

# Sino-Japanese Fighting Breaks Out Again

## Dictator Fear Seen, Passage Of Court Bill

### Rights of Labor Periled if U. S. Adopts System of Italy, Germany

### Interest in Major Issue Reflected by Crowds in Senate Gallery

WASHINGTON, July 10.—(AP)—Senator McCarran (D-Nev) told the senate today the administration's court bill might prove "the entering wedge" for a dictatorship like those which he said had wiped out the rights of labor in Germany and Italy.

Speaking against the advice of his physician, the liberal Nevada Democrat appealed to organized labor to join quickly in the "crusade" to prevent enlargement of the supreme court "because it might be too late tomorrow."

He carried his assault against the compromise judiciary bill before galleries packed to the doors with perspiring, linen-clad spectators.

### Wrangle of Previous Days Absent

The debate, called by many senators the greatest in two decades, was free from the parliamentary wrangles of the previous three days.

McCarran, his stone-grey curls damp with perspiration, talked for three hours with few interruptions save those from his fellow Democrats who oppose the bill.

He told his associates doctors had warned him against strenuous debate, but that he believed "the cause in which I have enlisted is worthy of any man's life."

"We have constituted a battalion of death to the end that the constitution may prevail," he said.

As he left the chamber late in the afternoon, he told friends that Senators Bailey (D-NC) and O'Mahoney (D-Wyo) would carry on the fight with prepared addresses next week.

McCarran—long a pillar of the new deal—said President Roosevelt "has no intention of becoming a dictator."

He argued, however, that passage of the court bill would set a precedent which some later president might use to "destroy" both the judicial and legislative arms of the government.

Pointing to the growth of dictatorships abroad, he declared that the people of many nations "are praying, imploring that this republic will hold itself steady."

### Fundamental Plan Must Be Retained

"We should not by one jot nor tittle change the fundamental organization of our government at this time," he said.

"The hour is coming when you and I will be called upon to say whether the seeds of destruction being sown in this government today from afar will take root and bloom to the fruition that will poison the atmosphere of the whole world."

McCarran blamed congress for (Turn to Page 16, Col. 1)

## Modernization of Building Planned

The trend toward modernization of downtown Salem buildings received further impetus when a permit for \$3,000 to dress up the two-story structure at 441-447 Court street was issued at the city engineer's office yesterday, to Bert Ford, owner.

An ancient marquee will be removed, and the entire face of the building will receive modern lines and decorations. Occupants of the structure are the Upstairs Furniture Co., Madsen Bakery, Breithaupt florists, and Gibson hat shop. Double windows and venetian blinds will be installed on the second floor.

In the only other permit issued yesterday, Bradford Collins will repair dwelling at 680 Oxford, costing \$64.

## Dress-up Days at Playfields Friday

Annual dress up day will be the highlight at both Leslie and Olinger playgrounds this week. The event, expected to draw scores of entrants, will take place Friday, July 16 at 2 p. m.

Prizes will be awarded in the following classes: Prettiest costume, most unusual, best representative, funniest, most original, and another section will be judged for best foreign costumes, historical character, and the best representation of a current character which contest last year brought out dozens of Mae Wests and Charlie Chaplins.

## Colorado's Search for Amelia Ends; Lexington to Begin Final Efforts

### Aircraft Carrier and 62 Planes Will Cover New Stretches of Ocean and Island; Putnam Halts Long Vigil at Radio, Oakland

HONOLULU, July 10.—(AP)—Planes of the battleship Colorado completed their search of the Phoenix islands tonight without a sign of Amelia Earhart and her navigator, Frederick J. Noonan.

The three catapulted aircraft after returning from a fruitless morning flight, this afternoon explored Canton island, largest of the Phoenix islands archipelago, to the south of Howland island, but with results equally discouraging.

While planes and ships doggedly continued their hunt, the part the aircraft carrier Lexington will play in the search remained undisclosed by navy officials. However, the carrier, carrying 300 naval aviators for a "last chance" survey of the south sea area in which Miss Earhart and her navigator disappeared eight days ago, was not expected to cover the same area already explored by the Colorado's fliers. This indicated the Lexington's fliers may first explore the Gilbert islands, about 400 miles west of Howland island.

George Palmer Putnam, husband of Amelia Earhart, (Turn to Page 16, Col. 2)

## Invitation Comes By Pony Express

### Eugene-Salem Ride Takes Six Hours, 21 Minutes; Ten Horses Needed

Astride frothing saddle horses which suffered from the heat but came through in good shape due to skilled horsemanship, Henry and Robert Christensen of Eugene "carried the mail" from that city to Salem Saturday in six hours, 21 minutes as they brought a special invitation to Governor Charles H. Martin to attend the Oregon Trail pageant in Eugene July 22 to 24.

Robert Christensen took the scroll containing the message, together with the "keys to the city" as he started from Eugene at 8:30 Saturday morning. Nine times horses were changed, and Henry Christensen took up the riding duty at Albany. He galloped his steaming mount up State street and arrived at the state office building at 2:51.

There, surrounded by a bevy of attractive pageant princesses who had come on ahead by automobile, Governor Martin stepped forth and accepted the invitation.

The time made by the Eugene horsemen was declared better than that made by their pony express predecessors of 75 years ago, when seven hours was considered excellent time. The highways now may be straighter than the roads followed then, but the horsemen were handicapped by the hardness of pavement in places where they could not ride along the highway shoulder, and by heavy traffic.

The stunt was engineered by Zollic Volchok of Salem, pageant publicity manager. It was reported that the riders won a \$100 purse by getting in under the seven hour deadline, and that numerous bets were made in Eugene that they couldn't do it.

George Clark, one of his attorneys and long a golfing associate at the exclusive Film Colony club to which Montague belongs, advised Gov. Frank F. Merriam in Sacramento he would ask for a hearing when formal extradition papers arrive from the east.

Leaving the cell where he spent the night, Montague, whose real name was disclosed as La Verne Moore, chatted amiably with officers and reporters. The latter was in marked contrast to the years he spent shunning the publicity heaped around him for his (Turn to Page 16, Col. 3)

## George Gershwin Is Critically Ill

LOS ANGELES, July 10.—(AP)—George Gershwin, noted composer, was critically ill with a brain tumor here tonight and specialists were summoned for consultation.

"Mr. Gershwin is here for observation for a brain tumor," said a bulletin issued by three attending physicians. "His condition remains critical."

Dr. Howard Nafziger, of the University of California medical school, Berkeley, flew here tonight and Dr. Gabriel Seagall said it was expected Dr. Walter Dandy, of Johns Hopkins university, Baltimore, also would fly here for consultation. He said an operation had not been fully decided upon.

Coast guard officials contacted Dr. Dandy by telephone at Cambridge, Md., after he had landed from a yacht in which he was cruising in Chesapeake bay with Governor Nice, relaying to him the urgent request to hurry here by airplane.

## CIO Promises to Aid Farm Workers

DENVER, July 10.—(AP)—The Committee for Industrial Organization turned from steel and motor industries tonight to agricultural, cannery and fruit and vegetable packing house unions.

John Brophy, national director of the CIO, pledged in an address to a convention of 99 delegates representing 90 separate unions, the John L. Lewis-led workers' organization would take up the task of winning for the farm and cannery workers "the rewards to which they are entitled."

Brophy came from Washington, D. C., to act on the request of the unions for a CIO charter as a consolidated organization claiming 1,000,000 workers.

Brophy addressed an audience of about 400 workers and their wives, including negro cotton pickers and Spanish-American beet field laborers.

## City Dwellers Stage Exodus To Avoid Heat

### Weekend Has no Promise of Relief; Season's Records Smashed

### Thundershowers Fail to Give Much Aid; Death Toll Rises to 164

(By the Associated Press)  
Thousands of Americans fled to beaches, mountains and woods Saturday to escape the scourge of oppressive heat.

Perspiring forecasters spurred the hegira by predicting the hot pall that has covered most of the nation for four days would hold away through the weekend.

Newly reported fatalities increased the death toll to 164. Meteorologists said condensation of rising air, warm and moist, might cause local thunder showers at many points, but that they would bring little relief to the 90 and 100-degree swelterbelt stretching from the western plains to the Atlantic seaboard.

Roosevelt Seeks Coolness on Ocean  
President Roosevelt left humid Washington for a "working cruise" aboard the presidential yacht Potomac in Chesapeake bay. Legions of city dwellers hurried to resorts, picnic groves, rivers, lakes and the ocean. Hundreds of the folks they left behind crowded parks—many to spend the sultry night on blankets under the stars.

Wilted weather fans in New York City watched the mercury rise again to the season's record mark, 95.1 degrees, but slightly cooler conditions were promised the upstate sector.

Storms left two dead in the Detroit area, but the temperature resumed its rise after reaching 87 at noon.

Newark suffered 93-degree heat. A reading of 94 at Marinette, Wis., was the highest of the year. The summer peak of 97 was equaled at Winona, Minn. Nashville's 91 was the top for the week.

(Turn to Page 16, Col. 3)

## Four Overcome in Vancouver Blaze

VANCOUVER, Wash., July 10.—(AP)—Two Portland firemen and two privates at the Vancouver Barracks were overcome by smoke late today as they fought to control a fire in the heart of Vancouver.

All recovered later at hospitals here.

Origin of the fire, discovered in the Flynn furniture store, was unknown, but damage caused before it was extinguished was estimated at \$18,000 by Pete Flynn, owner and operator.

Mel Hypes and Tom Turley of Portland Engine company No. 8, and Privates Jack Randall of I company and Robert Warren of K company were overcome by smoke although they wore gas masks.

## Ex-Albany Man Federal Envoy



William H. Hornbrook, Salt Lake City newspaper publisher, formerly in the same business in Albany, Ore., and prominent in Oregon politics, has been named minister to Costa Rica.—International Illustrated News photo.

Schedule Today  
1 p. m.—Portland Woolen vs. Cornelius.  
3 p. m.—Consolidated vs. Re-Mable Shoe.  
7:15 p. m.—Woodburn vs. Pacific Fruit.  
9 p. m.—Silverton vs. Toledo.

SILVERTON, July 10.—Sunday has been designated as Salem day at the Oregon semi-pro baseball tournament, with four games scheduled in which most of the teams will be heavily sprinkled with former Salem high, Silverton high, Woodburn high and Willamette university players.

Andy Peterson will pitch for Toledo against Silverton.

Tonight the strong Mantle club team was eliminated by St. Helens which made a comeback to win 13 to 6. Ed Reid of the Mantle club pitched good ball but was given poor support. The Portlanders rallied in the seventh and final inning for three runs but were too far behind to threaten.

Reliable Shoe's 3 to 2 victory over Toledo was the first setback for the strong Lincoln county team. Toledo scored first with two runs in the fifth after a lone deadlock in which the shoe fitters had done most of the hitting but not in timely fashion. In Toledo's half of the fifth Mebeles opened with a single, Turple walked and Pilleite sacrificed; Mullen was (Turn to Page 16, Col. 7)

## France Brings Pressure Upon Hitler, Duce

### Tells Committee Borders' International Control May Be Suspended

### Move Considered Threat to Reach Loyalists

PARIS, July 10.—(AP)—France brought pressure on Germany and Italy today to get them to return to full cooperation in the all-European effort to keep the Spanish war from spreading.

She formally notified her fellow members of the 27-nation non-intervention committee she would suspend international control of her Spanish frontier Tuesday unless similar control were restored on the Portuguese-Spanish border.

This control is designed to prevent the flow of arms and men to the warring Spanish factions. French to Control Own Frontiers

France's announcement did not mean she would open her frontiers immediately to that flow, for officials said the border would remain closed against it; but that French authorities, instead of international control officials, would maintain the barrier.

But diplomats read in the French notification a direct intimation to Rome and Berlin that unless they helped restore the control cordon around Spain, on sea and on land, she would carry out previous threats to return to "normal commercial relations" with the Spanish government.

That would have an important bearing on the civil war, since the French government is friendly to the Madrid-Valencia regime and could become an important source of supply for war materials.

International border control went into effect in France and (Turn to Page 16, Col. 4)

## RFC Commitment Given to Bandon

WASHINGTON, July 10.—(AP)—Mayor Gilbert E. Gable of Port Orford, Ore., rehabilitation commissioner for the neighboring community of Bandon, Ore., announced tonight that the reconstruction finance corporation has given a commitment for a \$200,000 loan for Bandon's rehabilitation.

The city was destroyed by a forest fire September 26.

"It appears that there is now some hope of building the proposed 'dream city' in Bandon's place," Gable said.

Friele said the plan party made two previous flights but fog hindered visibility. July 7, however, the weather cleared and the party flew with Pilot Jack Elliott, skirting the southern shore of Bristol bay until they sighted four vessels 28 miles off shore and southwest of the mouth of the Urazhik river.

Elliott kept his plane hidden above the clouds until above the vessels, then dived to within 50 feet of the decks, frightening the Japanese and causing them to dart about, Friele said.

He identified a large "mother ship" as the Taifu Maru, a vessel of about 6000 tons, and from its depth in the water, apparently about half-loaded.

## Seven Juniors to Represent Salem

PORTLAND, July 10.—(AP)—Junior golfers from all parts of the state will enter Oregon's tenth annual junior championship tournament Monday on the Riverside Golf and Country club course. A field of 200 was expected.

Salem players already entered include Carl McLeod, Ray Farmer, Frank Albrecht, Frank Nicholas, Gordon Benson, Mack Johnson, and Al Carrey. Corvallis entrants included Walter Bennett and Dick Hansen.

## Troop Trains Rush Soldiers to North China Battle Zone

### Truce Rumored Again but Conflict to Be Resumed at Daybreak, Expect; Marco Polo Bridge Near Scene

### Japanese Assert Victory Theirs When Lungwangmiao Captured; Circling of Peiping Is Possible Goal

PEIPING, July 11.—(Sunday)—(AP)—Troop trains carrying units of Japan's powerful Manchurian army were reported rolling toward the north China trouble zone today as Chinese and Japanese forces resumed their bitter, intermittent warfare.

They clashed again yesterday and last night along the Yungtingo river about ten miles west of Peiping, ending a precarious 36-hour truce. Although fighting ceased shortly before midnight it was expected to be resumed at daybreak.

The Japanese asserted they won the opening combat of the renewed conflict, capturing Lungwangmiao (temple of the dragon king) on the east side of the Yungting river about half a mile north of Marco Polo bridge.

Soldiers Clash Near Long Marble Span  
It was near this beautiful 900-foot marble span that the original conflict began Wednesday night, when units of Japan's north China garrison on night maneuvers clashed with soldiers of the Chinese 29th army.

The first truce was ended by an armistice Friday, by which the Japanese withdrew to the east of Yungting and the Chinese to the west.

Japanese declared the Chinese along the Yungting opened fire on them at 7:30 p. m. Saturday, the Japanese took up the challenge and seized Lungwanmiao after two hours' brisk fighting. They said their casualties were heavier than in the earlier phase of the conflict, in which they lost 10 killed and 22 wounded.

Chinese charged the Japanese had broken the truce several hours previously, when they sent 601 soldiers with tanks, machine guns and field pieces from Fengtai to the Yungting area, where they attacked the walled village of Wanpingshan.

There were Japanese reports of a fresh armistice early today, but the Chinese merely said they were trying to "halt the fighting by negotiation."

Dispatches Make Outlook Ominous  
Dispatches telling of Japanese reinforcements rushing to the Peiping area, some from as far away as Mukden, made the outlook ominous. Hitherto only units of Japan's relatively small north China garrison have been engaged. The dispatches indicated the army in Manchuria— which totals over 100,000— might become involved.

The Hopei-Chahar council, highest Chinese authority in the north, made public reports that ten trains carrying units of the Kwangtung army—Manchurian force of occupation—had rolled out toward Peiping and two already had passed Shanhaikuan, at the Manchoukuo-China frontier.

Chinese railway officials said two Japanese troop trains which passed through Tientsin reached Fengtai, where troops detached and moved off in different directions as if to encircle Peiping. About 100 Japanese soldiers were reported near Shih-kungshan, 11 miles north of Peiping. The trains were said to carry tanks, armored cars, field guns and machine guns.

## Japanese Salmon Fishing Snapped

NAKEEN, Alaska (via Kanakana), July 10.—(AP)—H. D. Friele, chairman of the Board of the Association of Pacific Fisheries, detailed today how he and other salmon fishermen dropped out of the clouds and surprised a fleet of Japanese fishing boats taking salmon in Alaska waters last Wednesday.

Copies of sworn affidavits from the party are being sent Secretary of State Hull, via Anchorage, accompanied by photographs taken from the airplane.

Friele said the plane party made two previous flights but fog hindered visibility. July 7, however, the weather cleared and the party flew with Pilot Jack Elliott, skirting the southern shore of Bristol bay until they sighted four vessels 28 miles off shore and southwest of the mouth of the Urazhik river.

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## SINO-JAPANESE WARFARE RESUMED IN NORTHERN CHINA



Renewal of hostilities between Japanese and Chinese forces in the Peiping district has taken a serious aspect with the reinforcement by Japan of its armies there, indicating fears of further trouble, and the resumption of fighting Saturday after an agreement was reported reached. Japanese troops are here shown as they marched into Peiping, carrying the flag of the Rising Sun, during former hostilities.—International Illustrated News photo.

**BALLADE**  
of TODAY  
By R. C.

In Silverton the ball fans roar as lusty base hits fill the air, or baffled sluggers fall to score when twirlers' curves their aim impair; to Salem fans have come reports that they're finished here today, to show their pride in valley sports and see some former home stars play.