

### CONGRESS INVADIED FIELD OVER WHICH CONTROL LACKING

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control and regulate the production of the so-called basic agricultural commodities of the several states, through agreement with the producers and in consideration of what is termed acre or production for market sufficient to increase the current average price of such products to that elusive point where the returns to the farmer from the production of such commodities will purchase under present conditions the same amount of industrial products that the returns to the farmer from the same amount of products would buy in the five-year pre-war period from July, 1909, to August, 1914.

"The power of congress to regulate interstate commerce does not authorize it to do so by taxing products either of agriculture or industry before they enter interstate commerce, or otherwise to control their production merely because their production may indirectly affect interstate commerce.

**Issue Defined**

"The issue is not, as the government contends, whether congress can appropriate funds raised by general taxation for any purpose deemed by congress in furtherance of the general welfare," but whether congress has any power to control or regulate matters left to the states and lay a special tax for that purpose.

"If congress has the power to control or regulate the production of agricultural products, it is necessarily empowered to regulate the processing or sale for that purpose. It is obviously legislative in character. Query then, has congress set up any definite standard for the secretary's action in making rental or benefit payments to producers and thereby imposing a processing tax?"

"We find no definite, intelligible standard, set up in the act, for determining when the secretary shall pay rental or benefit payments in order to reduce production of any particular commodity except in his own judgment as to what will effectuate the purpose of the act.

"The declaration of the emergency in the agricultural act contains no such standard for the secretary of agriculture to follow in entering into restrictive agreement with producers of agricultural products. It is merely a statement of conditions, which in the judgment of congress warranted legislative action."

**Powered By Congress**

"Without requiring any findings to warrant his action, congress has empowered him, in conjunction with the producers, to determine when a reduction of acreage of any one of the agricultural commodities which it has termed basic should be resorted to to accomplish the act, when rental or benefit payments are to be made and in what amounts, and thereby determining through initiation of the benefit payments or rental the consequent imposition of a tax.

"The secretary made no findings of fact as to why the first list of basic commodities for reducing acreage or production, and was not required to do so. He simply made a proclamation: rental and (or) benefit payments are to be made with respect to cotton; and a processing tax automatically followed."

**DRUNKEN DRIVING NETS \$100 FINE**

Ernest Russell, who was charged with driving an auto while under the influence of intoxicants, entered a plea of guilty in justice court yesterday and was sentenced to 30 days in the county jail, fined \$100 and had his driving license suspended for one year. The jail sentence was suspended by Justice of the Peace William R. Coleman, pending good behavior. The fine was paid.

Russell was arrested in Central point, and admittedly was driving while intoxicated on the streets of that city.

Joe Wilson, charged with petty theft, was sentenced to 30 days in the county jail. Wilson was charged with the stealing of groceries from a local store.

William S. Coulter was fined \$5 and costs for improper license plates. Glen W. Standley and Arthur Luak, charged with failure to procure an auto owner's license were each fined \$5 and costs.

**20TH BURGLARY OF FABER STORE GOES ON RECORD**

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In the roof with a brace and bit, neatly attaching one square large enough to admit their person, and stole about \$5 in pennies, nickels and dimes. A side of bacon is believed to be part of the loot, and, possibly to make the eating of the bacon more convenient, two dozen tea-spoons also departed with the thieves. And the alarm didn't go off, because Faber had neglected to connect it with the ceiling. It's on omission he won't make again, he declared today.

Some place in Oregon there must be a fraternity made up of thieves who have entered the Faber store. They are the amateurs in crime. It's too easy prey for the big shots. But three men who have been "guests" of Mr. Faber don't attend the meetings. They're in the penitentiary, having been caught and convicted. Several others, so many that Faber couldn't just remember the number have served time in the county jail for the same offense.

Friends of the owner are now urging him to appeal to the better side of the thieves' nature, with an appeal something like this:

"To whom it may concern— The key is under the door mat. Take it, you are welcome. Please clean the store before you leave, and split some kindling for the next thief who comes along, who may be just as cold and hungry as you are. It will be appreciated if you take only what you need, and don't break things unless it is necessary. Kindly turn out the lights before you leave."

The state police are busy on the case today, and hope to apprehend the criminals in a short time and raise the penitentiary record for the store to four victims.

### LONG-SHORT HAUL BILL IS APPROVED

WASHINGTON, July 15.—(AP)—The house interstate commerce committee today approved the Pettigill (D-Ind.) long-and-short-haul bill amended to specify that the burden of proof in seeking rate changes under it shall be upon the railroads themselves.

The bill is defined by its author as designed to permit the rail carriers to meet competition by charging less for a long haul than for a shorter haul over the same route in the same direction.

During extensive sub-committee hearings, proponents of the legislation contended it would enable them to meet water and motor competition. Water interests maintained, though the rail carriers wanted freedom in making as low rates as they wished to points served by their competitors in order to run them out of business through "cut-throat" competition.

**Miss Stephenson Takes Cinderella Beauty Shop Helm**

Miss Vernell Stephenson, a graduate of the Medford Beauty School, will take over the management of the Cinderella Beauty Shop, beginning tomorrow, July 17, according to announcement. She was formerly employed at the Palace shop and her work is well known to many women of Medford and this vicinity.

Assisting Miss Stephenson at the Cinderella shop will be Mrs. Evelyn Converse, former instructor in the local beauty school. She is an expert Marinello operator. The Ringlet and Helen Curtis methods of permanent waving will be featured by the Cinderella Beauty Shop.

Leaves for San Diego—Robert J. Leach, of the U. S. Marine corps, left last night by train enroute to San Diego.

### BOLGER DIAGNOSES COMMUNITY'S ILLS IN ROTARY SPEECH

W. S. Bolger, former president of the Jackson County Chamber of Commerce, delivered an interesting address upon the subject "What is Wrong With This Community?" at today's luncheon meeting of the Medford Rotary club at the Hotel Medford. Mr. Bolger frankly gave the Rotarians and guests his observations of the past eight years and offered constructive criticism of this city and its people.

During his talk, Bolger stressed the importance of bettering the market conditions for fruit and commodity growers and lauded the achievement of the Jackson County Chamber of Commerce in securing the headquarters for the Civic Conservation Corps and the efforts of that organization to secure an army air base here. The speaker suggested a "clinic" to diagnose the ailments of the city and valley and pointed to the chamber of commerce as a practical, business like organization which, properly supported, will accomplish much for this area. He also praised the Rotary club's move to function as a "better business bureau."

Ben Harder, president of the Jackson County Chamber of Commerce spoke briefly of the membership campaign launched today by that body and urged the support of Rotarians in the important task of expanding the list of chamber members.

**Biden Returns—Stanford Charles Biden, the Stan Biden of High school football fame here, has been in the city for the past few days, after spending some time at Crater lake with his wife. Stan is now employed by the federal government at Los Angeles, in charge of relief work with hundreds of men under him. He and Mrs. Biden are returning south today.**

### SCOTT DROPS OUT OF MOVEMENT TO UNSEAT GOVERNOR

PORTLAND, July 15.—(AP)—Luelle M. Scott, whose name has been linked with those who are seeking to unseat Governor Charles H. Martin's right to hold office, late yesterday declared he had nothing further to do with the movement.

"My sole purpose in the matter was to point out the law which says that no officer of the United States may hold a public office," the former highway commission chairman said. "Governor Martin is a commissioned army officer and as such he is an officer of the United States."

Scott also said he had heard nothing from those identified in the move to unseat the governor, and that he had not been informed of the report that a move was afoot to have District Attorney James R. Bain of Multnomah county bring a contest suit which District Attorney William Trindle of Marion county declined to do.

"I've been in no conferences and I'm not a candidate for anything," Scott declared.

**Oregon Weather**

Generally fair tonight and Wednesday, but cloudy on the coast; somewhat cooler interior of south and east portions tonight; moderate northwest winds off the coast.

### DENTISTS ADVERTISING OF CHEAP PRICE HELD IN VIOLATION OF LAW

SALEM, July 15.—(AP)—A further opinion by the Oregon supreme court relative to advertising dentists today held that the statute prohibits not only the advertising of fixed prices but any advertisement which implies lower fees than normal such as "modern dentistry cheap."

The case was brought by S. T. Donohue of Eugene against the state board of dental examiners to prevent the board from revoking his license because, while he did not advertise specific prices he did advertise "modern dentistry cheap." The court affirmed the Lane county circuit court which held with the defendants.

The matter of the constitutionality of the advertising law had previously been decided by both the state supreme court and the supreme court of the United States in the case brought by Semler of Portland.

The opinion, written by Justice Harry Bell, held it was the intention of the legislature to prohibit any form of price, and that the plaintiff through carefully guarded language conveyed to the public the idea that his charge for dental services will be lower than that ordinarily made for such, was violation of the act.

German farmers are being urged by the Reich government to feed hogs, cattle and horses with the surplus crop of dried sugar beets.

### BANKS LIBERATION EFFORTS OPPOSED IN JACKSON COUNTY

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most ardent supporters in the turmoil that was climaxed by murder. The petitions for Banks were signed, according to reports received, by 120 persons, chiefly from Multnomah, Marion and Lane counties.

The petitions against Banks' pardon set forth in their preamble that Banks had "more than a fair trial" and was "ably defended by five attorneys on a change of venue to Lane county, and that the findings of the lower court were unanimously affirmed by the supreme court."

The petitions characterized Banks' crime as a "cold-blooded and premeditated murder, without extenuating circumstances, and committed from ambush."

Assistant Attorney-General Ralph E. Moody will be here next Friday to gather data to combat the new pardon plea. The material gathered

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**CHICHESTER'S PILLS**  
"THE DIAMOND BRAND"

### to resist the abortive attempt last December to free Banks, was lost in the fire that destroyed the state capitol in April. Assistant Attorney General Moody prosecuted Banks for murder, and all the ballot theft cases. Banks was tried in Lane county on a change of venue, in May, 1933.

Banks has been in prison for two years, next August, and in that time two efforts to secure a pardon have been launched. Rumors circulated over the Willamette valley, and in Portland, depicted Banks as "a victim of a plot" and "a harassed political prisoner."

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3 GROUPS PRINTS WHITES PASTELS FORMALS

A grand sale of Women's and Misses' Summer Silk Dresses. Three interesting groups to select from and each group with a \$5.00 price tag. Then there's a group of Prints, a group of Pastels and White Silks and a group of Formals. Regular values up to \$2.95.

# \$5.

**Cotton Formals Sharply Reduced for Clearance**

# \$2.95

**MANN'S SECOND FLOOR**



**JULY SALE OF SILK BLOUSES**

A large group of Women's and Misses' Silk Blouses in regular \$1.50 styles. White and pastels included in this special selling.

# \$1.00

40-inch

## WHITE NOVELTY SILKS

A sensational value! This season's newest 40-inch Novelty White Silks at \$1.00 yard. Regular up to \$1.49. Included in this special Silk event are Matlasse, Sheers, Shadow Stripes, Krinkle Crepes, Silk Pique and Shantung. Your choice

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When you use Colonial Dames Beautifier you not only protect your skin from summer sun but it gives you a perfectly grand base for your powder and rouge. Comes in three sizes.

# 65c \$1.00 \$2.00

Miss Waterman from the Colonial Dames Laboratories who is now in our Sales Dept., will be glad to have a private talk with you regarding your particular skin needs. Ask the sales girl.

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For the freedom of the knees...

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with knit-in "Lastex" garters

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Once you slip into a pair of Holeproof Knee-Highs, you'll wonder "how you ever got through a summer without them." For this highly styled knee-length stocking actually does—and does beautifully—all that women ever hoped to do by "rolling."

Come in and see its many advantages. Shown in two comfortable lengths to assure you correct fit. . . In Shadowless Chiffon or Service. . .

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This seal on every pair certifies to the tested excellence of Holeproof Hosiery

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**All you Need!**

For a refreshing, delicious, easy-to-serve

## SLOE GIN RICKEY

Squeeze half a lime (or quarter of a lemon) into Rickey glass; add jigger of Lyons Sloe Gin, cube of ice & seltzer.



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