

The Weather
Forecast: Fair Sunday and Monday; rising temperature.
Temperature
Highest yesterday 73
Lowest yesterday 42

MEDFORD MAIL TRIBUNE

It's Vacation Time
Have the Mail Tribune follow you on your summer vacation. Better than a letter from home. Telephone 75 or drop a postal giving your old and new address.

Thirtieth Year MEDFORD, OREGON, SUNDAY JULY 7, 1935. No. 90.

OREGON A.A.A. LAW HELD INVALID



News Behind The News
By PAUL MALLON
(Copyright, 1935, by Paul Mallon.)
WASHINGTON, July 6.—An outstanding Republican authority has recently traveled around the country, mostly in the middle west, talking with party workers. He probably has the best inside about the sub-strata of Republican thought about candidates for '36. His view is not surprising but is self-evidently authoritative.

In his estimation, PAUL MALLON writes, the four most talked-of candidates are:
Frank Knox, business man and editor, who is favored by much of the former Hoover following. No organization work is being done in his behalf, but it is thought he will eventually get the Illinois delegation. He probably also Missouri and Oklahoma, and that he will be second choice in several other midwest states which have favorite sons as first choice. This does not represent his maximum chances but only what is immediately in sight for him, if he becomes a candidate.

Governor Landon, whose assurance at the moment only includes Kansas, has strong backing among republican leaders and ex-leaders on the scene here. He is of Dutch descent, has a reputation for tight economy both in his personal and public life. A build-up campaign for him on this basis is now starting. He is certain to be a candidate, and a strong one.

Senator Vandenberg, of Michigan, may or not be a candidate. He is nationally better known than the other two, probably no build-up, but is being opposed by some of the state organization groups. For instance, the Indiana boys do not like his word court vote. Others favoring other candidates object because he has not opposed the new deal on everything.

Senator Dickinson will go into the convention with Iowa, at least. In addition, he will look forward to support from groups in the many most bitterly opposed to the new deal from top to bottom.

You may note this group does not include Mr. Hoover. He is out of it, in the minds of virtually all responsible republicans. Talk to the contrary does not come from those who know what is going on.

There has been a story around lately that he will issue a statement putting himself out of the race. Those who have talked to him more recently do not believe it. What they say is that he is not a candidate but will not say so for several reasons: namely, self-banishment would deprive him of the influence he wants to exert in choosing the right kind of man as a candidate; it would leave the party leaderless until the candidate is chosen; such a statement would be difficult to compose and probably would be subject to misinterpretation.

The first two reasons seem to be valid.

11 MARKET CODES AND AGREEMENTS HIT BY OPINION

Multnomah County Judge's Ruling to Await Supreme Court Findings — Ice Cream Suit Basis.

PORTLAND, Ore., July 6.—(AP)—The Oregon agricultural adjustment act, with all its codes and marketing agreements, was declared unconstitutional in an opinion handed down here today by Circuit Judge John P. Winter of Multnomah county.

Eleven marketing agreements and codes in Oregon would be affected by the opinion of the Multnomah circuit court today should its holding the agricultural adjustment act unconstitutional be sustained by the state supreme court.

Solon T. White, director of agriculture, declared his interpretation of the decree was that although the court held the codes unconstitutional, they would remain in effect until the matter is decided by the state court.

In declaring the state agricultural adjustment act unconstitutional, Judge Winter sustained a defense recurred to the complaint in the action brought by the Oregon ice cream area committee seeking to enjoin Fred Meyer, Inc., from selling ice cream below the minimum code price of 40 cents a quart retail. This was the price established under the act.

Inasmuch as the future of the state agricultural codes and marketing agreements under the adjustment act depends on an ultimate final decision, the case will be appealed to the Oregon supreme court without delay. Meanwhile it was agreed that the Fred Meyer company will abide by the code price pending the supreme court's decision.

The company had been accused of selling ice cream at 29 cents a quart. It costs under the code prior. Attorneys for Meyer contended the sale of ice cream at 29 cents a quart gave a sufficient profit to the dealer and allowed fair returns to the producer and manufacturer, and at the same time benefited the consumer. The defendant demurred to the complaint, attacking the constitutionality of the adjustment act.

Attorneys for the area committee insisted the sale of ice cream below the code price threatened to wreck the entire structure of the marketing agreement.

Bee Stings, Snake And Bulldog Bite Hard Luck Farmer

CARROLLTON, Ga., July 6.—(AP)—Nathan Brown, Carroll county farmer, was stung by a bumble-bee Writing in pain, he dashed to his house for first aid.

On the way he ran across a green snake, which bit him on his foot. Then he headed for town for medical attention. On the way, a bulldog bit him.

ITALY-ETHIOPIA WAR INEVITABLE; TROOPS MOBILIZE

Mussolini's Battle Cry From Cannon Top Stirs Nation — Mediation Spurned — Armed Rule Sole Chance for Peace.

WAR CLOUDS AT GLANCE
(By the Associated Press)
Events seemed to be marching today irresistibly toward war between Italy and Ethiopia.

ADDIS ABABA.—The American legation told 125 resident Americans to leave the country.

LONDON.—Britain contemplated one more effort for peace, with little hope it would succeed.

ROME.—Italy continued her warlike preparations. Mussolini's two young aviator sons signed up for service.

WASHINGTON.—The state department in effect has refused Emperor Haile Selassie's request to find some way to make Italy abide by the Kellogg anti-war pact.

By Indrue Berding
(Copyright, 1935, by the Associated Press)
ROME, July 6.—A ringing battle cry from Benito Mussolini's lips echoed through Italy tonight as the country turned heart and soul to preparations for the war with Ethiopia now believed inevitable.

Before nearly 15,000 blackshirt volunteers destined for service in East Africa who gathered at the Salerno today, Il Duce, cheered loudly, declared:

"I Duce Speaks
"We have decided upon a struggle in which we as a government and a people will not turn back. The decision is irrevocable." A cannon top, significantly, was Il Duce's rostrum for his fighting speech, and the throng of eager-faced youths roaring approval of his words included four of his own kinsmen. They were of the battalion from Forli, the premier's home town. In Rome the leader's, two aviator sons, Vittorio and Bruno, signed up for African service.

HOOVER TALKS IN MINING TOWN



Here's Herbert Hoover back in Grass Valley, Calif., as he delivered an address. The former president spent weeks here in 1896 as a student mining engineer in the "Old Reward" mine. (Associated Press Photo)

MEDFORD WOMAN NAMED PRESIDENT EAGLES AUXILIARY

Bernard Goldstein Elected President, Banwell Third — Mrs. Bertha Coates Honored at Grants Pass Meet.

Bernard Goldstein, Portland, was yesterday elected state president of the Fraternal order of Eagles in state session at Grants Pass. A. H. Banwell, president of the Medford area, was third in the voting, losing to both Goldstein and J. Hale of Salem. Goldstein polled 117 votes, Hale 79, and Banwell 55.

Warren Jones of Salem was chosen as vice-president for the state, and W. A. Johnson of Grants Pass was named state chaplain. Chas. Happer of LaGrande was elected treasurer, and J. R. Voorhees of Portland, secretary. Conduct for the next year will be Herman Webb of Baker.

GRANTS PASS, July 6.—(AP)—Mrs. Bertha Coates of Medford was elected president of the State Eagles Auxiliary at its business session today. Mrs. Coates succeeds Mrs. Betty Woods of Klamath Falls. Vice-president for the coming year will be Mrs. Ida Baughman of Marshfield, who succeeds Mrs. Coates. New chaplain is Mrs. W. A. Johnson of Grants Pass, succeeding Mrs. Rose Libby of Marshfield.

SEATTLE, July 6.—(AP)—The West Coast Lumbermen's association today announced that state department of public works reports show serious losses in freight car loadings paralleled the closing of mills and camps by the current lumber strike.

MARTIN DENIES CLEMENCY PLEAS STRIKE SLUGGERS

Governor Upholds Courts in Portland 'Beat Up' Cases Cites Delays Since Conviction.

SALEM, Ore., July 6.—(AP)—Governor Martin today refused to interfere in the sentences of three men sentenced to one year in the Multnomah county jail for assault and battery during the longshoremen's strike last summer, despite "pressure brought to bear by wealth and other powerful influences."

In a letter to the defense attorneys, the governor declared these three men, Thomas F. Black, Malcolm H. Samuelson and James Hanlon, had appealed to the governor after the supreme court had upheld their conviction, asking him to set aside the decision of the highest court in our state, "a court for whose opinions our citizens should have the greatest respect."

The executive pointed out the crime was committed last June and the defendants had not served one day of their sentence, and by the use of "various proceedings, the defendants still stand unpunished."

Reviewing the case in his letter to Attorney William P. Lord, the governor declared: "On July 2, 1935, I gave you a hearing on the application for pardon or commutation of sentence for your clients. At the conclusion of the hearing, I informed you that I would go into the records of the case thoroughly and give you my decision. This I have done."

No Justification
"From such examination, I ascertain, and the record discloses, that your clients, Messrs. Black, Samuelson and Hanlon, are not deserving of pardon or commutation of sentence."

SEATTLE, July 6.—(AP)—A scorching home run by Jerry Donovan in the eighth scored two runs for Seattle and humbled Portland, 3 to 2, in a game which saw Dick Barrett and Bill Pospelow wage a lusty pitching duel tonight.

SEATTLE, July 6.—(AP)—Night game:
Portland 2 7 0
Seattle 3 3 3
Pospelow and Cronin, Barrett and Bostarin.

PRESIDENT HINTS CAMPAIGN BASED ON CONSTITUTION

Passage Guffey Bill Pressed As Test—Wire Tapping Charged in 'Power, Death' Measure.

WASHINGTON, July 6.—(AP)—President Roosevelt was believed at the capitol today to be pointing the new deal determined into an epochal political and constitutional struggle.

Whatever uncertainty existed before was offset by his request for the house ways and means committee not to "permit doubts as to constitutionality, however reasonable, to block" the Guffey coal bill.

Other developments this week also supported the prospect. With challenges of its enactments pyramiding in the courts, the administration finally saw the Wagner labor bill become law and progress of the social security and utility control bills toward the statute books.

Each had been attacked as unconstitutional. The parties divided on the votes. Suits to annul them will take their place alongside those already pending against the AAA and TVA. Thus a broad range of new deal philosophy will be reviewed by the supreme court, possibly in time to influence the 1936 campaign profoundly.

WASHINGTON, July 6.—(AP)—A new legislative request from the White House and a charge by a house member of lobbyist wire tapping enlivened today a Washington scene otherwise quieted by a weekend holiday of congress.

From Capitol Hill came a letter written by President Roosevelt urging congress to pass the Guffey coal stabilization bill despite any "reasonable doubt it might have about the constitutionality of the measure."

Mr. Roosevelt wrote Chairman Samuel B. Hill (D., Wash.) of the house ways and means sub-committee handling the legislation that "all doubts should be resolved in favor of the bill having to the courts in an orderly fashion, the ultimate question of constitutionality."

SPASMODIC RIOTS FEATURE GENERAL LUMBER OPENING

Tear Gas Hurlled and Dynamite Plot Scented at Longview—Union Leaders Hopeful.

A swing toward a general reopening of lumber operations, accompanied by spasmodic minor rioting, was evident today as the ninth week of the Pacific northwest strike neared a close.

Major developments: Announcement of the uncovering of a plot to dynamite mills at Longview where around 1900 men continued work at the Weyerhaeuser and Long-Bell mills.

The tear-gas dispersal of 150 pickets at the Weyerhaeuser plant at Longview this morning.

SEATTLE, July 6.—(AP)—The West Coast Lumbermen's association today announced that state department of public works reports show serious losses in freight car loadings paralleled the closing of mills and camps by the current lumber strike.

40 SENATORS ASK IMMEDIATE \$1.29 PRICE ON SILVER

Early Stabilization of Gold and Silver Demanded of President—Claim Banks Now Profit.

WASHINGTON, July 6.—(AP)—Contending banks were using the treasury's silver buying machinery for their own profit, Senator Thomas (D., Okla.) said today. President Roosevelt will be served immediately with a request backed by 40 senators for early stabilization of gold and silver.

The 40 senators, including members from all but about a dozen states, appended their names to a letter addressed by Thomas to the president requesting adherence to the monetary policy adopted by the last congress. Under terms of that, this government was pledged to continue buying silver until either one-quarter of the nation's monetary metal was silver or until the price of that metal had reached \$1.29 an ounce.

Commenting on the recent drop in the price of silver from a high of 81 cents to about 69 cents, Thomas contended the banks, with forbidden knowledge of when the treasury was to buy or sell silver, were able to profit either on the upturn or the drop.

The Oklahoma senator emphasized he did not accuse either Secretary Morgenthau or the banks with "duplicitous" but insisted "banks will be benefited when an opportunity for profit is offered."

Thomas said if purchasing is pressed the \$1.29 price would be reached long before the United States had reached its prescribed quota of \$3,000,000,000 of monetary silver.

BUSINESS SHOWS GAIN PAST YEAR

WASHINGTON, July 6.—(AP)—A general favorable picture of business conditions during the week ended July 3 was reported today by the commerce department.

"Hot weather," the department said in its weekly survey of 32 cities, "and the demand for vacation supplies were sufficiently stimulating to the retail trade to develop increases over the previous week's business in most of the important trade centers."

NEW YORK, July 6.—(AP)—Specialists in real estate said today the shakiness that have gripped transactions in the metropolitan area since the depression set in are beginning to crack.

MEDFORD COUPLES GET RENO PERMIT

RENO, Nev., July 6.—(AP)—Marriage licenses issued here today included: Fred G. Anderson, 23, and Pauline Schaefer, 23, both of Medford, Ore.

LEAKEPORT, Calif., July 6.—(AP)—Held without bond and on open charges pending a grand jury inquiry next week, J. W. Murphy, 40, Arbutus, Calif., farmer, today resisted his innocence in the drawing up of 14-year old Marie Meyer, his niece.

BANK LOANS AID NEW YORK REALTY

NEW YORK, July 6.—(AP)—Specialists in real estate said today the shakiness that have gripped transactions in the metropolitan area since the depression set in are beginning to crack.

LOSS OF PENNIES DISTURBS WIDOW

WALLACE, Idaho, July 6.—(AP)—Twenty-five dollars is a small part of a \$1,875 burglary loss to cry about—but it's the sentiment of the thing.

WILL ROGERS SAYS

BEVERLY HILLS, Cal., July 5.—Well, breakfast in Ft. Worth. Did kinder want to go on and see what the boys in congress was doing as there was a plane standing there that would have put me there this afternoon. Another leaving for Brownsville, Texas, and Old Mexico. I looked longingly at it. Another leaving for Tulsa and Claremont. I did want to go on it, but finally settled on the one for California, as that's what I should do, come on home.

TOURIST DIES AS PICTURE TAKEN

WENATCHEE, Wash., July 6.—(AP)—A man identified as Leroy Cole, 27, Nebraska City, Neb., was fatally burned and shocked today by contacting a high voltage electric wire while he was standing upon the roof of an electric engine at Meritt having his picture taken.

FAIR AND NORMAL WEEK'S OUTLOOK

OREGON: Cloudy Sunday; Monday fair and warmer; moderate northwest wind off the coast.

YANGTSE FLOODS PERIL HUNDREDS

SHANGHAI, July 7.—(AP)—Flood waters raced through the vast valley of the Yangtze river today.

COLUMBIA FLOOD CONTROL FAVORED

PORTLAND, Ore., July 6.—(AP)—Col. Thomas M. Robins, divisional representative of the army engineer corps, believes the United States should be justified in undertaking extensive flood control work along the lower Columbia providing the states share in financing the project.

ST. PAUL MINN. JULY 6.—(AP)—

Charles H. Low, 79, retired engineer of the Great Northern railway, who escaped death in the Custer massacre, died Friday at his home here. Low, an army motorcycle driver at the time, missed fulfilling an assignment to accompany Custer by the stubbornness of his mules.



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