

**The Weather**  
 Forecast: Fair tonight and Tuesday.  
 Continued mild.  
 Temperature  
 Highest 92  
 Lowest this morning 51

# MEDFORD MAIL TRIBUNE

WINNER  
**Pulitzer Award**  
 FOR 1934

Twenty-ninth Year MEDFORD, OREGON, MONDAY, SEPTEMBER 17, 1934 No. 152.

## HORSE KILLS SHADY COVE CHILD



**News Behind The News**

By PAUL MALLON  
 WASHINGTON, D. C., Sept. 17.—There is a place where you should be able to find out who is right in this current argument between Messrs. Hoover, Borah, et al., on one side, and the new dealers on the other.

That place is in the courts. It is their duty to say what is unconstitutional and what violates the rights of property owners and people.

A careful private check-up shows the courts have spoken in exactly 75 New Deal cases to date. What they have said is the worst jumble of words and ideas you ever heard. A Philadelphia lawyer could not make plausible sense out of them.

On most of the major constitutional points of the New Deal the courts have held both ways. On the question of production control, the government was upheld in the packing case, but was defeated in the milk case. One court upheld the right to control prices in the lumber case, but another court decided that right was unconstitutional in the coal case. Decisions also have been made both ways on the minimum wage issue.

The only conclusion available at this time is that the courts apparently do not know whether or not the New Deal is constitutional or unconstitutional.

You will not have long to wait, however. The supreme court is meeting in October. It will decide which of the lower courts were right.

The general expert legal opinion backstage here is that the New Deal will fare better in the supreme court than it did in the lower courts, although it fared very well in the lower courts. It is admitted, however, that the big court is very closely and sharply divided. There will be many warm 5-to-4 decisions. New Deal attorneys are not entirely confident.

If some of the aged conservatives on the bench, who are past the retirement age, would step out and let President Roosevelt appoint a few Rooseveltian Democrats, it might be different.

However, everyone near the court here believes these conservatives are conducting what amounts to a conscious filibuster. Apparently they are choosing to hasten the end of their own lives by working beyond their own time in order to remain and vote for their principles. No one expects them to get out until they die.

### ALICE JOHNSON, 10, DRAGGED TO DEATH THROUGH FENCING

Frightened Animal Entangles Child in Wire — Other Children Summon Father — Body Badly Scratched

Dragged 100 yards at the end of a broken strand of barb wire, Alice Johnson, 10-year-old daughter of J. F. Johnson, Shady Cove rancher, was killed at 2 o'clock yesterday afternoon, when a horse she was leading became frightened while crossing a fence and broke away. The girl died of a fractured skull and severe cuts from the wire, which was found wrapped tightly about her neck and arm. One end of the wire had become entangled about the horse's rear legs.

The body was found immediately by the girl's father, who was summoned by the girl's two companions, Cary Zimmerman and Arlene Williams, both of whom are neighbors' children. Herb Brown, deputy coroner, was called from Medford.

Planned Ride. Alice and her two playmates had gone into a field on her parents' ranch which is located this side of Shady Cove on the Crater lake highway, to ride the horse and take it to the barn, from where the three had planned to go for a ride. Alice led the animal toward the barn and had crawled through the broken rail fence, when the tragedy occurred. The horse, starting to jump the rails, straddled the single strand of wire, which broke under the weight, flying from a nearby tree and wrapping around the girl and the animal's legs.

Alice's companions had dropped back to give the horse room to make the crossing, and were unable to prevent the resulting runaway. They ran to the house screaming, "Boots has killed Alice!" The body had been terribly scratched by rough ground, and had evidently been thrown down with great force when the horse reached the end of the 120-yard strand of wire.

Second Mishap. Alice, who was a student in the fifth grade at the Shady Cove school, two years ago suffered a broken arm when she fell off the same horse that caused her tragic death yesterday. Her mother and father, who have lived in the valley for the past 17 years, are well known in the Eagle Point district.

Besides her parents, Alice leaves a married sister, Ouida Williams, and a brother, Orris, age 13. Funeral arrangements will be announced by the Perl Funeral Home later.

### FIVE KILLED IN AUTO ACCIDENTS

SEATTLE, Sept. 17.—(AP)—Northwest Washington traffic accidents yesterday took a toll of five lives and injured twenty-four.

## British Endeavour Shows Heels to Cup Defender

### SWISS AGAINST RUSSIAN ENTRY LEAGUE NATIONS

Opposition Based On Effort of 'Communism to Take Root Everywhere'—Three Nations Get Membership

GENEVA, Sept. 17.—(AP)—After hearing broadsides against the Soviet by five nations and a defense by France, the political committee of the League of Nations assembly recommended today the election of Russia into the league.

By JOSEPH E. SHARKEY  
 Associated Press Foreign Staff.  
 GENEVA, Sept. 17.—(AP)—Switzerland, the home of the League of Nations, declared dramatically in a public meeting of the league assembly today that she would vote against the admission of Russia into the league "because Russian communism seeks to take root everywhere and because its ambition is a world revolution."

Gluseppe Motta, former president of Switzerland, expressed this attitude in an emotional address before the committee which is examining the Russian candidacy.

He declared the League of Nations was embarking on a hazardous undertaking.

"As we see it," he said, "the League of Nations ventures to wed water and fire. If Soviet Russia, suddenly ceases to insult the league, which Lenin defined as an institution of brigandage, we read the explanation of this novel attitude in fiery letters in the Far Eastern sky."

Long applause from the crowded public galleries greeted Motta's address and some of the delegates likewise applauded.

Motta blamed Russia for never (Continued on Page Three)

### For Football Fans

Through the courtesy of the Western Union Telegraph company, the Mail Tribune is enabled to publish today, on page two, a complete schedule of college football games for the coming season. The schedule, if clipped and preserved, should prove a handy reference for fans who desire to know each week where, and with what teams, their favorite squads will be engaged.

### SCHOOLS ENROLL 82 MORE PUPILS THAN LAST YEAR

With a total increase of 82 over last year's first day enrollment, Medford's schools again became the scene of student activity this morning when 3,380 pupils entered for the 1934-35 year. Acting Superintendent C. G. Smith stated that the increase predominated in the Senior and Junior high enrollments, with a total of 43 more students than attended last year. The number is expected to grow in the upper grades as the week progresses, but enrollment in the elementary schools is now practically complete, Smith said.

Regular classes were resumed in all schools today, taking up at 9 a. m. for Senior high students, and extending through the day in one-hour periods. Senior high students reported for schedules at 8 a. m. In the Junior high school, schedules were issued from 8:20 until 9:30, when classes started. The opening hour for grade school students was 8:27.

An increase of 15 for first day registration marked the enrollment at Senior high, which totaled 594 this year, as against 489 the first day last year. Junior high attendance for the first day was 655, as compared to 658. Grade school attendances were as follows: Washington, 352; Roosevelt, 303; Jackson, 298; Lincoln, 234; total, 1,197. An increase of 40 in the elementary system was announced by Superintendent Smith.

The increased enrollment will be efficiently handled without additional teachers, unless the second week's registration shows a greater increase than is expected, Smith stated.

Only a few changes were made in classes this year, the most important being a shift in the opening hour at Junior high school from 8 to 8:20 a. m. At the high school, the only change is the girls' gym club, which will be held this year in the afternoon instead of at 8 a. m., so that a larger number of girls may participate.

### SCHOOLS TO MARK CONSTITUTION DAY

Charles G. Smith, acting city school superintendent, announced today that Wednesday, September 19, will be observed in all Medford schools as Constitution day. Change from the regular day of observance is due to the activity of first enrollment and class work today.

Assemblies will be called at all schools on Wednesday, Smith said, at which patriotic programs will be presented. At the Junior and Senior high schools, Neil Allen of Grants Pass will be principal speaker, sponsored by the American Legion. Programs will start at Junior high at 11:20 a. m., and at Senior high at 1 p. m.

### 11,000 SOLDIERS READY TO QUELL STRIKE DISORDER

Southern Operators Determined to Open Mills — Thousand Pickets Forced Disperse in Belmont, N. C.

WASHINGTON, Sept. 17.—(AP)—Francis J. Gorman, chairman of the textile strike committee, issued an ultimatum today that if the strike was not settled this week, all remaining divisions of the industry would be called out.

Gorman disclosed plans to have a resolution adopted by the approaching convention of the American Federation of Labor in San Francisco demanding the resignation of Hugh S. Johnson, national recovery administrator.

By the Associated Press.  
 Fear of disorder mounted in the nation's textile areas today, while 11,000 national guardsmen patrolled the scene.

Whistles blew after the week-end holiday, signaling the start of a crucial week. Southern operators were determined to open their mills. Amid a driving rain in many sections, pickets took their posts.

A thousand pickets faced a company of National Guardsmen on a busy highway at Belmont, N. C., shouting, "you'll start a revolution." Troops gradually forced the crowd off the road. The demonstration began after reports were circulated that the Hetchy hosiery mill at Belmont planned to reopen.

Georgia Adds Soldiers.  
 More troops moved to the Georgia strike front, the scene of Georgia's greatest peace time mobilization of state militiamen. Bayonets ringed mills in the Carolinas.

Rhode Island, last week's sore spot of the strike, was quiet, but apprehension grew throughout New England. The troops in Rhode Island numbered 1900. Militia were on guard in Putnam and Sterling, Conn.

The strike cut into the ranks of Maine textile employees. From 20 to 30 per cent of the 4500 workers of the Pepperell Manufacturing company, Biddeford, Me., and the York Manufacturing company of Saco, Me., joined the idle ranks.

### MOTHER ADMITS KILLING BABE



Mrs. Constance Kohler admitting to District Attorney Nell McAllister in Sacramento, Cal., she had slain her new born baby by placing an ammonia-soaked rag over the infant's mouth because "I didn't see how I could support another child." Mrs. Kohler, mother of five living children, is separated from her husband, McAllister said murder charges would be placed against her. (Associated Press Photo)

### CONSTITUTION OF U. S. SIGNED 147 YEARS AGO TODAY

By the Associated Press.  
 The constitution of the United States had a birthday today. The document was signed 147 years ago and started along an historical path mile-posted by debate, internal conflict and 21 amendments.

It stood unamended, but much debated for four years after George Washington put the first signature to the document. The debates and amendments have continued down through the last national political campaign; the debates go on today.

The original parchment, guarded from tissue-destroying time by light filtering glass, is in the library of congress, moved there after a 193-year stay in the state department.

Congress and political partisans argue over its interpretation; tourists, somewhat less familiar with it, ask the guides to point out to them the signatures of Christopher Columbus or Charles Lindbergh.

### JAIL PROMOTERS OF OIL REFINERY IN BAY DISTRICT

OAKLAND, Cal., Sept. 17.—(AP)—James E. Cox, 37, and Robert Weatherill, 39, were jailed here today in lieu of \$20,000 bail each, on charges of grand theft developed by officials from promotion of the Cox Chemical company and the Cox Processing corporation.

District Attorney Earl Warren said Portland, Ore., Los Angeles, and the San Francisco bay cities had sunk hundreds of thousands of dollars in the Cox companies, and "I am confident it is a swindle."

The complaints were signed by Frank A. Washert, who was identified only as an investor.

District Attorney Warren said Cox had maintained a plant for the past four years in an isolated canyon near Hayward, and claimed to have developed a process which would reduce by about 50 per cent the cost of refining crude oil. Cox was quoted as saying a syndicate of 23 oil companies had offered him \$150,000,000 for the process, but that he was holding out for \$800,000,000.

### SOPWITH'S YACHT LOOKS SUPERIOR IN HONEST WIND

First Victory Since 1920 Chalked Up by Challenger — Windward Leg Record Broken by Both Racers

ABOARD U. S. C. G. CUTTER ARGO OFF NEWPORT, Sept. 17.—(AP)—T. O. M. Sopwith's challenging British yacht Endeavour today won the second race of the America's cup series from Harold S. Vanderbilt's Rainbow. It was the first British race victory in the yachting classic since the late Sir Thomas Lipton's Shamrock IV won the second race from Resolute in 1920.

Outmaneuvered and out sailed to the halfway mark, a beat to windward, the big British racer fairly ate up the breeze on the run home to administer a decisive defeat to the defender. Endeavour's margin was two minutes, nine seconds.

The first race between the two Saturday was declared no contest when the time limit of five and a half (Continued on Page Two)

### PASSENGERS TOLD TO JUMP INTO SEA IS CLAIM AT QUIZ

NEW YORK, Sept. 17.—(AP)—The cruise director aboard the burned liner Morro Castle testified before a jury today that about a dozen passengers jumped from the burning liner while it was still under way.

"The danger from the propellers was great," the director, Robert Smith of Atlantic City, N. J., told the board. He testified the passengers jumped after someone with a heavy voice up on deck started shouting, "Jump, for God's sake, jump."

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**WILL ROGERS says:**  
 LONDON, Sept. 17.—Buda-pest for breakfast and London for dinner. I have reached in my pocket for my passport to-day that I am all in. Crossed Hungary, Czechoslovakia, Austria, France, Belgium and England.

Poland upset Europe at the League of Nations more yesterday than anything that's happened over here. You never lack for excitement. There is 20 countries over here in a bunch all thinking of some trick to pull on the others. They do love each other.

*Will Rogers*  
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