

The Weather
Forecast: Fair Sunday and probably Monday, but with valley fog; no change in temperature.
Temperature
Highest yesterday 49
Lowest yesterday 21

MEDFORD TRIBUNE

They Get Results!
A pleasing fact about Mail Tribune classified ads is that practically every reader of this newspaper reads these ads. That is why ads get results.

Thirtieth Year Full Associated Press MEDFORD, OREGON, SUNDAY, DECEMBER 22, 1935. Full United Press No. 233.

'NEW DEALS' LABOR LAW INVALID



News Behind The News
By Paul Mallon
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WASHINGTON, Dec. 21.—The president's wishfulness with his associates inside the White House has not suffered from the recent pressure of budget making. The effect that you, the citizen, and unfavorable political polls.

One day, this week, was particularly heavy. His engagement list contained a dozen call ers. Also a budget conference at which there was considerable fuming and fretting. Mr. Roosevelt found time, however, to dictate an unofficial letter to his military aide, Colonel "Paw" Watson, along these general lines:

The president will give Colonel Watson just twenty-four hours to answer certain charges. These charges are to the effect that you, Colonel Watson, have been bragging that you bagged two turkeys with one shot at the Woodmont gun club a few weeks ago, whereas the truth of the matter is the turkeys were blind, and you are just trying to injure the reputation of the club champion, Admiral Gray Grayson, who never shoots turkeys which are blind, but only those which are tied.

Colonel Watson is supposed to have investigated and learned that the charges against him were planted with the president by that great democratic planter, Bernard M. Baruch. In his reply, the colonel contended that Mr. Baruch could not bag a turkey, except with a fork. After it had been cooked. He demanded a court of inquiry, which, he said, would prove that the turkeys were blind because he shot both turkeys with the same shot.

All of the inside crowd doubt that a court of inquiry will be held. There is a grave suspicion that a fair trial would disclose a certain amount of democratic propaganda in these contentions. The best shot in or near the club is known to be a republican, and, worse, a Hoover republican—Larry Richey, former secretary to Mr. Hoover. He never kills a turkey until he has shot off all its feathers, one by one. This saves time in dressing it.

The meeting of the federal reserve board open market committee was not as firm as its published statement indicated. More than one of the authorities on the board are supposed to have suggested that the league time to increase reserve requirements and to impose margin restrictions on banks, is now, before the trouble starts. The four announced reasons for delay should have included a fifth reason, which was not mentioned. This is that the terms of all board members expire in about thirty days. The majority may have been swayed as much by a desire to avoid comments for the new board as by anything else.

Also, all are supposed to be official or unofficial candidates for reappointment.

For this sufficient fifth reason, the best informed authorities on that subject now expect no action until the new board comes into being.

A significant confidential story has been in the news since the insurance announcement made the other day by the navy department. The announcement said that, hereafter, American insurance companies will underwrite the full building risk on American warships being constructed in private yards.

MISSOURI COURT ATTACKS CHANGE IN CONSTITUTION

Wagner Bill Held Invalid—Federal Jurist Holds Resolution Before Congress Makes 'Citizen a Subject'—Authority Exceeded.

KANSAS CITY, Mo., Dec. 21.—(AP)—The Wagner labor act, enacted at the last session of congress, was declared unconstitutional tonight by Judge Merrill E. Otis in federal district court.

It was the first court test of the national labor relations act. In his opinion, Judge Otis attacked a resolution pending in congress to amend the constitution. If enacted, the resolution would make the Wagner act constitutional, he said, but in that event the "citizen will have become a subject."

Judge Otis held the Wagner act violates the "commerce clause" of the constitution because it attempts to extend the power of congress to regulate industries whose operations do not affect interstate commerce.

The case involved the Majestic flour mill of Aurora, Mo., a small southwest Missouri town. Employees formed a union and the owners, unable to meet their demands, closed the mill. This constituted an "offense" against the act and the owners, Charles Wanda and Alice Strout of Tennessee, obtained a restraining order to block a hearing ordered by the national labor board.

The government moved for a dismissal of the order and tonight's opinion was a denial of the motion and notice that a temporary injunction would be issued against the board.

Comment Bitter
Judge Otis asserted the individual is dealt with as an "incompetent" under the act.
"He is a ward of the United States to be cared for by his guardian even as if he were a member of an uncivilized tribe of Indians or a recently emancipated slave," he said. "The government must protect him even from himself."

In biting comment the time is visualized when the "citizen" may become a "subject." Said Judge Otis: "There is now pending in congress a resolution to amend the constitution. The first section of the proposed amendment is this: 'The congress shall have power by laws uniform in their geographical operation to regulate commerce, business, industry, finance, banking, insurance, manufacturers, transportation and the production of national resources.'"

"When that proposed amendment has been submitted and ratified the statute now under consideration, in the respects considered here, if then re-enacted, certainly will be constitutional. But not until then."

"Then, also, what yet remains of the sovereignty of the states will cease to be and the 'citizen' will have become a 'subject.'"

The prime question involved, the court said, was whether the act demanding the mill owners bargain collectively with employees and prohibiting individual bargaining, is constitutional. Continuing, Judge Otis wrote:

MAIN CONGRATULATED ON VICTORY



Verner W. Main (right), Republican representative-elect from the third Michigan district as the result of a special election, congratulated by Floyd R. Moody (left), third district leader of the Townsend plan, which Main advocated. (Associated Press Photo)

HIGH COURT WORD ON AAA LEGALITY DUE JANUARY 6TH

Most Important New Deal Decisions Handed Down Then — Justices Hold Secret Conference.

WASHINGTON, Dec. 21.—(AP)—A decision on some—if not all—of the new deal legislation argued in the last two weeks was generally believed tonight to have been reached by the supreme court.

But unless the nine justices at their customary secret conference this afternoon decided to dismiss one or more of the cases for lack of jurisdiction, no announcement of the rulings is expected before January 6.

Should the court have decided to return any of the suits already argued to lower tribunals for technical reasons, that action likely would be announced Monday.

Four new deal cases possibly were decided—involving attacks on constitutionality of the original and amended agricultural adjustment acts, the Bankhead compulsory control measure, and the Tennessee Valley law.

In addition, the court was believed to have decided whether it would pass upon the validity of the Guffey act in cases appealed this week.

The customary conference of the justices may have been historical. Whatever they decided—if anything—vitally affects the future of the new deal.

3 TOWNSEND MEN SEEK MAINE JOB

ROCKPORT, Me., Dec. 21.—(AP)—A third Townsend plan candidate for the U. S. house of representatives entered the political picture tonight.

L. True Spear, former postmaster here, was the second Republican to announce his candidacy for the second district nomination on a Townsend platform. The Rev. J. Clarence Leekemby of Pittsfield made his announcement yesterday.

Arthur W. McLeod, former Old Orchard Beach selectman, announced tonight he would seek the Democratic nomination for congress in the first district as a Townsend advocate.

CODDING ELECTED STATE PRESIDENT BY PROSECUTORS

Urges Law to End 'Wishy-Washy' Murder Verdicts, Repeal of Dart Game License Law.

PORTLAND, Ore., Dec. 21.—(AP)—George A. Coddling of Jackson county was elected president of the Oregon district attorneys as they and the state sheriffs' organization wound up their annual meetings here today.

C. C. Proebstel, Umatilla county, was named vice-president, and James R. Bain of Portland secretary-treasurer of the prosecutors.

The district attorneys unanimously authorized a committee to draft legislation relative to false swearing in legal proceedings.

This was one of a series of actions by the prosecutors and sheriffs to tighten law enforcement and to safeguard law enforcement officers.

In a joint session, the sheriffs and prosecutors recommended an amendment making the slaying of a peace officer in the discharge of his duty a first-degree murder offense.

The group also urged legalization of the introduction of pictures, death masks and similar evidence in homicide trials; repeal of a law making it necessary to obtain a doctor's examination in drunken driving cases; a penalty for unlawful assemblage, and making refusal to obey the lawful command of a peace officer an act of disorderly conduct.

The district attorneys urged the repeal of the law giving county courts the right to license dart games.

They also recommended that prosecutors be given as many preemptory jury challenges as the defense, and that prosecutors be permitted to comment on the failure of a defendant to take the witness stand in his own behalf.

Abolition of the minimum penalty for drunken driving also was favored by the attorneys. It was indicated the action was designed to make it easier to obtain convictions.

GALE SUBSIDES ON COLUMBIA, FRIGID WAVE HITS EAST

PORTLAND, Ore., Dec. 21.—(AP)—The Oregon State Motor association said tonight the gale which has raked the Columbia River highway for 48 hours was subsiding and that state police had opened the road to traffic.

Patrolmen were placed on the highway yesterday to warn motorists after an 80-mile east wind had overturned two trucks, unroofed a residence at Crown Point, damaged the weather station's apparatus there and tossed holdovers and trees across the road.

GOVERNOR STRONG FOR USE OREGON LABOR, MATERIALS

Martin Blasts Plan to Hire Outside Architects for New Capitol Drawings

SALEM, Ore., Dec. 21.—(AP)—Opposition to employing any outside or supervisory architects from outside Oregon for Oregon's new capitol was voiced today by Governor Martin.

"We have adequate materials and there is no dearth of Oregon architects and builders," the governor said. He stated the specifications for the capitol could be so written to include only Oregon materials.

"The trouble with Oregon is that we already send too much money outside the state," Governor Martin continued. "Our architects have been starving for a number of years and we now have an opportunity to assist them. It would be a tragedy for the capitol commission to employ non-resident architects."

"While I have no control over the capitol commission, I hope the people of Oregon will rise up and protest any move to employ an architect or builder outside the state. California confines all its public purchases to that state and Oregon should do likewise."

"What we need is a little teamwork in Oregon. We have too much individualism at the present time. The people of Oregon should demand that all materials for the new capitol building be purchased in Oregon."

IL DUCE DEFIANT OF SANCTIONS, TO FIGHT TO FINISH

(By the Associated Press)
Benito Mussolini, contemptuous of international sanctions, drove Italy at full speed down the war path Saturday.

The advocate of the motto, "Live dangerously," spurned any thought of peace in Ethiopia except at his own terms. He pressed the fight against the economical wall his fellow nations and former allies had built about him.

Italy went ahead despite the fact Great Britain was rallying Mediterranean league members to her side in case she is drawn into a war with Italy.

British officials were gravely concerned over this delicate situation, but turned once again to the policy of sanctions—one which she launched at Geneva so vigorously last fall.

Rome's reaction was eagerly studied and officials hope Il Duce had been sufficiently impressed by the league's ultimatum.

Britain went ahead with precautionary measures, after securing agreements from Turkey, Greece, Yugoslavia and France to help her if need be. Spain debated her course but a reliable authority said she would fully support her obligations under the league covenant.

JINGO SPEECH OF NEVADA SENATOR BRANDED ABSURD

Japanese Envoy Asks America Not To Take Senator Pittman Seriously — No Tokio Protest Likely.

WASHINGTON, Dec. 21.—(UP)—Japanese Ambassador Hiroo Saito tonight characterized possibility of war between the United States and Japan as "absurd."

Saito's statement was made in the face of a reiteration by Senator Keene Pittman, (D-Nev.) chairman of the senate foreign relations committee, that Japan has launched on a career of conquest which threatens the future of the United States.

Pittman repeated the original warning against Japan which drew down a flurry of protest and a demand by peace advocates that the government formally announce whether Pittman was expressing the administration's official policy.

Whether the Japanese government would make any request for an explanation in view of the fresh onslaught by Pittman was uncertain.

Just before Pittman's second statement, Saito said he had called a full report of the senator's remarks to his government but that he expected no protest to be made.

At the same time Saito expressed hope that American citizens would not place too serious an interpretation upon the senator's remarks.

"I beg Americans to believe me when I say it is the desire of Japan to maintain the friendliest relations with the United States and its people," Saito said. "It is absurd to think that we have any intention of attacking the Philippine Islands or America or any of its territory."

"War between Japan and the United States would be the greatest folly and we are fully conscious of that. Japan buys more from America than any other nation except the British Empire. America in turn is Japan's greatest market."

With three capricious high pressure areas hovering about a prospective influence over Rogue valley weather, the meteorological bureau last night declined to venture a prediction for Christmas.

In fact the bureau declined to project itself any farther into the future than tomorrow. Rather cautiously it forecast fair weather for today and probably tomorrow, with the exception of valley fog. Little change in temperature was expected.

This section is now under the influence of a high pressure area centered in the plateau region. There is also a high moving slowly southeastward from Alaska. There is still another out over the Pacific from California. Weather here depends largely on what they do, the bureau said.

Temperature late last night was 29 degrees as compared with 31 at the same hour the previous night. The high mark yesterday was 49 as against 48 the day before. Low yesterday was 21 as against 19. Friday's temperature of 19 equaled the all-time low for December 29 since 1911 when records first were kept here. It also equaled the lowest mark for this season, the mercury having dropped to 19 twice before this year, both times in October.

PRIVATE LIFE OF THELMA TODD IN GRAND JURY QUIZ

Love Angles and Business Deals Eyed in Strange Death of Movie Queen.

LOS ANGELES, Dec. 21.—(UP)—The late Thelma Todd's private life—her marriage, her romances, her friendships, her enemies, her business activities—will be on parade before the Los Angeles grand jury when it meets Monday to examine possibilities of murder in the death of the blonde screen comedian, deputy district attorney George Johnson said today.

The inquiry will be the most searching of the several investigations which followed the strange death of the actress in an automobile in a closed garage near her Santa Monica sidewalk cafe either Sunday or Monday morning.

"If there has been a murder, we must find the motive," Johnson said in revealing his plans.

The two men who were most prominent in the former Massachusetts school teacher's last few years of life are cast for roles in the true-life film which will be unraveled before the county inquisitorial body.

One is Roland West, one-time stage and movie director, now a "landlord" in his own description of himself. He was the glamorous blonde's partner in "Thelma Todd's sidewalk cafe," and he had a room in the apartment above the cafe where Thelma also had living quarters.

At a coroner's inquest last week the question of West's personal relations with Miss Todd were touched on briefly. A questioner asked him whether he had been intimate with the actress. He replied "She was one of my best friends."

The grand jury is expected to press this angle more thoroughly as Johnson said. "All possible angles of love, romance, money, jealousy and hatred will be investigated."

It was intimated at the coroner's inquest that Miss Todd was planning to break off her friendship with West and return to Pasquale Di Cicco, actor's agent whom she married in an Arizona elopement and then divorced a few years ago.

Di Cicco has been located in New York. He has agreed to return to Hollywood for the grand jury investigation, although foreman Geo. Rochester informed him his presence would not be required before Friday. Di Cicco assured the jury of his full co-operation.

The theory generally accepted as explaining the death of the comedienne is that she had been locked out of the apartment, had gone to the garage to sleep, and had started the automobile motor to keep warm. Overcome by the fumes she slumped down on the front seat and lay with her head against the door, according to this theory.

CLEARING SKIES LOOM IN ASHLAND RECORDER TANGLE

The Ashland recorder tangle became somewhat unraveled yesterday with the announcement that W. S. Whiting had relinquished his job of installing a new accounting system and would return to Portland to accept employment as statistician in the office of Martin T. Pratt, sheriff of Multnomah county.

Recorder J. Q. Adams, who was the storm center of a public hearing four nights last week on charges of carelessness and inefficiency, blamed Mr. Whiting for much of his distress, averring that the Portland accountant was largely responsible for the filling of the charges.

The public hearing ended without decision early Friday morning when the city council voted four to two against a motion to dismiss the charges against Mr. Adams. With the matter thus left up in the air, it was then believed the council would submit the question to the public in a referendum vote.

(Continued on Page Five)

DO I HAVEN'T IN ANYTHING IN MY BACK OF MY HEAD?
SHOPPING DAYS TO CHRISTMAS