course unless he receives a flat denial from Black that he had been a member of the hooded order.

Discussion of possible presidential action in the case highlighted a number of develop- creased." berg at 1 p.m. (EST) today berg at 1 p.m. (EST) today (10 a.m. Salem time), and CBS will broadcast his speech to-will broadcast his speech to-morrow night at 9:45 p.m. Salem time).

(EST) (6:45 p.m. Salem time).

there was no vacancy in the court's membership for Black to fill and that he was automatically eliminated from appointment because he was a member of congress when "emoluments" for supreme court justices were "in-

In Chicago, Hugh S. Johnson testing station.

## Munition's Are Constitution's Makers Weary, Worried Group After Completing Task

One Looks Ahead to Today, 150 Years Later With Question as to Whether Nation May Endure; Washington Hurries Home to Harvest

By FRANK I. WELLER WASHINGTON, Sept. 16-(AP)-Writers of the constitution rose from their task at Philadelphia 150 years ago tomorrow with the behavior of wrangle-weary men-not awed witnesses to the manifestation of a miracle. They were just plain glad to get away, hopeful they had

will 150 years hence remain one

one historian, they (the writers)

the dined together and took cor-

(Turn to Page 12, Col. 7.)

Lindy to Become

in US, Reported From

Reliable Source

NEW YORK, Sept. 16-(AP)-A

professional source associated

with Col. Charles A. Lindbergh

said today the famous flier in-

tended to renounce his American

citizenship and become a British

The informant declined to be

quoted, or to permit use of his

name, but his connection with

Lindbergh was an established one.

The Lindberghs sailed for Eng-

land nearly two years ago. Under

English procedure it is necessary

resided in British territory for

five years within the last eight

diar leave of each other."

made it certain the republic would live, but a little apprehensive about the problems of fu-Library Contract ture generations. 'Can it be supposed," summed up Nathaniel Gorham of Massa-Goes to Hoffman chusetts, "that this vast country, including the western territories,

Construction Will Start at Once; Cost to Be Around \$90,000

L. H. Hoffman was awarded the contract for building the new Willamette university library at a meeting of the executive committee Thursday. He was the low bidder. Hoffman is now building the postoffice and recently completed the new senior high school. He will start work immediately. Eleven bids for the general contract were received.

Other contracts awarded were: H. C. Hastorf, Inc., Portland, plumbing, heating and ventilation; Jaggar-Sroufe, Portland, electric wiring; Imperial Furniture company, Salem, floor cov-erings; Art Metal Construction company, book stacks.

Total cost of the building, including architects' fees is approximately \$90,000. The library will be located directly east of Waller hall. It will be of reenforced concrete, faced

## Cyclist Tries to Hook Truck, Hurt

Tillman Houser, while riding his bicycle across the Polk-Marfon counties bridge, was severely injured late yesterday afternoon when he attempted to hook a truck and was thrown under the

Houser, whose home is on North Church street, was rushed Deaconess hospital where his condition was reported to be favorable at a late hour last

W. R. Tomison of Silverton, critically injured when struck by a car Wednesday night, was reported a little better. He is now in the Deaconess hospital.

## **High Schools Are** Opened in Chicago

CHICAGO, Sept. 16-(AP)-Public ed today after a nine day extension of the summer vacation due to the infantile paralysis outbreak. Officials deferred a decision on the opening of the elementary

schools since 90 per cent of those stricken were between the ages of death were reported for the latest 24-hour period, increasing the

## total number of cases to 242 and the number of fatalities to 20. **Expert Driver of**

PORTLAND, Sept. 16-(AP)-Word also came from Boston Civil war veteran, who passed that Patrick Henry Kelly, Bos- the rigid state automobile drivton attorney and a member of ers' examination without an erthe supreme court bar for many ror, was advised today that Secyears, had challenged the le- retary of State Earl Snell a six gality of Black's appointment to planned to make the presentathe bench. Kelly announced he tion of his driver's license in

around a good many applicants half his age," examiner Ray Hills' 27-year-old flivver estabits own claim to fame

up at the Portland municipal gave the Beavers no chance for

## **Peiping Front** Has Spotlight In Orient War

Sent North to Stop Nippon Thrusts

Recapture of Lotien Is Claimed at Shanghai; Cholera Menaces

PEIPING, Sept. 17-(Friday)-(AP)-Two armies of crack Chinese central government divisions were reported being rushed into north China today to end the slaughter of half-armed regional troops and break the Japanese advance to the

The main body of the Japanese army of 60,000 men effected the crossing of the Chuma river Promptly on adjournment, said under the brilliant light of last night's moon and pursued the "marched to city tavern where bravely resisting Chinese rearguard toward Chochow, the new Chinese advance base 40 miles south of Peiping.

That is quite possible, but six members who flatly refused to sign the convention document, retreating eight division of Chihad gone home in disgust. Ten others quit long before the finish, leaving the show to 89 who

Britisher, Claim ed stand at the river but without artillery and airplanes were unable to halt the smooth Japanese war machine. Heavy toll of the To Renounce Citizenship two Japanese advance regiments was taken, however, by Chinese machine gun fire as the moon silhouetted the Nippenese on the

SHANGHAI, Sept. 16-(AP)-Rapid Japanese advances in sweeping (Turn to Page 12, Col. 1.)

## Howard's Faction Wins one Victory

LOUISVILLE, Ky., Sept. 16-(P)-Factional differences within the organization occupied delefor a prospective subject to have tion of the International Typographical union today while the printers waited restively on a years before application can be committee report on a proposal to

made. One of these five years affiliate with the CIO must have been spent continuously in the part of the British Isles where the applicant is to become a subject. The application must be signed by two British householders for filing with the home office, which has the final The only comment on the citizenship report from those personally closest to the Lindberghs came from his attorney, Col. Hen- at every convention an appeals ry Breckinridge, who acted as the committee be elected. Under the

Donald A. McLeod Reported Missing CIO-AFL affiliation proposal is expected to report tomorrow, the

## Convict Walks out

statewide search Thursday for Donald A. McLeod, for the past 18 months an employe of the state department. His wife and two children live at 1511 Summer McLeod left his home Wednes-

(Turn to Page 12, Col. 1.)

that he may have suffered an attack of amnesia. At the time McLeod was last

He came to Salem from Hood several days prior to leaving had suffered from a severe headache.

## Late Sports

spelled defeat for the Portland Beavers here tonight as Oakland clinched a 7 to 4 victory with a six-run spree in the fifth in-Judnich brought in the initial

Oakland run with a homer in the first. Then, in the fifth, with the count 4 to 3 for the Oaks, he greeted relief pitcher Bill Thomas with another circuit clout with two aboard. Larocca, pitching for

Two Chinese Armies Are

The Japanese were striking the

nese provincial troops both in the front and on their right wing. The van of the sweeping 50-mile Japanese flanking movement was reported within eight miles of Chochow on the Peiping to Hankow railway. The Chinese made a determin-

The members of the "progresof ITU President Charles P. Howard of Indianapolis, who also is a strong advocate of withdrawing the union from the AFL and taking refuge under the CIO banner, won a victory today when the convention adopted a committee report opposing a plan to amend present laws the president appoints members of the appeals committee provided there are no obections, but if there are, then

The committee studying the

WALLA WALLA, Wash., Sept 16-(AP)-Edwin Seehafer, admitted from Pierce county, walked away from the state prison garden this afternoon and became the object of a widespread search. He had day morning and his friends fear three months left to serve on a forgery conviction.

Holds big Lead Over Copeland



JEREMIAH T. MAHONEY

## Italy Holds Firm **Upon Its Refusal**

Further Conference May Provide Graceful Way To Join Movement

LONDON. Sept. 16-(AP)-Italy stood firm tonight on her refusal to join the Mediterranean "antipiracy" patrol on any basis but full equality with Britain and

any further move to bring her to sweep submarine "piracy" from the Mediterranean, must come from London or Paris. The deadlocked crisis, born of

Spain's civil war, became intensified as Britain and France pushed their naval concentrations of almost wartime proportions in waters Italians call mare nostrum-In London and Paris statesmen were likewise firm in asser-

gle over "piracy"-which both Soviet Russia and the Spanish government have blamed on Italy -must come from Rome. A high Italian said in the fascist capital: "It is useless to talk

tions the next overture in the tan-

further of Italian negotiations or proposals in the matter." Diplomats saw one possible way out of the impasse. A conference of the Nyon powers tomorrow to consider aircraft cooperation with the naval patrol may give Italy a chance to sub-

"constructive suggestions" for joining the anti-piracy fleet. The tempo, of French and British naval activity showed the two countries determined to lose no time in taking virtual command of the Mediterranean.

## **Boy Bites Mouse** To Keep it From Going on 'Inside'

ROCKAWAY, Ore., Sept. 16. (A)-Short short story, two characters:

Boy, 9, tunneling through hay in neighbor's barn at Lake Lytle. Very warm, mouth open. Mouse, frightened by boy, jumps in open mouth. Boy bites.

"Aw, what could I do? I didn't want it to run clear down to my stomach," he reassured his frightened mother.

"Anyway, it was a clean

## seen he was driving a Ford two-door sedan, lonse No. 230-230. Burk Policy Unchanged Upon River in January, 1936. Mrs. McLeod said her husband had been in poor health and for several days price to the control of the

No change in his policy of arresting any persons attempting to letter of the assistant attorney operate pinball games in Marion county, will result from the letter which Sheriff A. C. Burk received Thursday from Walter Tooze, attorney for pinball interests, the sheriff said in a prompt letter of response.

Tooze wrote Sheriff Burk in "You will note that Judge Walker has held that pinball games are not lotteries and that their operation is legal under the 1935 law when licensed.

"Most of the district attorneys county case before taking or the machines in question has been last April when it passed with Oaks, allowed only two hits durflying colors an intensive checking the last four innings and with regard to these machines. bell cases.

"It is our opinion that the general with regard to these matexcuse or defense for law enforcement officials, particularly in view of Judge Walker's decision. "In those counties where continued unlawful interference with our property is threatened, we

believe that the sheriff and his Sheriff Burk replied: "It is the position of this office that we take our advice from the duly appointed or elected officer to give advice. In this case he and sheriffs are awaiting action is the assistant attorney general. by the supreme court in this Polk "In this county the legality of

"We hold that under the "This office will continue to act chwemler decision the supreme under the instructions of the at-

## LaGuardia Has Big Lead Also In GOP Tussle

Tammany Takes Licking Candidate Refuses to Admit It yet

Victory Is Triumph for Roosevelt, Declares Democrat Choice

NEW YORK, Sept. 17-(Friday)-In New York's democratic primary for mayor 2,-950 election districts out of 3,797 gave:

315,243; LaGuardia 42,008. In the republican primary 1,950 election districts out of 8,797 gave: Copeland 85,436; LaGuar dia 61,041.

Copeland 175,006; Mahoney

NEW YORK, Sept. 17-(Friday) (AP)-A growing lead rolling up from Boroughs outside Manhattan appeared early today to assure victory for the pro-new deal candidate, Jeremiah Titus Mahoney over Tammany-backed Royal S. Copeland in New York's democratic mayoralty primary. Tammany's Manhattan faithful

had been all but inundated, on

the basis of far from complete

returns, by the wave of Mahoney

votes pouring out from Brooklyn,

-all of whose organization leaders are followers of Postmaster General James A. Farley. Copeland, a member of the U. S.

senate, refused, however, to concede defeat. "The returns are too meager." he said. "It will be noon, I believe, before a very definite account of the vote can be made.

In the republican primary, which he entered in an effort to bring to his support the conservatives of both parties, Copeland appeared also to have met disaster. Mayor F. H. LaGuardia, who President Roosevelt and supported him in 1936, had a heavy and apparently safe lead.

Tickets Carried By Two Leaders Both LaGuardia and Mahoney were carrying their tickets along with them to prospective victory. were Joseph D. McGoldrick for city comptroller and Newbold Morris for president of the city council; Mahoney's were Frank J. Taylor and Max Schneider; Cope-

land's, Frank J. Prial and Samuel

The Tammany leadership, it appeared, had suffered a sound beating-always barring any wholly unforeseen contingency that might conceivably change the complexion of the primarywith the prospect that the Farley wing must necessarily have greater voice hereafter in the councils of ancient Tammany. Mahoney's candidacy resulted directly from the revolt of the democratic leaders outside Manhattan at Tammany's insistence upon running a man regarded by those leaders as definitely

hostile to President Roosevelt. Copeland as a senator had voted against the new deal on major issues and during most of his campaign he was pictured (Turn to Page 12, Col. 7.)

## Elder Statesman Is Seriously III

OKITSU, Japan, Sept. 17-(P)-Prince Kimmochi Saionji, last of Japan's elder statesmen and long ment of the empire, was stricken seriously ill today on a train journey from Gotemba.

A stretcher was hurriedly summoned and used to carry the \$5year-old genro to a taxi in which he was rushed to his home here. A specialist was immediately called from Tokyo to attend the prince. The nature of his illness has not yet been determined.

> DALLADE B of TODAY

One hundred fifty years age thus launching this great nation on its way, though some of them with doubts were sorely smitten; since then this struggling land has found its place, that paper is a sacred