

SIX

**BLACK NOMINATION
GETS FIRST O. K.**

(Continued on page 6)

John L. Lewis, C. I. O. leader, was confirming the appointment.

Neely said, however, that no one had asked for a hearing and he believed none was necessary.

He expressed the opinion that members of the committee knew Black's record completely.

Regarding the question of Black's appointment under the constitution, Neely felt it was not the duty of the subcommittee to "construct the constitution."

"The duties of the subcommittee," he said, "are restricted to a determination of the qualifications of the eligibility of Senator Black for membership on the supreme court."

Borah to Vote "Yes"

Senator Borah (R., Idaho), announced he was voting for confirmation of Black on the basis of his personal fitness for the office, and without regard to the constitutional questions. He reserved the right to raise them later.

Some details of the secrecy in which Black's name was sent to the senate were brought out at the president's conference with newsmen.

Asked when he decided to nominate Senator Black, Mr. Roosevelt said he could not disclose when he made decisions.

Responding to further questioning, he said he wrote Black's name on the nomination certificate with his own hand and told only Black about it in advance of its going to the senate.

Chairman Acheson announced later the full judiciary committee would meet Monday when presumably it will receive the subcommittee's report.

Acheson predicted the senate would confirm the nomination by Thursday of next week.

**ARTILLERY ROARS IN
SHANGHAI BATTLE**

(Continued from page 1)

Shelling Woonung persisted all night, without exact confirmation. This seemed highly probable. The Japanese said Chinese troops at Woonung were menacing their industrial properties in the vicinity and interfering with Japanese military landings.

Since Woonung's forts are at the Whangpoo-Yangtze confluence, their guns constitute an obstacle to any Japanese effort to send troops farther up the Yangtze, and troops at Lihoo and other strategic points and attack Chapei and other Chinese areas of Shanghai from the rear.

Greater Shanghai's civic center at Kiangwan, constructed at the cost of many millions of dollars and years of labor, seemed gravely threatened in the area north of the main city.

Flames stabbed skyward into the darkness from that direction,

and there were reports the splendid buildings already were burning.

Hongkew Deserted

Within Hongkew, at the north of the international settlement, a deathlike silence fell around midnight.

The little men from Japan were supreme in Hongkew. Thousands of houses and modest shops, normally containing a multitude of only Chinese workers were without a living soul.

Dozens of windows and doors gaped open as if with empty, crazy grins inside, the furniture and belongings stood untouched. The people just left everything and fled.

A trench mortar duel, which shook Shanghai as Friday's darkness fell, was over by midnight. Japanese batteries about their Hongkew headquarters fell mute.

In Chapei, too, the Chinese seemed content to call a brief halt. But the flames crackled on one Japanese told me the Japanese had set some of the fires "in order to clear our vision toward Chapei."

One area of ten blocks of burning structures, the homes and stores of the unfortunate who braved Chapei again after losing everything in 1925, cast a pall of unnatural light over the city.

Unconfirmed reports said Japanese warships were shelling the Woonung forts, which guard the Whangpoo entrance to Shanghai by water. Two crack Chinese divisions were reported under orders to take positions at Woonung, ten miles from Shanghai proper.

Two huge fires broke out in the vicinity of the bombarded wharf. The conflict may become more serious because of a threatened battle in the air. Japanese aircraft carriers are believed to be lying off Shanghai, crisscrossed with planes and ready for action. The rejuvenated Chinese air fleet has not appeared on the scene, but a lone Chinese plane scouted Japanese positions during the day.

Japan was expecting reinforcements by sea but the blue-jackets and warships tied up to Shanghai wharves.

Chinese Block Rivers

Chinese blockaded the Whangpoo river directly off the waterfront of the French concession, south of the international zone, to forestall a Japanese thrust.

Up the Yangtze, the Chinese government blockaded and mined the river at a point 100 miles above the Woonung forts to prevent a possible attack on Nanking, the Chinese capital.

The Yangtze was closed to navigation below Chinkiang, 130 miles up river from Shanghai.

Chinese attacked Japanese cotton mills and other industrial plants on the extreme northeast border of the international settlement, the Japanese said.

The properties are in the Yangtze delta district, where machine gun skirmishes were seen earlier tonight.

A Japanese naval officer said

Chinese troops late today blew up three bridges in Chapei. At the same time, he said, they began a violent bombardment of Japanese positions in the Hongkew area, using field pieces and mountain guns.

"As a result, our forces were compelled to reply with trench mortars, forcing the enemy to retreat," the officer said.

Despite a day of steady military activity neither faction appeared to have gained an advantage.

Seemingly conservative estimates placed the number of Chinese regular troops about Shanghai at 20,000. Japanese black-jacks numbered about 7,000.

**WAGE-HOUR BILL
AWAITING ACTION**

(Continued from page 1)

National labor relations board is the surest way to kill the law, Cassius R. Peck, Portland lawyer, told the regional trust conference today.

Labor unions should be among the first to work for amendment of the act and by insisting upon fairness, forestall loss of public confidence, he asserted.

"If union representatives overreach and make a racket of their occupations and institutions, the public will revolt, will repeal the act and will give continuing effect to the principal of equality in labor bargaining by the establishment of public units with trained negotiators who will conduct all labor bargaining."

Peck said amendments needed, including the right of the employer to tell his employees his opinion of union membership, prevention of economic pressure or intimidation by unions, reserve the right of lockout to the same extent that the right of strike is reserved, prohibit slow down or sit-down strikes, require the labor board to support its findings by the greater weight of evidence and not by any evidence such as hearsay, and provide that courts in reviewing board proceedings may disregard hearsay evidence.

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beef 6.25-7.00 including load 11041 lb. at 6.85; good young up to 7.15; huffs mostly 5.75-6.25; odd head 6.40; few good steers 5.50-5.90; various headlight of Japanese; deluxe up to 10.00; common medium 6.00-8.00; medium to good 2.97-3.10 lb. calves 6.50-8.25.

SHEEP: Market slow, steady; wool, few, fairly good spring lambs 8.75; some held 9.00; common medium 7.00-8.50; few yearlings 5.50; good slaughter even saleable up to 3.75.

PRODUCE

PORTLAND, Aug. 12.—(AP)—
BUTTER—Prints, A grade, 34c lb. in parchment wrappers, 35c lb. in cartons; B grade, 33c lb. in parchment wrappers, 34c lb. in cartons.

BUTTER—(Portland delivery, buying price)—A grade, 34-34c lb. country stations; A grade, 33-32c lb.; B grade, 31c lb. less; C grade, 6c less.

EGGS—Buying price by whole salers: Extras 21c; standards 19c; firsts 18c; medium 19c; medium firsts 16c; undergrade 14c dozen.

Cheese, country meats and live poultry unchanged.

POTATOES—New crop Yakima gems, \$1.25-1.40; Yakima White Rose, \$1.25 central; local, \$1.15-1.25 orange box.

CANTALOUPE—Turlock, jumbo 45c, \$1.25-1.50; standards 45c, \$2; jumbo 35c, \$1.25-1.50; Yakima standards, \$1.50 crate.

Onions, wool, hay, horse, mohair and carcass barks, unchanged.

**CHICO MARX HURT
BY BOTTLE HURLER**

LOS ANGELES, Aug. 12.—(AP)—

Accused of holding a liquor bottle at a prize fight and injuring Movie Comedian Chico Marx and his wife, Theodore Watts, 27, negro, was held in default of \$1500 bail today pending his preliminary hearing next Monday.

He was charged with assault with a deadly weapon. Marx was cut on one hand and his wife on one eye by the flying glass. Al Johnson and his wife, Ruby Keeler, sat next to the Marxes but escaped injury.

**MARKET
REPORTS****LIVESTOCK**

PORTLAND, Aug. 12.—HOGS: Market active fully steady; good choice 145-210 lb. drivens mostly 12.50, load lots quotable 12.75; 220-280 lb. 11.75-12.00; 130-155 lb. 11.50-12.00; packing sows largely 9.00; lightweights up 9.25; feeder pigs 11.25-11.50.

CATTLE: Market active fully steady, some she stock shade higher; scattered common medium grass steers 6.25-8.50; good eligible 10.25; 2 loads grass heifers 8.50 and 8.85; common medium cows 7.75; low cutter and cutter cows 7.00-4.75; common medium including but dairy type 5.00-5.75; good

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