

STARKWEATHER FOR BALLOTS COURT HOLDS

Starkweather Mixup Settled By Supreme Court—Other Decisions Given.

SALEM, Ore., Oct. 2.—(AP)—The supreme court today, in an opinion written by Justice Bean, holds that Harvey G. Starkweather has a right to have his name on the November ballot as the Democratic candidate for congress from the first Oregon district.

In the primary election no Democratic candidates for the nomination were on the Democratic ballot. The Democrats, however, wrote in a number of names, a plurality of which went to James W. Mott of Astoria, who was a candidate for the Republican nomination.

The Democratic congressional committee of the district then nominated Starkweather to fill the vacancy. Secretary of State Cooper, after conferring with Attorney General Van Winkle, refused to accept Starkweather's certificate of nomination on grounds that there was no vacancy. This was based on the fact that there had been no Democratic candidates for the nomination.

In the supreme court opinion this position of the secretary of state is overruled. Other opinions today were: N. P. Johnson vs. School District No. 1, Multnomah county et al. appellants; appeal from Multnomah county; suit to cancel certain insurance policies. Opinion by Justice Holt. Judge Walter H. Evans reversed.

Hugh Holland by W. J. Holland, guardian, vs. Eugene Hospital, appellant; appeal from Lane county; action involving malpractice. Opinion by Justice Bean. Judge Shipworth reversed as to Eugene hospital. Affirmed as to other defendants.

Effie Heinrichs vs. the Carstenn Packing Co., appellant; appeal from Multnomah county; suit for damages. Opinion by Justice Coshove. Judge Rossman affirmed.

C. H. Finn, appellant, vs. August E. Erickson et al.; appeal from Union county; petition for rehearing denied in opinion by Justice Coshove.

N. Miller, appellant, vs. City of Woodburn; appeal from Marion county; action for damages to real property. Opinion by Justice Brown. Judge Percy R. Kelly reversed and case remanded.

Edgar H. Bourne of Portland permanently admitted to bar. Ralph H. Hertzog of Portland admitted to Oregon bar on Rhode Island certificate.

Rule relative to permanent admission of attorneys amended by providing that after nine months' probation attorney is automatically admitted permanently, without recommendation from board of bar examiners, or action of the court, unless otherwise ordered.

Dunne Bill Decision SALEM, Ore., Oct. 2.—(AP) The Dunne initiative bill providing for a reduction of 10 per cent in motor vehicle license fees must be printed on the November ballot to be voted on by the people. The supreme court so held today in an opinion affirming Judge L. H. McMahon of the circuit court for Marion county. Chief Justice Hand wrote the opinion.

Relative to the contention of the attorney for the state highway commission that the measure is unconstitutional the court holds that it has no right to pass on that question until a bill becomes a law. As for the power of the court to keep the measure off the ballot the opinion says: "Since, under the constitution, the people have reserved to themselves the power to enact law, the power resides in the people and any attempted interference by the courts in the exercise of their power, where all the requirements of the statute have been complied with, would be a mere usurpation upon the part of the courts, for such power does not exist."

"If the measure is unconstitutional," says the opinion later, "and should be so stated, the constitution itself will require the courts, if the question is properly presented, to pronounce the measure to be unconstitutional before the same has become a law."

Film Colony Folk Try Absence Cure For Nuptial Woe

LOS ANGELES, Oct. 2.—(AP)—"To see how it works out," Florence Oakley and Lewis Stone of Hollywood's film colony have separated. The wife of the former matinee idol and screen actor made the announcement, as she left for San Francisco to fulfill a stage engagement. "It is true that Mr. Stone and I have separated," she said. "Whether or not it is to be permanent remains to be seen. We thought we would try this separation to see how it works out."

F. ROOSEVELT NOMINATED BY ACCLAMATION

Former Assistant Naval Secretary Named By New York Democrats to Head State Ticket—Roosevelt Accepts Nomination.

WARM SPRINGS, Ga., Oct. 2.—(AP)—Franklin D. Roosevelt today accepted the Democratic nomination for governor of New York.

ROCHESTER, Oct. 2.—(AP)—Franklin D. Roosevelt former assistant secretary of the navy, was nominated by acclamation for governor of New York by the Democratic state convention today.

Great enthusiasm greeted the presentation of Mr. Roosevelt's name to the convention by Mayor James J. Walker of New York, who made the nominating speech. Seconding speeches were made by former Lieutenant Governor George R. Lunn, aspirant for the nomination, and Mrs. Daniel O'Day, vice-chairman of the state committee.

Mayor Walker said Mr. Roosevelt had many of the same characteristics as Governor Smith, and would give the state an honest, fearless administration.

Col. Herbert H. Lehman, New York City banker, was nominated for lieutenant governor by acclamation.

United States Senator Royal S. Copeland of New York was renominated by acclamation.

Morris S. Tremain of Buffalo was renominated for state comptroller, Albert Conway of Brooklyn was named for attorney general and Leonard C. Crouch of Syracuse for judge of the court of appeals.

Autogyro to U. S. PARIS, Oct. 2.—(AP)—Juan de la Cierva, young Spanish inventor, whose autogyro, or "flying windmill" plane recently made a successful flight across the English channel, announced today that he will take his machine to the United States as soon as possible, probably next month. The plane, which is so equipped with four revolving blades above it so that it can descend almost vertically, made a great impression on French aviation experts.

LOCAL MAIL PLANE CRASH (Continued from Page One.) regular mail plane which left the Oakland airport at 5 a. m., for Seattle. The passenger in the plane was D. P. Donovan of Los Angeles. Officials of the company here and in San Francisco had not at noon learned whether Donovan was injured and did not know the extent of the injuries sustained by Pilot Grant H. Donaldson.

When the first report of the accident reached Medford Sweeney Hall and William Rosenbaum of the Medford airport left at once for Roseburg by automobile, the rain and low ceiling making a plane trip inadvisable. The mail plane left Medford for the north at 9:15 this morning, after discharging mail here.

The first authentic report received at the local field from Roseburg was to the effect that Pilot Donaldson had regained consciousness at the hospital and was able to talk some, so it was concluded that his condition could not be critical. It was believed at that time that his injuries were largely shock and perhaps lacerations, one report being that the plane had caught fire when it crashed.

Five hours after the accident, no definite information regarding the fate of D. P. Donovan had been received, but it was feared his injuries had been serious, or by this time he would have been able to make his whereabouts known.

ESPINOSA PARS TOUGH COURSE HOLDING LEAD

Sturdy Chicago 'Pro Keeps Up Hot Pace—Beats Johnny Golden, 9 and 7—Yesterday's Medal Won With 142.

FIVE FARMS COURSE, BALTIMORE, Md., Oct. 2.—(AP)—Shooting exactly par golf over this extra tough links, sturdy Al Espinosa of Chicago entered the second round of the National Professional Golf association tournament today by defeating Johnny Golden of Paterson, N. J., 9 up and 7 to play.

Espinosa's par 70 in the morning 18 holes left him 11 up but Golden was playing so miraculously in the afternoon that he scored a 32 on the out nine, par for which is 35, and carried the battle to the twenty-ninth green before the Chicagoan ended it. The result of the match again boosted the stock of Espinosa who won the medal yesterday with a 142.

Loading along with a minimum of effort, Walter Hazen failed to pick up a single hole in the first nine of the afternoon round, apparently being content to hold on to the three up lead over his opponent, Willie Ogg of Worcester, which he had gained in the morning round.

Glenn Spencer, sensational young representative of the home sector, hailing from Garrison, Md., gained a place in the second round by eliminating Fred McDermott, Shelbyville, Ind., 8 and 7.

Another winner by a comfortable margin was Willie MacFarlane, Tuckahoe, N. Y., who downed Jim Foulis, Hinsdale, Ill., by a score of 3 and 7.

Gene Sarazen, staging an inspiring uphill fight after being two down at the end of the morning round, overhauled and defeated Wild Bill Melhorn, 3 and 2.

Tommy Armour was not so successful and the former open champion, three down in the morning, was beaten by the picturesque Long Jim Barnes, 3 and 2.

ODDS FAVOR CARDS (Continued from Page One.) Willie Sherdel, Jess Haines, Grover Alexander, Clarence Mitchell and Flint Rhem ready to do the pitching, and the Pirates in 1923, is not worrying over much.

Sherdel, Alex and Mitchell, on paper at least, figure to give the Yankees some bad moments. The American league titleholders thrive on speed and generally have trouble with the slow ball pitchers with control. Alexander and Sherdel both gave the Yanks all kinds of trouble in 1926, it may be remembered, although Sherdel was unlucky enough to lose two games largely because he was matched with Pennock.

Indications are that Sherdel and Haines will pitch the first two games here and that Alexander will be sent to the mound in the third game at St. Louis on Sunday. For reasons easily understood, Huggins is extremely uncertain as to how he will work his pitchers but it is generally agreed that he can start no one but the well-known mortician, Hoyt Huggins possibly will shoulder the burden in Friday's game and Zachary, who already has seen a world's series with Washington, may get the call on Sunday.

All the reserved seats for the opening game at the Yankee stadium have been sold but 40,000 unreserved tickets will go on sale the day of the first game. Prospects are for an opening day crowd of close to 80,000.

Oregon Weather Oregon Unsettled with showers tonight and probably Wednesday morning, cooler in the southwest portion tonight. Fresh southwest and west winds.

Heppner—Two new bridges authorized by city council.

Do You Wake Up Gasping? Here is Relief From Spasms of Hay Fever, Asthma It's a terrible experience to wake up in the middle of the night—choking, gasping, fighting for breath! You won't be haunted by that fear if you always keep Dr. Blosser's Remedy where you can get hold of it at a moment's notice.

The soothing smoke of Dr. Blosser's Remedy instantly penetrates to tiny air passages in your throat and lungs. It stops the stinging sensation in nose and throat, stops the sneezing and sniffing, eases the awful tightness of lungs and chest—your breathing quickly becomes free, deep, natural.

AIMEE SECLUDED ENGLAND TODAY, PREACH SUNDAY

LONDON, Oct. 2.—(AP) Mrs. Aimee Semple McPherson, Los Angeles evangelist, was stated to be in seclusion somewhere in England today. Representations had been made to the home office that she should be barred from entering England because of what were described as her sensational evangelistic methods, but the authorities allowed her to enter. Mrs. McPherson landed unheralded at Harwich yesterday and came to London last night.

At the headquarters of the Four Square Gospel church it was stated today that the evangelist was somewhere in England and would rest quietly until Sunday when she would make her first public appearance. On that day she will start her evangelistic meetings at Albert Hall.

GRANTS PASS MAN SAYS BULB CROP VERY PROFITABLE

Wilford Allen, of Grants Pass, who was in Medford today summoned as a juror in United States court and was dismissed by Judge Bean, says the growing of gladioli, near Grants Pass is proving very profitable, some of the crop making more than \$1000 per acre for bulbs. There are about 300 acres planted to gladioli.

Mr. Allen also says the erection of the new sawmill is progressing rapidly and means a larger payroll for their city.

BIG GAME SET FOR OCTOBER 20

The corrected schedule for the Medford high school football team after next Saturday, when the team journeys to Marshfield, calls for the game with the Salem high school on Saturday, October 20, instead of October 13 as first planned. This will be one of the big games of the year for the locals, October 13 will be an open date.

Saturday, October 27, Klamath Falls will play here and will come with high hopes of victory, since their defeat of Ashland by a lone touchdown.

Saturday, November 3, Corvallis plays here, and Monday, November 12 (Armistice day), the first game with Ashland will be staged here.

On Saturday, November 24, the Eugene high school comes and the following Thursday the annual Thanksgiving day game with Ashland closes the season.

COURT IS OPENED THIS AFTERNOON BY JUDGE BEAN

Federal court, with Federal Judge R. S. Bean of Portland, presiding opened this afternoon at two o'clock in the federal building.

The calendar for the term was fixed with the trial of Mike Murphy charged with conspiracy to violate the prohibition act set for tomorrow morning. Murphy was arraigned and entered a plea of not guilty. He is charged with operating a "near saloon" in which he is alleged to have sold wine, beer, and moonshine, during the Fourth of July celebration.

The trial of Cal Callender and Gus Hirschberger, both of Clatsop, charged with possession of liquor on an Indian reservation, was placed second on the docket, and William McHardy, also charged with Volstead act violation was listed third on the trial docket. Two other liquor cases, against Jack Martin of Fort Klamath and Ben Mitchell of Clatsop, will be heard in the order named.

The damage suit of K. P. Hamilton against the California Oregon Power company, expected to be a lengthy trial, was settled out of court, according to an announcement by Attorney Evan Reames, representing the power company.

The suit of the California Oregon Power company against the City of Gold Hill, to restrain building of the proposed municipal power plant dam, is an equity case and will be heard after the conclusion of the jury trials.

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The session of the federal court is expected to last about ten days. United States District Attorney George Xausser will arrive tomorrow to remain during the balance of the term. United States Marshal Clarence H. Hotchkiss and wife will arrive tonight. Deputy Arthur Johnson will arrive this evening.

Harry V. Reed is chief deputy marshal. Miss Mary E. Bell, court stenographer, and Francis Marsh, assistant district attorney, L. O. Shirley, with headquarters in Portland, chief field agent of federal prohibition enforcement agents, is also in attendance.

Seven of the 23 jurors called offered excuses, when called forward from a small box in school, to the court, and three were excused. They were: C. A. Gray, account of farm duties and age; Albert Turpin, account sickness; Wilford Allen, Sr., illness.

A. O. Bailey, H. M. Bacon, Ellery, and Hubert Dyer, offered reasons for non-service ranging from a small boy in school, to milking ten cows, had their requests held in abeyance.

Classified advertising gets results. DON'T NEGLECT A CHILD'S COUGH A child's coughing alarms one, especially if at night. Foley's Honey and Tar Compound is a thoroughly dependable family medicine that contains no opiates, and no ingredients that would make a mother hesitate to give her child. Mrs. J. S. Pilsen, Cleveland, Ohio, says: "After trying many remedies for my child's cough, in time we dropped them 'in favor of Foley's Honey and Tar Compound.' For sale by Jarmil & Woods Drug Store."

MANN'S—The Best Goods for the Price—No Matter What the Price—MANN'S

18th ANNIVERSARY SALE at MANN'S Department Store WEDNESDAY SPECIALS!!

\$15.00 Dresses \$8.18

50 splendid dresses in this lot made of good silks and satins, in all the new autumn colors, values up to \$15.00. **\$8.18** Wednesday special, each

SEE DISPLAY IN WINDOW

Silk Special

40-inch all-silk charmeuse, heavy quality, comes in all the new shades for fall and winter dresses. Regular price \$1.95. Wednesday special, yd. \$1.78

Union Suits

Children's fleeced lined union suits, elbow sleeves, knee and ankle length. Regular price \$1.19. Wednesday special, suit 88c

Handbags and Purses

\$3.45 Values \$2.49

A real bargain for Wednesday in hand bags and purses, consisting of the latest novelties in calf, alligator, vachette and fancy leathers, nicely lined throughout; under-arm and pouch styles, with fancy tops and fasteners; many styles to choose from. Regular price \$3.45; on sale as a **\$2.48** Wednesday special, each

SEE WINDOW DISPLAY

Kayser's Hose

Women's pure silk service weight Kayser's hose with pointed heel, in all sizes and colors. Regular price \$1.95; Wednesday special, pair **\$1.88**

Luncheon Sets

45-inch pure linen luncheon sets with four napkins to match; all ready to embroider. Regular price \$2.75. Wednesday special, set **\$2.68**

Special Sale of Wash Dresses

\$1.50 Values 98c

Another shipment of women's wash dresses, made of splendid quality of prints, in new fall patterns; fast colors; all sizes from 16 to 52. Real \$1.50 values; **98c** Wednesday special, each

Rubber Aprons

45c Values 28c

Women's fine quality rubber aprons in pastel shades with contrasting trimming. Regular price 45c; on sale **28c** Wednesday, each

Dress Goods

\$2.25 Values \$1.98

54-inch all-wool tweed in good colors; especially suitable for coats, suits and skirts. Regular price \$2.25. **\$1.98** Wednesday special, yd

Stitched Comfort Batts

\$1.19 Values 98c

As an anniversary special we are offering for Wednesday only several cases of our well known comfort size stitched batts, 2x2½ yds., enough for a big comforter, made of excellent cotton. Regular price \$1.19. Anniversary sale price, each **98c**

Blankets

\$2.95 Values \$2.38

66x80-inch heavy twill cotton blankets, comes in blue, rose, grey and tan plaids. Regular price \$2.95. Wednesday special, pair **\$2.38**

Pajamas

\$2.25 Values \$1.98

Women's figured print and voile pajamas and children's rayon pajamas. Regular price \$2.25. Wednesday, special, **\$1.98** pair

Winter Coat Sale

50 wonderful new coats just in, made of all-wool sturdies, buckskins and fancy weaves, sport and dressy styles, lined throughout; have big fur collars and cuffs. Real \$27.50 values. Wednesday special, each **\$18.00**

Mann's Department Store

THE STORE FOR EVERYBODY Medford, Oregon

Phone 486-487

Mail Orders Promptly Filled, Postage Prepaid—Agents for Butterick Patterns



White Rock Ginger Ale

H. G. ENDERS, Distributor

ROOF LEAK? CALL Trowbridge Lumber Yard

Our roofing expert will call and give you suggestions and estimates on costs. No obligations. We sell the famous Johns-Manville Roofings ALSO CEDAR SHINGLES

Political Talks on Air Tonight

PORTLAND, Ore., Oct. 2.—(AP)—Local political broadcast from KGW tonight includes: 5:35 to 6 p. m., talk by a representative of the Oregon State Voters League; 6 to 6:30 p. m., National League of Women Voters program, national broadcasting service.

NEW YORK, Oct. 2.—(AP)—Political speakers on the radio tonight include: Republican—Mrs. Alvin T. How, vice-chairman of the women's division, Republican national committee, and Mrs. Elias Strawn, over WABC and 21 stations of the Columbia broadcasting system at 8:30 p. m., eastern standard time.

Democratic—Major General Henry T. Allen over WAZ and WHAM (Rochester) at 7 p. m., eastern standard time.

CITY WINS RULING

(Continued from Page One.) carries with it the right to purchase.

Mr. Carkin, however, declares that the matter can not be definitely settled until Judge Hamilton's decision has been acted upon by the state supreme court. It is believed Medford will join with Roseburg in securing as prompt a decision from the supreme court as possible.

Klamath Falls—Official dedication ceremony of \$10,000 country club held.