

The Weather

Prediction Fair
Maximum 80
Minimum 48

MEDFORD MAIL TRIBUNE

MEDFORD, OREGON, WEDNESDAY, JUNE 14, 1922

Weather Year Ago

Precipitation Trace
Maximum 66
Minimum 46.5

NO. 72

LA FOLLETTE SLAMS TAFT AND COURT

"Fighting Bob" Tells Federation of Labor Supreme Court Must Be Made Amenable to People—Child Labor and Coronada Ruling Condemned.

CINCINNATI, June 14.—Asserting that by a "process of gradual encroachments," the federal courts of the country have "wrested sovereignty from the people," Senator La Follette of Wisconsin, in an address here today before the American Federation of Labor convention, proposed an amendment to the constitution denying the power of the lower courts to set aside a federal law as unconstitutional and providing for the nullification of any such decision by the supreme court by re-enactment of the statute.

Citing the recent decision of the supreme court holding unconstitutional the child labor law as "typical of the conduct of the federal judiciary, and particularly the supreme court, whenever congress has sought to enact progressive and humane legislation which was offensive to great financial interests," Senator La Follette declared the supreme tribunal of the country "was today the actual ruler of the American people."

"The law is what they say it is," the Wisconsin senator continued, and not what the people through congress enact. Even the constitution of the United States is not what its plain terms declare, but what these nine men construe it to be. In fact, five of these nine men are actually the supreme rulers, for by a bare majority the court has repeatedly overruled the will of the people.

"The nine lawyers who constitute the supreme court are placed in position of power for life, not by the votes of the people, but by presidential appointment. Ex-President Taft was made chief justice by President Harding. Thus a man was invested with the enormous prestige and influence of chief justice by presidential appointment who had been repudiated by the voters of the United States on his record. No one will contend that he could have been elected chief justice by vote of the people. And yet Chief Justice Taft wrote the opinion that annulled the child labor law; he wrote the opinion in the Coronado Coal company case. In making this observation I level no criticism at the personnel of the court. I am not concerned with personalities. I am dealing with fundamentals."

It cannot be denied that "we are ruled by a judicial oligarchy," the senator asserted, adding that while many of the minor federal judges "sharing the sovereign power" of the supreme court, were "excellent and enlightened men, some of them, notably Judge Anderson of Indiana and Judge McClintock of West Virginia, have in my opinion, shown themselves to be petty tyrants and arrogant despots."

"The time has come when we must put the axe to the root of this monstrous growth on the body of our government," Senator La Follette said. "The usurped power of the federal courts must be taken away and the federal judges must be made responsive to the popular will."

Rain Helps Oregon.

PORTLAND, Ore., June 14.—Generous rains in the principal wheat growing counties of Oregon during the past week were very beneficial to wheat, which had begun to suffer considerably from drought, according to the weekly crop report of the weather bureau. The rain was beneficial to raspberries and loganberries.

Maniac Runs Amuck, Slain After Killing 2, Wounding Three

DOUGLAS, Wis., June 14.—Seth S. Magnusen, railroad agent at Orin Junction, 15 miles southeast of here, died in a local hospital this morning from wounds received yesterday afternoon at the hands of Ernest E. Tubbs, maniac, who was killed in a gun battle after he had slain his wife and wounded three men. Magnusen is survived by a wife and two children. Deputy Sheriff John McPherson of Douglas and J. C. Graham who were also wounded, are recovering. Magnusen was shot through the stomach and an operation was performed last night.

HONOLULU MAN NAMED LEADER MYSTIC SHRINE

SAN FRANCISCO, June 14.—James S. McCandless of Honolulu was named today as imperial potentate of the Ancient Arabic Order, Nobles of the Mystic Shrine, in annual session here. McCandless' selection was by acclamation and without opposition, as he came into the position through the routine "moving up" of imperial council officers.

SAN FRANCISCO, June 14.—Election of imperial officers was the main business for the imperial council of the order of the Mystic Shrine assembled today, with the advancement of James McCandless of Aloha temple of Honolulu, deputy imperial potentate, to the head of the organization as a settled matter by virtue of long standing custom.

All other imperial officers, by the same custom move up one notch this year, the only contest being for the lowest position, grand orient guard. For this Ernest Mills of Seaside temple of Des Moines, Iowa, and John Fouché of Alhambra temple, Chattanooga, Tenn., are the principal candidates.

Serial events, automobile races at the San Carlos speedway in the afternoon, motor boat races and a yacht regatta are on today's program, with a repetition of yesterday's parade as the main event of the evening.

The grand ball for the retiring imperial potentate, Ernest Allen Cutts, of Savannah, Georgia, a banquet for him and other imperial officers and several other dinners took place last evening.

Mrs. Cutts and the wives of other members of the imperial council were guests at a women's banquet at which she was presented with a silver-tower bowl.

Leaders of the bands and patrols were guests at another banquet, while the association of recorders held its annual dinner meeting last night.

WENATCHEE PRODUCE CO. IS BURNED DOWN

WENATCHEE, Wash., June 14.—Firemen were still at work this morning at 8 o'clock at the Wenatchee produce company building, which was destroyed by flames early today. The cause of the blaze is unknown, with a loss estimated at \$150,000, most of which is covered by insurance.

The fire which was spectacular, was fanned by a strong wind and had gained much headway before the fire department arrived.

Leonard to Meet Tendler.

NEW YORK, June 14.—Benny Leonard and Lew Tendler will battle for the world's lightweight championship in Jersey City on the night of July 27. This was settled today when they signed articles.

RED TRIUMVIRATE IS SELECTED TO TAKE PLACE OF PREMIER LENINE

BERLIN, June 14.—(By Associated Press.) The independent socialist Freiheit declares today that a triumvirate will take the place of Premier Lenin of soviet Russia during a six months absence from Moscow which his health will oblige him to take. The three men who will hold the reins, according to this newspaper, are J. V. Stalin, Leo Kamenoff and A. I. Rykoff. M. Stalin is a Georgian bolshevist of

PRIZE WINNERS MEDFORD ROSE SHOW NAMED

Judges Announce Awards in Prosperity Week Exhibition at Chamber of Commerce Buildings—Declared One of Finest Exhibits Ever Made.

The ladies of the Greater Medford club, assisted by others interested in the Rose Show, worked diligently last night until a late hour and from early this morning until afternoon today arranging the roses for the exhibit in the Chamber of Commerce building and decorating with roses which were not entered in competition.

Medford people with rose gardens responded readily to the request for roses with which to decorate the entire building and the effect, which was gained with much hard work, is beautiful. Prizes were awarded this noon and the exhibit is now open to spectators. It is one of the most beautiful exhibits ever held in this city.

The prizes which were awarded by the judges, Mrs. M. A. Alford, Mrs. Lincoln McCormack and Prof. F. C. Reimer, were as follows:

Sec. A, class 1—6 roses of separate named varieties. First prize, Mrs. Olsen Arnsperger.

Sec. B, class 1—6 sprays, any named variety pillar or climbing rose. First prize, Mrs. Delroy Getchell, basket of cluster roses.

Class 2—6 sprays of any climbing or rambling rose. First prize, Mrs. J. W. Jacobs, Crimson Rambler.

Sec. C, class 1—Best rose from a garden. First prize, Mrs. J. F. Reddy, Lady Hollington rose. Second prize, Mrs. A. Buff, Los Angeles rose.

Sec. D, class 3—Two Roses, any named variety. Second prize, Miss Marion Van Sooye.

Sec. E—Hybrid roses, any named variety. First prize, Mrs. K. E. Hodsman, American Beauty. Hybrid Tea rose. First prize, Mrs. J. F. Reddy, Mrs. Melrose Superb. Second prize, Hybrid rose, Mrs. J. F. Reddy, Lyon Rose. Second prize, Hybrid Tea rose, Mrs. J. F. Reddy, Mrs. McClure Rose.

Sec. F, class 1—3 Hybrid Perpetual roses, any named variety. No entry.

Sec. G—Bowl or basket of baby or Polyantha roses, any named variety. First prize, Mrs. Jack Swann, Cecil Bruner. Second prize, Mrs. Katherine Swann, Cecil Bruner.

Sec. H—Bowl or basket of decorative roses with foliage, any named variety. First prize, Mrs. C. E. Whitman, Marshall Niel. Second prize, Mrs. Frank Gerdes Frau Karl Druschke.

Sec. I, class 1—10 roses any one variety. First prize, Mrs. J. F. Reddy, Lady Hollington. Second prize, Mrs. J. W. Jacobs, Red Richmond.

Class 2—10 pink roses, any one variety. Mrs. C. E. Whitman, Jennette Heller. Second prize, Mrs. Ness, Caroline Testout.

Class 3—10 pink roses, any one variety. Mrs. C. E. Whitman, Jennette Heller. Second prize, Mrs. Ness, Caroline Testout.

PROPOSE DR. PHIPPS FOR SCHOOL BOARD

The only candidate so far for school director is Dr. Ira D. Phipps, in whose behalf a petition has been circulated by friends. Dr. Phipps said this afternoon, "he had not definitely decided whether he would accept, but probably would." The election will be held next Monday.

BERGDOLL'S AIDE GIVEN RELEASE

PORTLAND, Ore., June 14.—A Gerald Pfaffenbarger, who was arrested yesterday after a fight with police officers who sought to learn the reason for a want ad of Pfaffenbarger asking for donations for Grover Cleveland Bergdoll, draft evader, was turned loose today after paying a fine of \$25 in police court on a charge of disorderly conduct. Pfaffenbarger explained to officers that he wanted donations to finance writing a history of the Bergdoll case.

MEXICO CITY TIED UP BY GENERAL STRIKE

MEXICO CITY, June 14.—Mexico City is without street car service today, the bakers are not working and the suspension of the light, power and water supply services was expected momentarily this morning as a result of a strike initiated by the street car men shortly after midnight. Elaborate precautions have been taken to prevent violence.

NEW RADIOPHONE HEADGEAR HAS NO MOUTHPIECE



This novel radiophone headgear is worn by the operator at the new "aerial lighthouse" at College Point, L. I. Note the apparatus beneath the throat. It takes the place of an oral transmitter, picking up the vibrations of the vocal cords right through the muscle and membrane of the throat.

MARTIAL LAW DECLARED, R. R. TRAIN FIRED ON

SALT LAKE CITY, Utah, June 14.—Governor Mabey issued a proclamation at 2:15 o'clock this afternoon declaring martial law in the Carbon county, Utah, coal district. This action was taken, he said, in view of the fatal shooting there today.

A mine guard named Webb was shot and killed and J. E. Lewis, general manager of the Standard Fuel company of Standardville, Utah, and an unidentified miner, were wounded today when a railroad train carrying new miners to the company's mine was fired upon by men in ambush, according to reports received here.

The train, belonging to the Utah Railway company, was ambushed at Jacobs, near Standardville, the advisers stated.

Superintendent Lewis was acting as engineer of the train, he having taken charge when the regular train crew refused to operate it when warning that it was conveying men to the mines to take the place of the regular miners who are on strike.

Governor Charles Mabey of Utah, upon learning of the shooting in the coal region near Standardville, Utah, ordered mobilization of national guard troops at Salt Lake City and Ogden for probable dispatch to the coal area tonight.

BASEBALL SCORES

National
BOSTON, June 14.—Outfielder Clifford Heathcote of the Chicago Nationals was knocked unconscious by colliding with Second Baseman Ford of Boston while stealing second in the seventh inning here today. After being examined by doctors he was carried off the field and taken to the club house, where he regained consciousness. Specialists were called to make a further examination.

At Brooklyn. R. H. E.
St. Louis 0 5 1
Brooklyn 4 9 2
Batteries: Pfeiffer and Ainsworth; Vance and Deberry.

At Boston. R. H. E.
Chicago 15 16 0
Boston 2 8 5
Batteries: Steunland and O'Farrell; Oeschger, Lansing, Braxton, Watson and O'Neill.

At New York. R. H. E.
Pittsburgh 0 5 1
New York 13 18 1
Batteries: Carlson, Hamilton, Yellowhorse and Gooch; Mattox and Snyder.

At Chicago. R. H. E.
Philadelphia 5 11 1
Chicago 6 14 4
Batteries: Helmach and Perkins; Faber and Schalk.

At Detroit. R. H. E.
New York 2 8 1
Detroit 6 10 1
Batteries: Jones and Deverner; Olsen and Basler.

At Cleveland. R. H. E.
Boston 0 3 0
Cleveland 3 4 1
Batteries: Collins and Chaplin; Coleskie and O'Neill.

BERLIN, June 14.—Another German specialist has been summoned to attend premier Lenin of Soviet Russia, it was stated here today. Professor Fleischer, a leading brain authority, has been asked to leave immediately for Russia.

Julius Pincus Dies.

PORTLAND, Ore., June 14.—Funeral services will be held here Thursday for Julius Pincus, well known hop grower and dealer of ore, who died here suddenly yesterday. He was a son of the late Isaac Pincus, a pioneer of Washington, and was born 51 years ago at Stellacoast, Washington.

CANNERY PRICE FOR BARTLETTS FIXED \$75 TON

California Pear Growers Name Price About \$10 Higher Than Expected—Quotation Means About \$62.50 Net to Growers Here.

California's Bartlett price for canners pears was named yesterday by the California Pear Growers' association at \$75 a ton for No. 1 grade and \$41 for No. 2s, according to telegraphic information received here by the Rogue river branch of the Oregon Growers' Co-operative association. The price was fixed at a joint meeting between representatives of the canners and the association.

This price is f. o. b. growers' shipping stations. In the more outlying districts a freight differential must be paid by the grower. The freight from the Rogue River valley to San Francisco bay points is \$12.50 per ton.

The California price announcement is hailed with expressions of general satisfaction by the local association officials and by Medford growers generally, being about \$10 per ton higher than was generally anticipated.

Paul A. Scherer, director of the Oregon Growers and Central Point orchardist, attended the meeting in the interest of the local organization.

ASK TEDDY, JR. TO INVESTIGATE JEW OUTRAGE, SCHOOL

WASHINGTON, June 14.—Theodore Roosevelt, acting secretary of the navy, was called upon today in a message by Congressman Isaac Siegel, New York, to make a thorough investigation of the indignity alleged yesterday by Senator Sutherland to have been suffered by Leonard and Kalan, a member of the graduating class of the naval academy.

The slight was in the perforation of the inner margin of the page in the academy's yearbook, "The Lucky Bag," which contained Kaplan's photograph and short sketch, and the omission of his name from the page index. Senator Sutherland, who said Kaplan was of Jewish extraction, attributed the indignity to racial and religious prejudice.

Characterizing the treatment of Kaplan as "a low down, miserable trick," Rear Admiral Wilson, superintendent of the academy, announced here today that he had withdrawn a letter of commendation which had been addressed to J. L. Omstead, editor of the year book. Kaplan's home is in West Virginia.

FLEEING MANIAC HOLDS UP SHERIFF AND NIGHT OFFICER

CHEYENNE, Wyo., June 14.—Fred Brown, alias Grimes, alleged maniac, sought by authorities of Omaha, Nebraska, for shackling two women in an isolated cabin and holding them prisoners for two nights before they escaped, doubled back, into Nebraska, from Wyoming last night and held up a night marshal and deputy sheriff of Dix, 18 miles east of Kimball, according to word received here today.

Brown relieved the two officers of their weapons and then drove away in an automobile, it is alleged. A posse, composed of Gus Hyers, Nebraska state sheriff; W. T. Fenton, warden of the state penitentiary, and George Carroll, county sheriff, pursued the fugitive in an easterly direction.

Another posse of special deputies was reported to have surrounded Brown a few miles east of Dix, but the report could not be confirmed here.

Charge 1400 Christian Women and Children Murdered By Turks

LONDON, June 14.—Charges that 1400 Christian women and children were taken by the Turks from Samson on the Black Sea, to the interior and massacred near Kavak two weeks ago are contained in a telegram received by the Greek defense committee here, from Archbishop M. M. Metaxakis, Greek patriarch of Constantinople.

DR. SUN YAT SEN DEFEATS FORCES CHINK NAPOLEON

PEKING, June 14.—(By the Associated Press.)—The difficulties of the new provisional Chinese government continue. Last week it was the lack of a president to succeed Hsu Shih Chang. This week it began with a fresh outbreak by Chang Tso Lin, the Manchurian rebel, after the sponsors of unification thought they had effected an armistice with him. Chang is again defeated and retreating homeward. The Peking government has a president in the person of Li Yuan-Hung.

But today a constitutional parliament is still lacking and Dr. Sun Yat Sen, leader of the south China government, is making an alarming display of military strength in the Kiangsi province. The prospect of bringing together the discordant elements of the republic seems scarcely less dismal than when President Hsu resigned and retired some ten days ago and general Wu Peifu, the military power of central China, undertook to re-establish a unified republic.

Advices from the south today tell of the retreat of Wu's forces, following the capture of Kanchow in the province of Kiangsi, while the southern army continues its march northward. Already the wealthier residents of Nanchang, the capital of the province some two hundred miles north of Kanchow are fleeing and carrying their valuables. American missionaries there are also preparing to depart if Wu's forces are compelled to evacuate. It is the announced purpose of Dr. Sun to conquer the whole province, which would give him access to the rich valley of the Yangtze.

The American gunboat Isabel is at Kiangkiang and the Japanese and British governments also have vessels there to protect the interests of their nationals.

Wu's defeat is particularly unfortunate for the Peking government, coming at the time when Wu and Li are doing their utmost to induce the southern members of parliament, who heretofore have adhered to Dr. Sun's government at Canton, to come to Peking.

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CLAIM WOMEN U. S. A. ROBBED OF MILLIONS

WASHINGTON, June 14.—Charges that importers of foreign merchandise have exacted "millions of dollars annually in excess and unjustifiable profits," from the consumers of this country, chiefly women, were made today by Chairman McChesney of the senate finance committee, in a formal statement dealing with the results of an investigation made by the treasury department and the committee.

Irish Agreement Again Reported.

LONDON, June 14.—The draft of the Irish constitution has now been completed in a manner generally satisfactory to all the parties concerned in the London negotiations.

There will be a full meeting of the British signatories of the treaty, under the presidency of Premier Lloyd George tomorrow to give the draft final consideration.

MOB OF STRIKERS START TO CLOSE EVERY COAL MINE IN OPERATION

TERRE HAUTE, Ind., June 14.—A crowd estimated at 400 persons left here today in automobiles after announcing their intention of closing every coal mine in operation between Terre Haute and Brazil, ten miles east of here. The first stop made by the party was at the Jones mine near Staunton, Indiana, where two trucks loaded with coal were seized and the contents dumped into the road according to reports received here.

Two guards at the Jones mine were disarmed by the men when they entered the mine and one of the employees was roughly handled when he refused to quit work, according to the report. The men also visited the Robert Hughes mine five miles from Terre Haute, but the shaft was found to be deserted and the crowd moved on. The party was reported to be proceeding towards the McCoullough and Gilton mine.

EX-BREWER OUTRAGED BY SHIP BOOZE

August Busch, President of Anheuser Busch, Asks Investigation of Shipping Board's Wet Policy By Congress—Concludes Prohibition Must Be a Failure.

ST. LOUIS, June 14.—A letter charging the United States is "incomparably the biggest bootlegger in the world," written by August A. Busch, president of the Anheuser Busch, Inc., while en route to Europe aboard the steamship George Washington, and which has been forwarded to President Harding, was made public here today, together with an accompanying letter by Adolphus Busch III, his son. A third letter by Anheuser Busch, Inc., addressed to members of congress, requests an investigation into the enforcement department of the government in relation to the prohibition act.

The letter of August A. Busch, addressed to his associates, says in part: "We are now approaching the coast of France. As this vessel is operated by the United States shipping board I was amazed to learn that the shipping board vessels are the 'wettest on the ocean.'"

"I learn that passage on the ships has been sold with a positive back guarantee that the bars for the sale of intoxicating liquors will be thrown wide open as soon as they pass the three mile coast line."

"This makes the United States incomparably the biggest bootlegger in the world."

"As manufacturers of legal products we have been forced for more than two years to meet unfair and unlawful competition in practically every town and city in the United States. For the United States to set aside its constitution and laws in the operation of its own business enterprises, increases our difficulties many fold, because it encourages violators of the law to renewed and greater activity."

"I understand that the shipping board has brought to the notice of high officials of the government the fact that it could not compete on the high seas with the ships of other nations and obey the constitution and the Volstead act, and either by direct or indirect means the shipping board is permitted to do in the dark that which it is illegal to do, in order that it may make money."

"We should submit to the president that the government's toleration of the violation of the law by the shipping board is proof that prohibition laws as now written are either impractical and non-enforceable, or are being disregarded deliberately."

"The fact that citizens of the United States would not buy passage on the ships of the United States so long as the Volstead act was operative upon the ships gives us a real sentiment of considerable part of the American people with respect to prohibition, and we believe that a great majority desire a modification of the Volstead act."

Busch Third Speaks
The letter of Adolphus Busch III, which accompanied the letter of his father to the president, written from this city under the date of June 8, 1922 says in part:

"I am transmitting herewith a letter we have just received from my father, August A. Busch, president of Anheuser Busch, Inc., written on board the United States steamship George Washington. A copy of the wine list enumerating intoxicating liquors of every character is enclosed for your information."

"Because it is axiomatic that American ships wherever they float are American territory and under the jurisdiction of the United States."

(Continued on page eight)