

The Weather
Forecast: Fair tonight with lower temperature; Friday fair with rising temperature.
Highest yesterday 57
Lowest this morning 46

MEDFORD MAIL TRIBUNE

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Thirtieth Year MEDFORD, OREGON, THURSDAY, MAY 30, 1935. No. 59.

PETILLO WINS SPEEDWAY CLASSIC



News Behind The News
By PAUL MALLON
Copyright, 1935, by Paul Mallon.
WASHINGTON, May 30.—A lobbyist wired his manufacturing client after the NRA decision: "New deal dead. Go ahead."
This slightly exaggerated first-hand opinion was not confined to the public statements you have been seeing. It was shared privately by the foremost new dealers. They were not only dismayed but thought all was lost. Confusion and panic was more widespread among them than at any time since the bank holiday.

What hurt most was not the particular legal restraints imposed on them by the court. You can get a hundred various interpretations as to precisely what these will turn out to be. Every lawyer has a different idea, and there are at least 500 lawyers in the new deal.
The real core of their sour apple was the fact that the court decided the national emergency was over. Its decision did not say this specifically, but everyone knew it was the basis of the court reasoning. The fact was particularly well known to congressional opponents who have been somewhat under the thumb of new dealers because of emergency conditions. It was also evident to the business attorneys who foresee the possibility of suits against every phase of new deal activity.
Consequently, no matter what the decision means in law, it means to political insiders that the diminishing psychological advantage of emergency prestige enjoyed by the new dealers will no longer be effective.
That much of the new deal is dead, no matter what evolves from the reformation after the court decision.

Most of the Roosevelt associates are inclined to blame it all on Donald Richberg. An influential young liberal lawyer in the new deal was going around town afterwards, calling Mr. Richberg several things which will not be found in law books.
It is true that many new deal lawyers critically questioned Richberg's selection of the poultry case as a test. Some wanted to try the Belcher lumber case instead. The smartest ones wanted to avoid any test case at all, as long as possible. Shrewd Felix Frankfurter is said to be one of these.
The secret of why Richberg chose the poultry case was that he discovered the supreme court already had ruled that the poultry business had no interstate commerce. He was not prepared for the distinction drawn by the decision; namely, that, after poultry arrives in a city, it ceases to be directly in interstate commerce.
The truth, of course, is that the sweeping nature of the decision shows the government would have lost. No matter what NRA case it presented to the court.

There is an old story about an eminent jurist sitting on a river bank beside his rowboat. A traveler (Continued on Page Three)

SIDE GLANCES

by TRIBUNE REPORTERS

Miss Mildred Dupon and Gene Brock mounted on horses, viewing the parade from that vantage point with superior air.
Pinto Colvig hearing his father stridently deliver the Gettysburg Address.
One patriotic soul so moved by the memorial services this morning that he strode down Main street lustily whistling "America."

Our Arnie carrying a new baseball bat around, claiming it to be one of those destined to beat out the funeral dirge of the Gilmore Lions tomorrow.
Small toys paralyzing the multitude by dangling precariously from the Bear creek bridge, trying to get a better view of the poles being sprinkled on the water.

NORMANDIE MAY SET TRANSLANTIC RECORD
AROUND ER NORMANDIE AT SEA, May 29.—(AP)—Circled on her way by an enthusiastic throng at Southampton, the Normandie pointed her prow toward New York today and the possibility of a new transatlantic speed record.
The 70,000-ton liner averaged 28.5 knots on the first stage of her maiden voyage. She left Le Havre for home port at 6:30 p. m. and arrived in Southampton shortly before midnight.

DRIVER KILLED AS CAR STRIKES WALL EARLY IN CONTEST

Show Second, Cummings Third — Winner Breaks Track Record — Drizzle Slows Race Near End

SPEEDWAY, Indianapolis, May 30.—(AP)—Kelly Petillo, hard-driving Los Angeles Italian, won the 500-mile automobile race over the bumpy two-and-a-half mile brick track at the Indianapolis motor speedway today. A record crowd of 155,000 witnessed his triumph.

Wilbur Shaw, Indianapolis, finished second, two and a half miles back. Petillo drove the entire distance without relief and made only two stops for fuel, and to change tires.

Wild Bill Cummings of Indianapolis, winner of the 1934 race, finished third. He was about five miles behind the winner.

Petillo drove the 500 miles in 4:36:40 to average 106.240 miles an hour, breaking the track record for the distance. Petillo accomplished this record breaking despite the fact the race was slowed up for 33 miles, during the last 50 miles, due to a drizzling rain.

With less than 30 miles to go, the race was resumed at full speed when the drizzle ceased. The green flag was waved at the drivers as they dashed by the referee's stand, ordering them to step on the gas again.

At 47 1/2 miles Petillo clung to the lead. He covered the distance in 4:28:12.00 to average 106.264, still a new track record. Shaw was second, two and a half miles behind, with Cummings third, five miles in the rear.

Tragic death came to one driver, while his mechanic was reported to have suffered a broken back.

The dead driver was Clay Weatherly, Cincinnati, killed when his car crashed into a wall on the dangerous north turn. His mechanic, Edwin Bradburn, Los Angeles, was still in a semi-conscious and very dangerous condition at the field hospital, although doctors attending him said he had a slightly better than even chance to live.

SPEEDWAY, INDIANAPOLIS, May 30.—(AP)—Clay Weatherly, Cincinnati, was killed when his car crashed over the northwest wall while competing in the 500-mile automobile race at Indianapolis motor speedway.

Weatherly's mechanic, Edwin Bradburn, Los Angeles, suffered a broken back. His condition was serious.

Weatherly was driving the same car in which Johnny Harmon of Norristown, Pa., was killed while practicing for the race a week ago. The death of Weatherly was the fourth to occur for today's race. Three other drivers having lost their lives in the trials.

At Gordon, Los Angeles, and his mechanic, Frank Howard, escaped death a few seconds after Weatherly was killed, when his car crashed on the same turn. Gordon's car shot to the top of the track and hung there.

Gordon's life was probably saved by his head helmet, which all drivers and their mechanics were required to wear. The helmet, made of a combination of light metals and wood, was broken into bits. Gordon said the turn where the accident occurred was covered with leaking motor oil, causing it to become slippery and treacherous.

Howard, Gordon's mechanic, living in Los Angeles, sustained a cut hand, but otherwise escaped serious injury.

"ONCE HE TROD OUR STREETS—"



Symbolic of America's homage to her war dead on Memorial Day, a sentry solemnly guards the tomb of the Unknown Soldier in Arlington cemetery. (Associated Press Photo)

PAY COMPROMISE VOTED BY UNION TIMBER WORKERS

PORTLAND, May 30.—(AP)—The compromise plan calling for minimum wages of 56 cents an hour was accepted by a 9 to 1 margin last night by 1000 union mill workers at Longview, Wash., as ramifications to the Pacific northwest strike picture followed collapse of the NRA.

J. D. Tennant, vice-president and general manager of the Long-Bell lumber plant, told the Associated Press the original compromise offer of the operators was withdrawn May 9 when the sawmill and timber workers voted it down.

About 2600 men working in the Weyerhaeuser and Long-Bell mills and an additional 400 employed by smaller plants of the vicinity were affected by the decision to end the strike and return to work Monday.

But there were rumblings that since the collapse of the NRA, whose Section 7-A guaranteed collective bargaining, that some operators might hesitate to sign any agreement with the Sawmill and Timber Workers' union, an American Federation of Labor affiliate.

Tennant said he did not know if (Continued on Page Three)

GRAND COULEE PERILED BY DECISION ON NRA

WASHINGTON, May 30.—(AP)—Senator Schwelbensch (D., Wash.) said yesterday the recent supreme court NRA decision has endangered completion of the Grand Coulee project on the Columbia river in central Washington.

The senator cited four decisions—Parker dam, railroad pension act, National recovery act and the Frazer-Lemke farm mortgage act—which he said had a direct bearing on the future of Grand Coulee.

RICHMOND, Ind., May 30.—(AP)—William Dudley Fouke, widely known author and civil service reform worker, died at his home here today. He was 86 years old. Mr. Fouke was a member of the national civil service commission under President Theodore Roosevelt.

In the problem of finding an NRA substitute. Because of rain the parade was cancelled but the tomb of the unknown soldier and the graves of 43,000 soldiers in Arlington cemetery were decorated.

BASEBALL

American.
First game: R H E
Philadelphia 4 6 1
Boston 7 11 2
Blascholder and Berry, W. Perrell and R. Perrell.

National.
First game: R H E
Brooklyn 3 10 1
New York 8 11 4
Mungo, Clark, Phelps and Lopez; Parmelee and Mancuso.

First game: R H E
Chicago 4 11 1
Pittsburgh 4 10 2
Carleton, Henehaw and Hartnett; Blanton, Bush, Hoyt and Grace.

First game: R H E
Boston 6 14 3
Philadelphia 11 12 2
Frankhouse and Spohrer; Bivin Jorgens and Todd.

TRIO CONFESS IN REDMOND FIASCO

BEND, Ore., May 30.—(AP)—The announcement that three men held here in connection with the robbery yesterday of the Dairyman's bank at Redmond, had confessed, was made today by Sheriff Claude McCauley and Sergeant Art Tuck of state police.

Frank Watson, 33, of San Francisco; Earl Davis, 38, of Oakland, Cal., and E. T. Holbrook, of Tumalo, Ore., were the men held.

Watson and Davis stormed the bank at noon yesterday, scooped up more than \$1000 in currency, and after kidnaping the president of the bank, his daughter and another girl, fled westward. The hostages were released unharmed four miles from the city. Watson and Davis were captured about two hours later by state police as they were dividing the money in Holbrook's home. When Holbrook appeared at the house later he was placed under arrest. Police said they discovered he had driven the escape car at one stage of the flight.

AIR SHOW, BASEBALL DURING AFTERNOON

Roses from the air were sprinkled on the Medford cemetery at high noon today, honoring the city's war dead, and in particular Newell Barber, Medford's first aviator, who died during the World war, and "Ike" McKinney, flight well known here, who was killed in an airplane crash some time ago. A large crowd was already assembling at press time to witness the big air show scheduled at the municipal airport.

Another center of interest for the afternoon was the baseball game, billed as a "struggle" battle, between the Medford Rogues and the Jacksonville Gilmore Lions, at the fairgrounds.

COLD WILL ABATE FRIDAY IS WORD

Extreme cold weather that dropped the mercury to 54 degrees at noon, one of the coldest days of recent years for this month, dulled the observance of Memorial day today, keeping the usual crowd of townspeople who turn out for the annual parade at their fringes.

The temperature this afternoon was rising at the rate of about 1 degree an hour, which was expected to bring the maximum temperature for the day to a mark above yesterday's coldest maximum temperature of 57. The previous cold record for the month was reached May 16 with a maximum of 59 degrees.

A year ago today the temperature stood at 67, while the files of the Mail Tribune reveal that on May 30, 1924, the mercury soared to 102 degrees.

OREGON NRA HEAD IS MARKING TIME

PORTLAND, May 30.—(AP)—G. Laird McKenna, state NRA compliance director, was "marking time" today, following reception of orders from Washington to hold up enforcement work "until further notice."

Notification was received from L. J. Martin, chief of the compliance division, who asked McKenna to encourage voluntary compliance with wage and hour standards set by the outlawed codes.

McKenna declared many concerns already have notified him they will continue the standards regardless of the supreme court's decision. He said the compliance headquarters here would remain open.

Robert M. Mount, secretary of the retail code authority, said today that apart from a few minor closures, Portland retail stores will continue to operate on exactly the same schedule as heretofore.

GIANTS, DODGERS PACK POLO PARK

NEW YORK, May 30.—(AP)—All baseball attendance records for the Polo Grounds were shattered today when 64,500 fans turned out for the doubleheader between the New York Giants and Brooklyn Dodgers.

Every inch of space in the National league park was jammed as the two teams began play. The crowd not only set a new high for the Polo Grounds but likewise represented the biggest baseball gathering of the major league season. The biggest previous crowd, also at the Polo Grounds, came to see Babe Ruth, now of the Boston Braves, make his first appearance as a National leaguer in New York. The paid attendance that day was 47,000.

KARPIS KIDNAPING GANGSTER SOUGHT IN TACOMA CASE

Apartment House Managers Identify Pictures of Member — Ransom Money Ready — Climax Near

TACOMA, May 30.—(AP)—Members of the Alvin Karpis kidnap gang flitted again today across the story of George Weyerhaeuser's abduction, as reliable sources reported the \$200,000 ransom is ready to free the nine-year-old boy.

To previous rumors that the Karpis gang was sought in the case, three Tacomans today added assertions that a man resembling Volney Davis, associate of Karpis, was here as late as last Saturday, the day after George was seized.

Money Ready.
A source close to the Weyerhaeuser family said the ransom money—a 50-pound stack of Federal Reserve notes—was awaiting contact with the auditors. In Seattle, the Times said the money had been gathered at the Federal Reserve bank there and sent here Tuesday.

Mr. and Mrs. Clarence G. Reed. (Continued on Page Three)

3 CHILDREN EAT TOADSTOOLS, DIE

PINE RIVER, Minn., May 30.—(AP)—Three children are dead, another was reported dying and two are in critical condition today from allegedly eating poisonous toadstools.

All are the children of Mr. and Mrs. J. D. Young, living 11 miles west of here. The Youngs, on relief, thought they were eating mushrooms. The family gathered the toadstools in the cellar, they were mushrooms in the woods near their home Tuesday night. Shortly after eating them, the children became ill and Dr. But- ton was notified.

Robert and Raymond died yesterday and Verda today.

TAPS SOUNDED FOR U. S. DEAD IN FRANCE

PARIS, France, May 30.—(AP)—Buglers sounded taps today over the graves of America's 28,500 war dead who sleep in France.

In the eight plots of United States soil in France, where rows of white crosses mark the graves of American dead, American citizens bowed in memory of comrades who died during the world war. Gen. John J. Pershing, wartime commander of the A. E. F., was here to participate in the ceremonies.

CHAIN LETTER SELLER FORCED RETURN MONEY

BUTTE, Mont., May 30.—(UP)—Chain letters have brought laughs, tears and fun. Many have lost their investments. But not so for some 25 patrons of a chain letter store here when D. H. Hawley, the office operator, was taken into police court and made to pay back all his customers.

CIGARETTES 11 CENTS IN LOS ANGELES SHOPS

LOS ANGELES, May 30.—(UP)—Four leading brands of cigarettes sold for 11 cents a package here today, as the first evidence of price cutting since invalidation of the NRA. The minimum code price under NRA had been two packs for 25 cents.

Baptist Minister Held In Slaying Of Police Chief

ORRIDER, La., May 30.—(UP)—Rev. C. E. Estridge, 45-year-old Baptist minister, was held in Beauregard parish jail today after slaying the police chief of Orange, Tex.

Three hours after the minister fired a charge of buckshot into the head of Chief Ed O'Reilly, 49, and fled by automobile into Louisiana, he was captured here.

When local officers forced the minister to halt his automobile near this city, he inquired: "Did he die?" When told that Chief O'Reilly died instantly, Rev. Estridge set his lips tightly and refused to comment.

Rev. Estridge, known in Orange as a "crusader" against vice, was arrested last night by Chief O'Reilly and disarmed of two pistols.

KERR RETIREMENT RECOMMENDATION AT AWKWARD TIME

PORTLAND, May 30.—(AP)—E. C. Sammons, chairman of the chancellorship committee of the Oregon state board of higher education, last night declared he hoped "no awkward situation would result" from the A. A. U. P. committee report recommending the retirement of Chancellor W. J. Kerr, and expressed regret that the recommendation came at a time when "substantial progress is being made" in the naming of a successor.

Sammons declared that due to the proposed tax limitation amendment, defeated at the polls last November, and the uncertainty surrounding possible legislation at the recent session of state senators and representatives the board had been "in no position to invite a high-type educator to come here to look over Oregon until the last 60 days."

He said passing of the tax limitation plan would have resulted in (Continued on Page Three)

K. F. KITE FLYER IS ELECTROCUTED

KLAMATH FALLS, May 30.—(AP)—The copper string of his kite coming in contact with an 11,000-volt power line, Wilbur Olson, 24, was electrocuted at the Luliza ranch on the road to Round lake near here last yesterday afternoon.

He was flying the kite for George Luliza, 8-year-old son of the rancher. The child was the only witness of this tragedy.

Young Luliza, who was looking away from Olson at the instant of the accident, said that the first intimation he had of mishap was when he saw Olson's body lying smoking on the ground.

The wire dragged on the ground and burned a 250-foot swath over a field.

SUICIDE CHANGES MIND IN THIRD-STORY JUMP

KANSAS CITY, Mo., May 30.—(UP)—Deciding to "end it all," George Clarkson dived from a third-story window last night. His shoulder struck a clothes line, threw him to one side and upon a mattress which had been set out for him. His ankle was bruised. "That's fine," George said. "I changed my mind on the way down."

TELEPHONE OPERATOR TO JUNGLE GOLD MINE

DUNCAN, Okla., May 30.—(UP)—Mrs. Gladys Sager who used to complete calls for telephone operators lead a dull life will leave Saturday for Tegucigalpa, Honduras, to join her husband in a jungle gold mine. Only access to the mine is by plane.

PARADE FEATURES TRIBUTE OF CITY TO SOLDIER DEAD

Unseasonable Weather Lessens Spectators — Talk by Banwell Stirs Listeners at Church Exercises

Progressing along Main street to the slow strains of the funeral march played by the Elks' and the Medford high school bands, the annual Memorial day parade was held this morning, witnessed by only a few townspeople who lined the streets in unseasonably cold weather.

The parade was headed by T. H. Bedwell, veteran of the Civil war, who walked the full length of Main street leading the procession. Next in order was the Elks' band, followed by Co. A, 166th Infantry. Cars bearing Gold Star mothers then came, with Daughters of Union Veterans, Civil War Veterans and Daughters of the American Revolution following in that order.

The American Legion was followed by the high school band, which, together with the Elks' band, formed the colorful units of the parade.

The line of march continued with the Salvation Army, Girl Scouts of Troop 2, Fraternal Order of Eagles and their auxiliary, and was terminated by a body of DeMolays.

Flowers on Waters.
After reaching the bridge, the parade units gathered in a group to witness the patriotic observance of sprinkling rose petals on the water of Bear creek. A firing squad of national guardsmen then took position on the bridge and fired three salutes, followed by taps.

A large gathering of townspeople followed the parade to the bridge for these ceremonies, after which the parade proceeded at a match tempo back along Main street to the starting point.

Veterans Speak.
Following the parade, the crowd assembled at the Presbyterian church for a patriotic ceremony. Judge Wm. Colvig, Civil war veteran, acted as master of ceremonies. Introducing the various organizations, including the G. A. R., the Women's Relief Corps, the Daughters of Union Veterans, Daughters of the American Revolution, Veterans of Foreign Wars and their auxiliary, United Spanish War Veterans and their auxiliary, the American Legion and their auxiliary, and the Disabled Veterans and their auxiliary decorated the vacant chairs of their departed comrades.

Judge Colvig then introduced A. H. Banwell, the principal speaker of the day. Without attempt at oratory, Mr. Banwell paid tribute to the American war dead. He painted a clear picture of the American war, their causes and results, and the advantages and lessons that those wars have given this country, from the French and Indian war down to the World war.

"But the greatest and most vicious enemy that this country has today is communism," the speaker said. He emphasized that the need for patriotism was as great, or greater, today than at any time in the history of the United States. He pointed out that the indivisibility of America was not proven until the Civil war, and that the threat against that quality was again stalking the country.

(Continued on Page Five)

WILL ROGERS SAYS:

HOLLYWOOD, Cal., May 29.—Hurray for the old constitution. Nobody wants to see that old lady led astray, but wouldn't this amendment to her be helpful? "When congress passes a law, or a president exceeds his authority, have some person notify the supreme court what has happened and get them to examine that medicine and see if it's poison before it's given to the patients and not at the funeral."

This amendment would make the supreme court a preventive and not an autopsy jury.

Will Rogers.
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