

The Weather
Forecast: Cloudy tonight and Wednesday. Little change in temperature.
Temperature Yesterday 57
Highest Yesterday 57
Lowest this Morning 43

MEDFORD MAIL TRIBUNE
PULITZER AWARD 1934

THE END FOR ONE WHOLE YEAR
When Bargain Days close on Tuesday evening, that will end the yearly Bargain Days until next Fall. Are you ready for the closing date? If not, act at once.

Thirtieth Year (Twenty Pages—Two Sections) Full Associated Press MEDFORD, OREGON, TUESDAY, OCTOBER 1, 1935 Full United Press No. 164

OREGON AAA CODES HELD INVALID



By PAUL MALLON. (Copyright, 1935, by Paul Mallon.) SAN DIEGO, Cal., Oct. 1.—President Roosevelt is probably going to wish that the San Diego world fair had been held in Little America or some similar political climate before he gets through.



In California he is stepping into the hottest split in Democratic ranks anywhere. On one side are the Oregon Sinclair Epicureans, unquestionably in a majority of Democratic votes in this state today. Their bitter antagonists are the good old-fashioned McAdoo Democrats, who have the money and the inside party machine.

General Parley's deft footwork on his recent visit to California undoubtedly has the diplomatic routine followed by Mr. Roosevelt to Hamilton Cotton's Democratic picnic (the McAdoo wing). The general feeds them the patronage in Washington and could afford to snub them here. In public and in private he has been generally well received by the Sinclair boys.

The play on that seems to be that Mr. Roosevelt wants to keep close to the Epicureans—but not too close.

Senator Borah is strong in the west. From Chicago out you will find a strong undercurrent favorable to the Idahoan for the Republican nomination in the east.

Those who have seen Senator Borah lately say he has a good case for his bid in the lining of his hat. It is supposed to be a letter from Postmaster-General Parley to someone in Idaho. Its authenticity is attested, apparently, by the fact that it is signed with the Parley green ink.

Cossiers relate that Parley, in this letter, promised to move the United States treasury to Idaho to defeat Borah for re-election next year, or something equally extravagant and untrue.

Borah is awaiting the right moment to make the letter public, they say.

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Which brings the thought to mind that the foreman at the Hillcrest orchard would probably have a stroke if someone sneaked in during the night and planted a weed on the premises.

ICE CREAM FIRM UPHELD BY HIGH COURT IN TEST

Act Leaves Power to Those Outside Legislature Says Ruling—Many Cases Upholding Ruling Cited

CEASE ENFORCEMENT. SALEM, Oct. 1.—(AP)—Enforcement of the marketing agreements under the Oregon agricultural adjustment act will cease immediately, Solon T. White, director of agriculture, stated today following the decision of the supreme court declaring the act unconstitutional.

"The purpose of the department of agriculture is to serve the people," White said. "Inasmuch as the supreme court has rendered its decision, annulling Oregon's agricultural adjustment act, no further enforcement of the marketing agreements will be undertaken by the department until such time as new laws are enacted."

SALEM, Oct. 1.—(AP)—Oregon's agricultural adjustment act of 1933 was declared unconstitutional by the state supreme court today, in an opinion written by Justice John L. Rand, the oldest member of the court in point of service.

Justice J. O. Bailey dissented in part to the prevailing decision. The opinion, which dealt directly with the ice-cream marketing agreement, will have the effect of declaring void all the 11 codes now in force. The court in its opinion upheld Judge John P. Winter of the Multnomah circuit court who declared the law unconstitutional and recommended the case be sent to the supreme court at once.

Ice Cream Price Basis. The original suit was instituted by the Oregon Ice Cream Code Board against Fred Meyer, Inc., of Portland. Meyer was charged with selling ice cream at 25 cents a quart while the price set by the control board was 40 cents. Meyer was upheld by the lower court and the plaintiffs, through the attorney general, appealed.

In arriving at its decision the court pointed out that the purpose of the 1933 act was to subject all persons engaged in the business or industry covered by the act to marketing.

Creswell C. Cole will be remembered as one of 20 members of the San Francisco Junior Chamber of Commerce aviation club who flew to Medford on a good-will tour on September 7, returning two days later. While here he made many friends among the Medford flying fraternity, and in the town club, which organization entertained extensively for the visiting flyers.

Max Pierce, aviation enthusiast and member of the entertaining committee, was shocked to hear of Cole's death. He was in close contact with the young San Francisco businessman while he was here, and stated that he was regarded highly by all those who met him on that occasion.

Mrs. Hanley Takes Duties For G.O.P.

SEATTLE, Oct. 1.—(AP)—Launching her work as publicity and contracts committee woman of the Women's National Republican club for five western states, Mrs. E. B. Hanley, former Oregon resident, prepared to leave for Portland, she will work in Seattle, California, Idaho, Montana and Washington.

TouVelle Seen as Choice



F. L. TOUVELLE



CARL G. WASHBURNE

Frank TouVelle of Medford has been prominently mentioned as a successor to Carl G. Washburne of Eugene on the state highway commission. Washburne resigned yesterday. TouVelle, former Jackson county judge, is known as the father of the Pacific highway and has been active in road work for many years.

RETAIL DEALERS TO HOLD DINNER THURSDAY NIGHT

A fine program of future activities has been lined up by the retail merchants' division of the Jackson County Chamber of Commerce. It was announced today by C. D. Beas, chairman.

Considerable more interest is in evidence in the activities of the retail merchants' division, it was reported by chairman John P. Winter of the Multnomah circuit court who declared the law unconstitutional and recommended the case be sent to the supreme court at once.

In order to present to the merchants a detailed program of events for the next six months, a business promotion dinner will be held Thursday night at the Hotel Medford to which all retail merchants are invited. The theme of the meeting will be "how to make the cash register ring" and, according to Mr. Beas, it will be to every merchant's advantage to be present at the meeting.

The dinner is being conducted by a committee composed of John Moffatt, chairman; Marc Jarmin, Raymond Miksche, Ben Trowbridge, Gene Orr and J. F. Hava. This committee will also give a report on a special sales feature which it is expected will be conducted by the merchants in the near future.

Other committees will also make reports at the meeting regarding other promotional events. Retail merchants are urged to obtain their tickets for the dinner immediately by making reservations at the chamber of commerce.

PHARMACY SOLD BY E. J. SMITH

Ernest J. Smith, owner of the East Side Pharmacy, announces the sale of that establishment to Harold Waincoat, formerly of Roseburg.

Mr. Waincoat, who took over the management today, was graduated from the School of Pharmacy, Oregon State college, in 1926, and has since been employed at the Pioneer Drug Store in Roseburg.

It was just ten years ago today that Mr. Smith opened the East Side Pharmacy. Before that he was employed at the Haskins Drug store for a number of years, except for the two years immediately preceding the opening of the Medford establishment, when he was proprietor of a drug store in Hood River. Mr. and Mrs. Smith will continue to reside in Medford.

The store rooms were completely renovated in May of this year, when the latest system of open table display of goods was installed. Mr. and Mrs. Waincoat will make their permanent home in Medford.

ROOSEVELT VOICES OPTIMISTIC NOTE IN SPEECH AT L. A.

Country Has Come Through Stormy Seas Into Fair Weather—Huge Crowd Gives Chief Great Ovation

LOS ANGELES, Cal., Oct. 1.—(AP)—President Roosevelt today assured a crowd of 70,000 assembled in the Memorial coliseum that "we have come through stormy seas into fair weather."

Arriving here this morning from Nevada where he dedicated Boulder dam, the president motored from his train to the huge stadium that was the site of the 1932 Olympic games. There, despite threatening skies, a huge assemblage awaited him, and he was given a lusty ovation.

"It is true, as shown not by the figures alone, but by the spirit of the great mass of Americans in every part of the country, that we have come through stormy seas into fair weather," he said.

Patience Rewarded. "Patience is receiving its reward. Faith is being justified. Hope is being fulfilled."

The optimistic note he struck in his brief address was in accord with his other utterances on his trip across the continent.

In addition to praising the "liberal spirit" of California, and paying tribute to the memory of his friend, Will Rogers, the president issued governmental co-operation in relieving human suffering.

The president was interrupted during his speech by frequent applause. Many of the thousands who heard him stood up throughout the address.

The automobile carrying the president and Mrs. Roosevelt was driven by a member of the state highway commission from the first congressional district to succeed Carl G. Washburne of Eugene will not be made for several days. Governor Martin announced today. Several conferences will be held before appointment will be named, he said.

Washburne sent in his resignation yesterday, stating he again was asking to be relieved so he could devote his time to personal business. Washburne had previously resigned, but remained at the request of the executive.

The other two members of the commission are Henry F. Cabell of Portland, chairman, and Ed Aldrich of Pendleton.

In accepting Washburne's resignation, Martin expressed his appreciation of the work done by him as commissioner.

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WESTERN OREGON ROADS PATROLLED FOR TWO SLAYERS

Officers Confident One of Tips Will Lead to Capture of Brutal Pair—Discarded Gun Not Death Weapon

PORTLAND, Ore., Oct. 1.—(AP)—Alert police in swift cars patrolled most of the highways in western Oregon today as the search widened for the slayers of Deputy Sheriff Ernest Lull of Portland.

Lull was shot to death at 9:30 a. m. Sunday on a lonely road near the city after he had come upon two hunters who were shooting pheasants out of season. Sheriff Martin T. Pratt declared the slaying was the most brutal he had ever encountered.

An autopsy revealed that the deputy was fired upon at least twice and perhaps three times by the killers, who were armed with shotguns.

Confident that one of the many "tips" received from a co-operative public will bring results, deputies, state police and city officers continuing their determined efforts to track down the brutal killers.

The two young men who killed Lull are believed to have escaped in their dark green 1929 model sport roadster. The car, probably a Durant, was trimmed in red and had red wire wheels. When last seen the two were accompanied by a tan hunting dog.

A single-barrel shotgun that was thrown from an automobile resembling the one sought, was picked up near Westport, northwestern Oregon, late yesterday. An examination here disclosed, however, it was not the weapon with which Lull was killed.

Firearms experts said this positively after a microscopic examination of the discharged shells found at the scene of the slaying.

Funeral services for Lull were to be held here today. He joined the sheriff's staff in 1923. He is survived by his widow and two small daughters. Multnomah county has offered a reward of \$500 for arrest of his slayers.

DELAY APPOINTING OF COMMISSIONER

SALEM, Oct. 1.—(AP)—Appointment of a member of the state highway commission from the first congressional district to succeed Carl G. Washburne of Eugene will not be made for several days. Governor Martin announced today. Several conferences will be held before appointment will be named, he said.

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World Series On Tribune Speaker 10:30 Wednesday

The Mail Tribune's loud speaker will start blaring the word picture of the Cubs-Tigers first world series game at 10:30 tomorrow morning. Because of recently increased speed of the Associated Press leased wire, the service this year will be more detailed and closer to the actual play than in previous series descriptions.

Fans are invited to listen to the loud speaker in front of the Mail Tribune office on North Fir street each day of the series.

BARGAIN PERIOD OF MAIL TRIBUNE CLOSES TONIGHT

Last call for Mail Tribune bargain days! Final day for special subscription rates! Order the Mail Tribune today and save a substantial sum of money. Subscriptions placed today will guarantee delivery of the daily and Sunday Mail Tribune for a full year at approximately one cent a day. Keep in touch with local, national and world events for about a penny a day. The service includes Associated Press and United Press wire reports, the best feature, widely respected editorials, witty comments on the happenings of the day, clear, concise interpretive articles and thorough local news.

(Continued on Page Three)

DOUBLE DAY DIES OF AUTO INJURY

J. H. Doubleday, 71, injured September 23 when he was struck down by an auto driven by Miss Frances Parker of Medford, died at a local hospital yesterday afternoon of injuries received then, according to information given out by the Conger funeral parlors, where the body is being held awaiting word from relatives.

District Attorney George Coddling today ordered an inquest into the death, to be held probably tomorrow. A temporary investigation into the cause of death was held this morning and an autopsy was scheduled for this afternoon, but none of the results have been made public. County Coroner Frank Perl and city police officers were today arranging for witnesses and jurors for the inquest.

Miss Parker was arrested for violation of the basic rule of driving, immediately following the accident, charged with driving at an excessive rate of speed. She was fined \$15 in city court.

The aged man lived alone on North McAndrews road and very little is known of him or of his relatives.

NINE HUNTERS GET NINE DEER

Nine deer for nine men, and all of them nice big mule-tail deer to boot, is a record to be proud of. If you haven't had that kind of luck, perhaps you'd better contact one of the seven Medford men in the party, and see how it done. They are C. L. McDonald, L. M. Weisenburger, Harold Fawcett, Harold Woods, Dr. R. E. Green, Charles Davis and Cap Overmeyer, and they were hunting with two other men, one from North Bend and one from Elkton, in the Burns district of Malheur county.

They were on the trail of the big bucks for a week, but each Almond got his deer, and one, although they ate shy in saying who, got a nice big bear.

On the way in, Dr. Green's car turned turtle, painfully injuring his shoulder, but nothing daunted, he continued his hunt and brought down his animal later in the week.

Lieutenant Fred W. Green, of the CCC, returned from eastern Oregon with a forked-horn buck and Harry Bosen of the CCC brought back a four-point buck, both mule-tails.

60,600 HOURS OF WORK PROVIDED BY RESERVOIR

Proposed Job Up to Vote Soon, Would Last for Months—Ordinance Poll Is Being Prepared

The proposed city water reservoir for which authorization will soon be sought at a special election, would provide 60,600 work hours over a period of six months, according to estimates prepared by Robert A. Duff, water commission superintendent.

Regardless of what firm gets the contract for the big construction job, at least 90 per cent of the labor must be obtained in Medford. Mr. Duff pointed out, the purpose of projects partially financed by the DWA, being to take up unemployment slack and provide useful toll for workers in their own communities.

The city has received an outright federal grant of \$65,250 toward the estimated cost of \$145,000 for the reservoir, the allotment being made on condition that the people vote authorization before November 1 and that actual construction start before December 15.

The city council was to have issued a call for the special election at its regular meeting tonight, but Mayor (Continued on Page Two)

LULL PREVAILS IN FRUIT HARVESTING

Pear shipments from this valley for the season, up to Monday night, totaled 1462 cars, 836 cars of packed pears and 626 cars of canner pears. Fourteen cars of pears were shipped east Monday.

One car of apples was shipped to eastern markets yesterday bringing the total for the season to nine cars. Apple shipments will increase next week, when harvesting is scheduled to start in most of the orchards.

A lull prevails this week in picking and packing operations. The plants and picking crews will be in full swing again next week when picking of Winter Nells will start. Some orchardists are picking their Winter Nells crop the end of this week.

It is expected that the fruit work will last until the first of November.

WHERE CHEST DOLLARS GO

In order to show the actual application of Community Chest funds in relieving distress, the Jackson County Public Health association has prepared a series of brief case histories for publication prior to the chest drive, October 9-11. For obvious reasons, names are withheld.

Only those who have come close to death can truly appreciate life—and the appropriate words of a family man. "If such be true, then the little Jackson county girl of 14 is going to see the beauty in every flower that blooms by the wayside. For she knows that death had her name marked in his book, and that she has the Jackson County Public Health association to thank for being on the good earth.

She had been having difficulty in vision and had been suffering from headaches for years. Last year she decided to come to the Alex Sparrow Memorial clinic in the Jackson county courthouse. She was given an X-ray and was found to have a brain abscess. She left for the Doernbecher hospital the next week and was operated upon.

Children are not only offered the services of the clinic, made available by the health association, but are brought into the clinic by health association members, when they cannot afford transportation. Whenever there is a special clinic in progress, health association cars are busying into all sections of the valley in order that no child shall be denied a chance at good health.

That chance will be continued, when funds are again made available through this year's Community Chest drive.

SIDE GLANCES BY TRIBUNE REPORTERS

Judge Norton, garbed in working clothes, fixing an austere and forbidding eye on a weed, which he promptly uprooted from his otherwise spotless front lawn.

Coach Bowerman quizzing his two assistants, Ed Kirtley and Brent's Finch, as to why a nice backfield prospect, Dominus Zamorra, was so reticent about turning up at practice, but getting no reply.

Frank Gray, Western Union manager, showing the boys how it's done in peddling about frantically on a bicycle. Very grateful.

Doc Massey of K. Falls denouncing investigation into rumors that anarchists started the grass fire at Gold Hill yesterday.

Don Provost, Ashland orchestra leader, merchant and sporting goods drummer, looking about the football field for his kid, and finding that young man industriously shining over the fence.

A reporter getting dizzy trying to count the hundreds of robins on the purple lawn. A sign of an early winter, or a late one, or something. The robins, not the dizziness.

DOLLAR WHEAT ON BLACKBOARD AGAIN

WORCESTER, Mass., Oct. 1.—(AP)—A Yankee jury branded Newell P. Sherman a wife murderer today in a verdict dooming him to the electric chair.

The wife, victim of "an American tragedy," whose rival was Esther Magill, machine shop co-worker of the choir-singing scoutmaster's husband, was drowned from a canoe on Lake Singletary.

Judge Thomas J. Hammond told the jurors: "You can look the world in the face with the satisfaction that comes of a duty well performed."

Baker Prosecutor Named By Martin

SALEM, Oct. 1.—(AP)—Governor Martin late yesterday named Howard Bergman, young Baker attorney, as district attorney of Baker county, to succeed Manley Strayer, resigned.

Bergman graduated from the Williamsport university law school and was admitted to the bar in 1933.

Income Shares

Maryland fund, bid \$16.50, asked \$18.25. Quarterly income shares, bid \$1.42, asked \$1.55.

LUFKIN, Tex., Oct. 1.—(AP)—Two men were killed and Manager Beams Wacey and three members of the Bubba Hicks baseball team of Houston, national amateur champions, were injured in an automobile truck collision near here last night. The team was returning from the national tournament at Dayton, Ohio.

ed at 1:32 a. m. (E. S. T.) None of his family was present.

KIDNAPERS AUTO IS LOCATED ON G. PASS STREET

GRANTS PASS, Oct. 1.—(AP)—The blue (Studebaker) sedan, stolen from a Eugene street sometime Monday morning and said by B. A. Garner of Vancouver to have been the one in which he was brought south by two armed men, was found here by state police between 7:30 and 8 p. m. Monday. The lights were still burning, indicating it probably had been parked since sundown.

The car was found less than a block from city police headquarters. State and city police continued their search for the two men, described as follows: One tall, dark, blue suit and light hat; the other short, light complexioned, light trousers and navy blue blazer. The taller may be wearing glasses.

Garner reported to officers here Monday morning after freeing himself from ropes in which he said he had been left bound about a quarter of a mile off the Pacific highway in the brush along the old Merin road north of here. He said he was kidnapped by the two men when he gave them a ride near Olympia and was forced to accompany them south. At Eugene they switched cars, taking the car found last night.

Recalling the slaying of State Trooper Milo Bauman by two youths, Bowles and Harrier, on the highway north of Grants Pass in July, 1933, residents here were interested in the reported statement of state police it is "impossible" the two men hunted here could have connection with the Sunday slaying of Deputy Sheriff Lull at Portland. It was recalled that Bowles and Harrier drove their car north after the shooting, pushed it over a grade, and were hitchhiking southward toward the scene of the crime when arrested.

Choir Singer Guilty of Wife Murder is Verdict

WASHINGTON, Oct. 1.—(AP)—Appointment of regional supervisors and district advisers for airport development work was announced today by Eugene L. Vidal, director of air commerce.

Their approval will be necessary before any proposed airport projects will be granted WPA funds. The appointments included: E. Whitehead of Clearwater, Fla. for Oregon; Washington, Idaho and Alaska, with headquarters at Seattle, Wash.

Airport Regional Advisers Selected

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LINCOLN SCHOOL CLUB WILL MEET THURSDAY

Lincoln School Service club will hold its next meeting Thursday at 3 p. m., instead of Friday, because of Teachers' Institute.