

JOHNSTON KILLED IN ARGUMENT Brecheen Enters Plea of Guilty in Ballot Theft Plot

Comment on the Day's News

By FRANK JENKINS.
HERE is something worth your attention:
Because of circumstances that were entirely innocent and unavoidable, a certain business establishment in Southern Oregon failed to display the NRA insignia on the first day.
Before night, eight persons had come to the manager and said: "I'm sorry, but if you're not going to cooperate I won't be able to buy from you."
The national recovery campaign, you see, has something back of it. That something is the patriotic determination on the part of the public to go through with it—PLAY BALL.
If we were trying to put it in a very dignified way, we would say: "Public opinion is back of the national recovery campaign."
Public opinion is a mighty force.

A THOUGHTFUL and patriotic citizen, who is not at all given to enthusiasm for new things merely because they are new, said to this writer the other day, referring to this national recovery campaign:
"I don't know where I'm going, but we're on our way. And I'm going along."
That expresses pretty well the feelings of a lot of good citizens.

SIXTEEN years ago, our country was at war.
The soldier who was sent into battle didn't know where he was going. He didn't even know in advance what he was expected to do. But he followed his leader and went along with the rest, doing the very best that was in him, even to the giving of his life, if that happened to be the sacrifice demanded of him.
That was the way the war was won.

THIS is a war against depression—a war against the hunger and poverty and gloom of hard times. We might just as well put it to ourselves that way, because it is true. We want to WIN this war.
The way to win is to go along with the rest, following our leaders, doing our part loyally and cheerfully and making whatever sacrifices we may be called upon to make.
If that spirit is displayed by everybody, or nearly everybody, this war against depression will be won.

PERHAPS you may feel like saying: "But my part seems so small."
Listen:
Did you ever start a snowball rolling down a hill? Your part in STARTING that snowball was exceedingly small. Maybe you just gave a tiny push with your foot to a bit of snow.
But, once STARTED, the snowball kept gathering weight, getting bigger and bigger. By the time it reached the bottom of the hill it had gathered so much weight and power that nothing could stand in its way.
It will be much like that with this national recovery campaign. If it gets started off right, it will keep gathering weight and force until in a little while it will be irresistible.
If it gets started off right, the depression just simply won't be able to stand against it.

SO LET'S each of us do his part. The part of each individual may be small. But the total of ALL our parts, if each of us does his share loyally and willingly, will be irresistible.
LET US REPEAT:
This is a war against depression, with its hunger and poverty and gloom. The way to win a war is to FOLLOW LEADERSHIP.
Let's follow our leaders. Let's be good soldiers. Let's create jobs where now no jobs exist. Let's make buying power. Let's banish poverty.
Let's make an honest effort—for nothing worth while was ever won without effort.

GOES TO PRISON
SALEM, Aug. 5.—(P)—Carl Johnson, former president of the Prudential Bank, and who was convicted in Multnomah county for the embezzlement of \$850, was received at the state penitentiary today to begin a six-year term.

Chuck Davis Confesses He Dealt Blows

C. W. "Chuck" Davis, 36, local machinist, who had entered a guilty plea to participation in the ballot thefts, is being held on an open charge in the county jail as a result of the death of Joseph Baron "Bud" Johnston, 62, last night following an altercation over the ballot cases. Johnston had a fracture of the skull from his forehead to the base of his skull.
According to Chief of Police Clinton McCredie, Davis said he was talking to John McConchie, son of Roy McConchie, at the corner of Front and Main streets near the Hotel Allen, when Johnston came across the street and shoved into him with both hands.
Davis told officers that Johnston called him a "stool pigeon," and that he (Davis) struck him twice.
Captain Lee M. Bown of the state police, said that Davis came to the state police office about five minutes after he had struck Johnston, knocking him to the pavement, and said he had had a fight with the man down on the street.
Johnston was not dead at that time, Captain Bown said. The quarrel occurred about 7:40 or 7:45 o'clock, and Johnston died at eight. An ambulance, and City Physician L. D. Ainskeep, were called to the Hotel Allen, but Johnston was dead.
To Prove Killing
George Coddling, district attorney, told officers that a thorough investigation of the case would be made, and that charges will be filed against Davis Monday. He did not indicate what the charges would be, as he was not familiar with the details of the case.
Davis, who had been in a city and county employ off and on for a number of years, was taken to the county jail by Chief McCredie and Captain Bown. When informed that Johnston was dead, Davis' only remark was "Oh, hell," officers quoted him as saying.
Autopsy Today
The body was immediately taken to the Perl Funeral home, and Coroner Frank Perl announced that an autopsy will be held today, and the coroner's inquest probably on Monday.
Coroner Perl said that Johnston had a fracture of the skull, which measured about 10 or 12 inches. The only other mark on his face was a slight cut opposite his left ear. Davis had told police he struck Johnston twice after Johnston attempted to hit him.
In Ballot Case
Davis, who has lived in Medford a (Continued on Page Ten)

FAILURE OF FEHL TO PLEAD GUILTY COSTS CO. \$4000

The trial of Earl H. Fehl, county judge, found guilty in record time by a Klamath county jury Friday for complicity in the ballot robbery last February, will cost Jackson county close to \$4000.
Fees and mileage for witnesses will total \$3000. Up to Friday afternoon \$2918 has been paid by the clerk of Klamath county for this purpose, and that official said sufficient number were outstanding to bring the total past the \$3000 mark.
State witnesses drew the highest amount—two coming from Portland to a "circle" held at his home, had drawn \$101 and Orlando R. Kring, 488, Wilkins was former legal advisor for Fehl and Banks. Kring, a metaphysician, was close to the "inner circle" of the Congress. He testified that Fehl on February 6, had proposed he steal ballots and that Banks as a "circle" held at his home, had once asked him: "Can you think up any propaganda, that will divert suspicion from Fehl and others, and put the blame on someone else?"
Most of the state witnesses, with the above exceptions, were taken to Klamath Falls and returned here the same day. The average mileage fee for state witnesses was \$17.40.
On the final day, when it was learned that two character witnesses were to be placed on the stand by the defense to testify to Fehl's worth as a citizen, the state called ten leading residents of the county to refute the claim. They were not called when the defense did not put Fehl's character at issue.
Some of the defense witnesses remained for the trial but were not called. Among them were Mr. and Mrs. John Glenn of Ashland, who each drew \$35.40. Glenn, former county jailer, was acquitted by a jury of which Charles E. Bixens of Trail was chairman, after 14 hours deliberation.
Janet Guchas, former private secretary of L. A. Banks, and her husband, Chester Guchas, each drew \$27.40, and were not called to the stand.
Others called but not inquired of, were Attorney W. E. Filpps of this city, \$19.40; R. M. Conley, Sams Valley stockman, \$26.80, and Harry Hall of the Little Applegate, a member of the Walter J. Jones jury, who drew \$35.60.
Sheriff Hess of Coos county and four others from that county, called to testify to the character of the Sexton brothers for the defense, each drew \$51.60. Two of the number called to the stand, were unable to qualify. Former County Justice, Watson Coos county, testified "that he has known a family by the name of Sexton residing in Marshfield, and would not know the Sexton boys if he saw them."
MARSHFIELD OFFICER IS SHOT BY ROBBER
MARSHFIELD, Wis., Aug. 5.—(P)—Special Police Officer Fred Beell, 57, former world's middleweight wrestling champion, was shot and killed early today when he and another officer interrupted an attempted machine gun robbery at the Marshfield Brewery company. The four robbers got \$2500 in beer stamps and escaped.
Beell was said to have been the only man to throw Frank Gotch during his prime.
Salmon Packers Decide On Price
SAN FRANCISCO, Aug. 5.—(P)—Pacific coast salmon packers announced today the opening prices on the 1933 red salmon pack would be \$1.75 a down tall cans on No. 1, fancy Alaska. This compares with \$1.45 a year ago. The new schedule became effective today.
Prices on pink and other varieties will be announced later, when more information becomes available on the size of the pack.

TRAGIC ENDING FISHING MOVIE

ROSEBURG, Ore., Aug. 5.—(P)—Dolph Samler, 36, of Yoncalla, Ore., was drowned at Steamboat Falls on the Umpqua river yesterday while helping Frank Winch, Los Angeles lecturer and author, land a steelhead. The tragedy was not only witnessed but was being filmed by a camera in the hands of Gus Peret, noted game hunter and Samler's brother-in-law, who was recording the action for motion pictures.
Winch, fishing off a high bluff above the falls, hooked a large fish, but was unable to land it from his position. While Peret photographed the action, Samler crawled out on a narrow ledge near the edge of the deep swift pool to help land the fish. As he took hold of the line, he lost his balance and fell into the stream.

CELLIST'S FATHER SWATS CONDUCTOR

HOLLYWOOD, Calif., Aug. 5.—(P)—Hollywood, noted for its "symphonies under the stars," was the scene today of Hollywood's latest flaccidities, with Sir Hamilton Harty, distinguished English conductor, on the receiving end.
Previously there were the Al Johnson-Walter Winchell "bout" and film producer John Considine's black eye, received at Norma Talma's "side-die party."
Miss Helen Vaughn Gilbert had just played a cello solo in rehearsal at the bowl today, with her father, Vaughan H. Gilbert, in the front row listening.
"The orchestra played so loud I couldn't hear her," Gilbert protested.
Sir Hamilton smiled and Gilbert swung.

COUNTY LEADERS ARE SCANNED FOR FEHL'S SUCCESSOR

Earl Day, Corbin Edgell, H. Van Hoevenberg, E. T. Newbry, Reed, Warner, Billings Are Mentioned
Who will be appointed by Governor Meier to succeed County Judge Earl H. Fehl, in case Judge Fehl's office is declared vacant by the governor? This question was upon the tongue of every Republican politician in the valley yesterday.
Those seeking the job, or at least in the frame of mind to accept it if offered to them, include many of the county's leading citizens. Among the reported aspirants are Earl Day of Sams Valley, representative to the state legislature from Jackson county and H. VanHoevenberg, also of Sams Valley. VanHoevenberg, however, is reported to have withdrawn as a candidate for the appointment in favor of Day, but wouldn't refuse the appointment if given to him.
Newbry Talked
From the other end of the valley comes the name of E. T. Newbry, orchardist, who has been prominently mentioned as well fitted to handle the post. Newbry was urged to seek the nomination for county judge on the Republican ticket last year, and later urged to run as an independent, but refused both propositions.
A flock of telegrams were sent to Governor Meier yesterday by friends of Corbin Edgell, of this city, urging his appointment as county judge. Edgell, a graduate of the Harvard law school and a member of the New York Bar association and well versed in the needs of Jackson county. Many prominent names of the state and county it is understood, will appear on the petitions and telegrams urging Edgell's appointment. The "Edgell Boom" did not really get underway until yesterday, but gained great impetus in a short time. Edgell is well known for his honesty and fairness.
T. W. Miles was also mentioned as a possible candidate for the job, as was Glenn O. Taylor. No statement could be gathered from either as to whether or not they would accept the appointment if offered.
Justice of the Peace H. D. Reed of Gold Hill is also being given considerable support by many, and has indicated that he would accept the appointment. Reed has served peace- (Continued on Page Seven)

AIR PASSENGER HELD AS BANDIT

LOS ANGELES, Aug. 5.—(P)—The recovery of \$115,000 in stocks and bonds, stolen in a series of bank robberies in Oklahoma and Kansas, was accomplished today by two police detectives who took into custody a man giving the name of Elmer S. Wagoner of Oklahoma, as he stepped from an airplane.
Detective Lieutenant Lefty James, announcing that a suitcase checked to Wagoner contained liberty bonds, war savings stamps and stocks stolen from banks in the Midwest, said he believed the bank responsible for the holdups was that of Pretty Boy Floyd, notorious Oklahoma outlaw.

WORKERS VENT IRE ON PORTLAND AGITATORS

PORTLAND, Ore., Aug. 5.—(AP)—A group of 50 men and women whom they described as agitators called at the Doernbecher Furniture company here just before closing time today, and were met by about 300 employees, who voiced their objections physically as well as verbally before police arrived and restored order.
The extent of the damage, police said, was a few smarting eyes resulting from a generous use of pepper by the "invading" group and a few bruises resulting when blows were struck.

EIGHT WOUNDED IN MILK STRIKE FIGHT

UTICA, N. Y., Aug. 5.—(P)—Hand to hand fighting between troopers and strikers in a nearly state-wide milk holiday, today sent eight members of the state constabulary to hospitals, one man so badly hurt he may die, and resulted in undetermined injuries to a score of strikers. It was the fifth day of the strike, and the most violent.

O'Connell Returned



John J. O'Connell Jr., is shown at the Holden Jr. O'Connell, after his return from a 24-day abduction which ended with payment of \$10,000 ransom. (Associated Press Photo)

LUMBER INDUSTRY ADOPTS SCHEDULE IN NRA PROGRAM

PORTLAND, Aug. 4.—(AP)—A maximum working week of 40 hours, and a minimum wage of 40 cents an hour will prevail in plants of the hardwood lumber industry in Oregon and Washington under the NRA code for that group which will be retroactive to August 1.
Members of the Northwest Hardwood association which was formed here yesterday said about 500 workers will be affected and that the new scale represents about a 50 per cent increase in pay for most employees. The average working week in the past has been 48 hours.
Eighteen producers of the two states were represented at the meeting, and their total output is about two million feet of alder, maple, ash, oak, cottonwood and birch.
Members of the board, who later will elect officers, are: Ben Ostlund, Marshfield; C. W. Wuest, Sedro-Woolley; J. A. Irvin, Portland; F. C. Goodyear, Sedro-Woolley; A. R. DeBurgh, Bellingham, Wash.; M. L. Mead, Seattle.
Harry L. Potter of Portland, secretary of the group, sent this telegram to President Roosevelt last night: "The Northwest association, composed of producers of hardwood logs and lumber in Washington and Oregon, was formed here today for the purpose of immediately putting into effect the NRA blanket code and to give full and hearty support to your industrial recovery program."

FREIGHT TRUCKS FIGHT STATE FEE

SALEM, Aug. 5.—(P)—The consolidated lines today served notice upon several state officials that application had been made in the Marion county circuit court for a temporary restraining order to eliminate all fees for carriers engaged in interstate commerce. The hearing on the temporary writ will be heard here Monday.
The plaintiff charges the law is unconstitutional in that it is discriminatory between companies engaged in business between two fixed termini and those out-of-state firms coming into Oregon without regular schedule or destination. It seeks a restraining order to set aside all fees paid by these carriers.

Not Guilty Plea Bly Postmaster

PORTLAND, Aug. 5.—(P)—Thomas E. Wallis, postmaster at Bly, Klamath county, pleaded not guilty in federal court here today in an indictment charging embezzlement of \$711 of postal funds. In default of bail he was committed to the county jail to await trial in September.

OFFICIALS SCOFF AT LATEST REPORT OF WAR'S THREAT

Japan's Boosting of Arms Budget Fails to Impress Americans—Each Nation Barking, Bites Discounted
Copyright, 1933, By Paul Mallon
WASHINGTON, Aug. 5.—(P)—Our officials privately pooch-pooch all this latest war talk.
They are trying to act seriously about Japan boosting her arms budget 45 per cent, but underneath they cannot get up much steam about it. Their brows are likewise furrowed about the London conference breakdown, but their minds are unworried.
The truth is each nation is barking, but not biting.
The situation is strained but not crucial, and not likely to be.
One reason is that the published figures you see on naval strengths are not worth the time it takes to read them.
Each naval office gives estimates a bad deal. It always over-estimates the strength of opponents and under-estimates its own power. That is done to confuse the enemy and promote domestic ballyhoo for naval building.
A simple device is usually used. The old ships of the enemy are counted. (Continued on Page Seven)

FAIL TO PIERCE STRATOSPHERE

CHICAGO, Aug. 5.—(P)—Man's latest attempt to pierce the earth's atmosphere at a greater height than ever before ended abruptly early this morning when Lieutenant Commander T. G. W. Settle came to earth in a Chicago railroad yard. A leaky top valve was blamed.
The huge balloon, "The Century of Progress" in which the commander hoped to break existing altitude records and obtain valuable scientific data heretofore unknown to man, descended within about ten minutes after the lift-off at Soldier field.
Lieut. Commander Settle was not injured, and the balloon which had risen to a height of approximately 5,000 feet was apparently not seriously damaged when it landed in the yards of the Chicago Burlington & Quincy railroad at 14th and Central streets. There was a small dent in the bottom of the gondola, however, and it was possible that bag itself was damaged.

TEAR GAS BOMB PLANTER NABBED

NEW YORK, Aug. 5.—(P)—Eugene B. Daniels, Jr., Somerville, Massachusetts, leader of an obscure political party, was held in \$10,000 bail today in connection with placing of two tear gas bombs in the New York stock exchange.
Daniels was arrested in a Mid-town hotel and charged with suspicion of malicious mischief, a felony. He will be given a hearing in Tombs court Tuesday.
Daniels, who received 325 votes as the national independent party candidate for president last November, is an attorney, member of the Massachusetts National Guard and a former champion wrestler at Harvard university.

DRUG STORES IN NRA AGREEMENT

SAN FRANCISCO, Aug. 5.—(P)—Abolition of cut rate drugs and a 48 hour week for the retail drug industry are provided in a code sent to the national recovery administration in Washington by the American Pharmacists' association, a national organization of employe pharmacists with headquarters in San Francisco. The code proposes minimum wages of \$35 a week for registered pharmacists, \$40 for assistant pharmacists, \$25 for men clerks and \$22.50 for women clerks. Employment of sales people under 18 years old is forbidden. The code specifies that medicines, drugs and drug sundries be sold only at the stamped price or at a 23 per cent above the wholesale listing.

Confession Is 9th Entered Ballot Theft

A plea of guilty to participation in the Jackson county ballot theft was entered in the circuit court of Klamath county by Thos. L. Brecheen at 2:05 o'clock yesterday afternoon, bringing the list of confessions to the charge of burglary not in a dwelling, growing out of the ballot stealing of February 20, to nine.
Less than 24 hours after the jury announced a verdict of guilty for County Judge Earl H. Fehl, bringing the convictions to four for the state, out of five trials, the political organizer of the Ashland district, and alleged close associate of the county judge in the local turmoil, appeared before Circuit Judge George F. Skipworth with Attorney T. J. Enright, appointed as his counsel by the court. Announcement was received from Klamath Falls.
Croft and Martin Next
Joe Croft and Oliver Martin, also members of the list of 22, indicted for the Jackson county ballot stealing, and scheduled to go on trial with Brecheen tomorrow, will appear in court at 1:30 o'clock Monday afternoon.
The same afternoon sentence will be meted out by Circuit Judge Skipworth to County Judge Fehl, who had not filed a motion for new trial late yesterday. Motion for new trial, if filed by the defense, will bring Fehl a 10 days' stay in execution, and continued release from custody if bond is approved. Still further time will also be granted the defendant if an appeal to the supreme court is made.
Prompt Sentence
Sentencing Monday will not be delayed by any motion for new trial, but execution of the sentence will precede action of Fehl and his attorney, according to the announcement from Klamath Falls, where the judge re- (Continued on Page Six)

FIND FEHL GUILTY BALLOT BURGLARY RAPID FIRE ORDER

Earl H. Fehl, county judge of Jackson county, fifth of the 22 defendants charged with complicity in the ballot thefts of February 20, last, was found guilty by a Klamath county jury Friday afternoon, after 12 minutes actual deliberation. It was one of the speediest verdicts in the history of Oregon courts.
Fehl was indicted under section 14311 of the Oregon codes charged with "burglary not in a dwelling." Sentence provided thereby, is one day to five years.
The court announced after receipt of the verdict that the convicted county official would be sentenced Monday afternoon at 1:30 o'clock.
To Ask New Trial
Fehl, his attorneys have announced, will file a motion for a new trial, and also file an appeal to the state supreme court. Imposing of sentence will automatically remove Fehl from office.
The jury left the jury box at 3:16 p. m., by the courtroom clock, and at 3:36 announced their verdict was ready. Ten minutes of this time was consumed in clearing the courtroom of spectators, and placing chairs in the jury room. The verdict was reached on the first ballot, and according to the habits in court, in twelve minutes.
Kin In Court
Fehl with his wife, mother, and mother-in-law were in court. They had been in there all day, listening to the closing words of the attorneys. Many of the court attaches and attorneys had left the courtroom, when the verdict was announced.
Announcement that a verdict had (Continued on Page Five)

RAILROAD FREIGHT RATES ARE UPHELD

WASHINGTON, Aug. 5.—(P)—The interstate commerce commission in a 7 to 3 decision today held the general railroad freight rate structure to be reasonable in the light of present conditions and refused to order a blanket reduction as requested by farm, lumber, coal and other interests.
The commission asserted, however, its decision must not be regarded as holding that all existing carriers were fair and suggested the carriers consider revisions downward in rates on grain, lumber and export coal.
3 KILLED IN BLASTS
FIREWORKS FACTORY
IDAHO FALLS, Idaho, Aug. 5.—(P)—Three persons were killed and another was probably fatally burned in a series of explosions in the fabricating plant of the Intermountain Fireworks company here late today. The cause of the blast was not known.
The dead: Roland Williams, proprietor of the factory, and a candidate for mayor of Idaho Falls at the election last spring; Alfred Blaser, 26, an employe; Luella Williams, 18, niece of the proprietor.

One Killed When Cars Hit Head On

VANCOUVER, Wash., Aug. 5.—(P)—A car of Astoria was fatally injured late Friday, and two other persons were hurt in a head-on automobile crash on the highway south of Salmon creek. Joe Krupieski of California was critically injured, and G. B. Welch of Portland received a leg fracture. Krupieski was driving one car, and Green, accompanied by Welch, the other.
Beverly Hills, Calif., Aug. 4.—California is proposing the ground under a proposed state income tax. The kicks would carry more weight if we could get somebody to "kick that didn't have to pay it."
Some of our patriotic citizens have offered to leave the state if it passes and the state may take 'em up on it, so if you see a drove of Rolls Royces, Lincoln and Cadillacs going east through your town, feed 'em and take care of 'em. They are awful nice folks; they ain't got a thing in the world the matter with 'em only they are millionaires.
You can't legitimately kick on taxes when the money has been made. It's taxes on farms, ranches and business property that has lost money for years. Those folks have the holler coming. Now excuse me while I hide before some of my good friends shoot me.
Yours,
Will Rogers
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SHARP CLASHES MARK NEW YORK MILK WAR

UTICA, N. Y., Aug. 5.—(P)—A state trooper was injured so badly he may die, and five others, including Captain Stephen McGrath, hero of the 1920 Auburn prison riot, were less seriously hurt, in hand to hand fighting with striking milk producers at Oriskany.
The most seriously injured was Trooper George Marshall, reported by St. Elizabeth's hospital to have a hemorrhage of the brain after being struck with a stone or club in the engagement with holiday farmers who sought to block the delivery of milk he and his comrades were conveying.