

OPPONENTS BALK IMMEDIATE VOTE OF RATIFICATION

(Continued from Page One.)

announcement immediately from Democratic leaders that they would not renew their demand for immediate action tomorrow.

No Advance Notice.

The nomination of Black, who has served in the senate more than a decade, was received by the senate with no advance notice. Leaders had planned to resume their battle over the pending anti-lynching bill.

The president's messenger arrived in a routine way at the senate door promptly at noon.

Black, dressed in a white linen suit, occupied his usual seat in the center of the Democratic side of the chamber. A few of his colleagues moved toward him to congratulate him, but the slightly-built Alabamian sat quietly at his desk, with no sign of excitement in his face.

The nomination lay on the vice-president's desk several minutes after it was received before there was any mention of it in debate.

Ashurst then rose to ask that the nomination be presented to the senate as in executive session.

Johnson objected. Senator Johnson objected. Garner first ruled that the message could be laid down despite Johnson's objection, and the reading clerk read: "I nominate Hugo L. Black—"

Garner interrupted to reverse his ruling and sustain Johnson's objection.

Garner had already told the senate in reply to Ashurst's question that the nomination was one to the supreme court.

Ashurst insisted, however, on speaking on the subject.

"It has been an immemorial custom of the senate," he said, "that whenever the president honors this body by nominating one of its members, the nomination is confirmed without reference to committee."

The reason for this custom, Ashurst said, was that "obviously" the committee could throw no new light on the nomination which the senate did not already know.

He said Black was a lawyer of "transcendent ability and great industry, courteous in debate, young, vigorous and splendid in character and attainments." He added: "I can not conceive of how the president could make a wiser selection than he has made. I hope and believe the senate will appreciate the compliment paid it by permitting consideration of the nomination at this time."

Burke Voices Views.

At this point Burke interrupted from his seat in the rear of the chamber.

"Regardless of the custom," he said, "there never has been an occasion at all resembling the circumstances of the present nomination to the supreme court of the United States. It should go to the committee for further study."

"I don't agree with some of the philosophies of the senator from Alabama," Ashurst countered, "or with some of the philosophies of the senator from Nebraska, but only a fool would question the patriotism or integrity of either." Johnson added that in view of the situation, which he said was fraught with danger to the country because of efforts to dominate the court, it was of "paramount importance" that the nomination should go to committee.

Lewis Blasted.

Commenting on Black's nomination, John L. Lewis, head of the Committee for Industrial Organization, said Black was "an admirable appointment; one that will be applauded by the nation."

The hurry leader added: "The CIO is for him."

William Green, president of the American Federation of Labor, said the appointment "is both pleasing and satisfactory to labor."

Opposition immediately was expressed in other quarters. Senator Bridges (R., N.H.) said he would vote against confirmation. Representative Cox (D., Ok.) a leader in house opposition to the Roosevelt court bill said to Black's wage and hour bill, said:

"It is the worst insult that has yet been given the nation."

Attorney General Cummings and Solicitor General Stanley Reed hurriedly conferred at the justice department on what officials described as two legal problems.



SHIRLEY & CO. Shirley Temple, the child film star, and her rarely photographed parents, Mr. and Mrs. George Temple, are shown aboard the liner Malolo as it sailed from San Francisco en route to Honolulu where the Temples will spend their vacation.

Legality Eyed. Was the Alabamian's nomination legal, they asked each other, in view of the fact that Black was a member of the senate when it approved legislation permitting supreme court justices to retire at 70 with full pay? (The constitution forbids appointment of senators or representatives to posts for which emoluments have been increased during their term of office.) Would Black, as a supreme court justice, be required to disqualify himself from considering cases involving constitutionality of legislation which he had supported or opposed while a senator? Senator Black told newsmen he knew about his nomination to the supreme court "only a matter of hours" before it was sent to the senate for confirmation.

ROAD COMMISSION SURVEYS TEN BIDS

PORTLAND, Aug. 12.—(AP)—An impatient delegation of Baker county citizens, demanding the expenditure of more funds in their county, appeared before the state highway commission today but obtained from Chairman Henry Cabell only the assurance that he expected to go there in a few weeks and some arrangements might be made. Bids on 10 projects were opened, the largest being upon a concrete undercrossing of railroad tracks at Ontario. The low bid was \$190,187 by C. J. Montag and Son, Portland. Other projects and low bidders included: Surfacing 3.2 miles Eagle Point-Baker Gulch section of Little Butte highway, Jackson county, Saxton, Looney and Riley, Portland, \$17,027.

Closing time for Too Late to Classify Ads is 1:30 p. m.

FARMER RECOGNIZES FATHER-IN-LAW AS DEER SPOTLIGHTER

ROSEBURG, Ore., Aug. 12.—(AP)—When Frank Royer, rice creek farmer, succeeded in identifying an alleged deer spotlighter, who slugged him and inflicted severe head injuries, he found his assailant was his father-in-law, John S. Roberts. Deputy Sheriff Cliff Thornton reported this morning.

The circumstances as related to him, the deputy sheriff said, were that Royer had failed in a previous attempt to apprehend spotlighters heard shooting in his field.

Tuesday night, it was related, he was awakened by the sound of shooting, and, followed by his wife, started for the scene. A wire presumably stretched across the roadway by the spotlighters was not discovered by Royer, who unknowingly stepped over it, but Mrs. Royer was tripped and thrown to the ground. As Royer reached the spotlighters he was blinded by the beam of a flashlight and at the same time was struck a heavy blow, which inflicted a bruise closing one eye. He told the deputy sheriff, however, the latter said, that he recognized his assailant as his father-in-law, and he came to Roseburg and swore out a complaint.

Roberts was arrested and admitted striking Royer.

Larger Hop Crop. PORTLAND, Aug. 12.—(AP)—Estimates put Oregon's hop crop at 110,250 bales on August 1 prospects, a decrease of 6,750 bales from July 1 but about twice the size of the 1936 crop, the U. S. department of agriculture said today. Crop condition was estimated at 77 percent of normal compared to 28 percent at this time last year.

Livestock

Portland, Aug. 12.—(AP-UBDA)—Hogs 600, including 331 through and direct; market active, fully steady; good-choice 165-210 lb. drivens mostly \$12.50; load lots quotable \$12.75; 230-280 lb., \$11.75 @ 12; 130-55 lb., \$11.50 @ 12; packing sows largely \$9.00; highweights up \$9.25; feeder pigs, \$11.25-50.

CATTLE 2500, including 23 direct; calves 85, including 17 direct; market active, fully steady; some she stock shade higher; scattered common-medium grass steers \$6.25 @ 8.50; good eligible \$10.25; 2 loads grass heifers, \$8.50 @ 8.85; common-medium \$5.50 @ 7.75; low cutter and cutter cows, \$4.00-7.50; common-medium, including fat dairy types, \$5.00-7.50; good beef, \$6.25 @ 7.00, including load 1104 lb. at \$6.85; good young up to \$7.15; bulls mostly \$5.75 @ 6.25; odd head, \$6.40; few good weaners, \$8.50 @ 9.00; deluxe up \$10; common-medium, \$6 @ 8; medium to good 297-310 lb. calves, \$6.50 @ 8.25.

SHEEP 900, including 636 direct; market slow, steady-weak; few fairly good spring lambs, \$8.75; some held \$9.00; common-medium, \$7.00 @ 8.50; few yearlings, \$5.50; good slaughter ewes salable up \$3.75.

South San Francisco. SOUTH SAN FRANCISCO, Aug. 12.—(AP-UBDA)—Hogs 400, steady; bulk 175-210 lb. butchers, \$12.50-75; letter top; medium-good, 170-180 lb. weight \$12.75-75; few slaughter pigs, \$12.50; few packing sows, \$10; odd head down to \$9.00.

CATTLE 800; steer quality largely medium, early sales steady; good fed steers absent, quoted above \$10.00; medium grassers, eligible down to \$8.00; good she-stock very scarce; common-medium cows, \$5 @ 6.25; low-cutter, \$3 @ 4.75; medium bulls, \$5.25-7.5, firm. Calves: 25; scattered sales fully steady; odd weaners \$9.50; choice quoted \$10.

SHEEP: None. Lambs absent; good-choice around 70-85 lb. woolled lambs quoted \$9.75; shorn and medium-pelt lambs quoted largely \$9.75 down.

Portland Produce

PORTLAND, Aug. 12.—(P)—Butter—prints, A grade, 34 1/2 lb. in parchment wrappers, 35 1/2 lb. in cartons; B grade 33 1/2 lb. in parchment wrappers, 34 1/2 lb. in cartons.

BUTTERFEAT — (Portland delivery, buying price)—A grade, 34-34 1/2 lb. country stations; A grade, 32-32 1/2 lb.; B grade, 1 1/2 lb. loss; C grade, 30 loss.

EGGS—Buying price by wholesalers: Extras, 21c; standards 19c; firsts 18c; Medium 16c; medium firsts 16c; ungraded 14c dozen.

COUNTRY MEATS—Selling price to retailers: Country killed hogs, best butchers, under 160 lbs., 15-15 1/2c; weaners, 15-15 1/2c; light and thin, 10-12c; heavy, 10-11c; canner cows, 7-8c; cutters, 15-17c; bulls 10-11c; spring lambs 15-16c.

Cheese and live poultry unchanged. POTATOES — New crop Yakima Gems, \$1.25-1.50; Yakima White Rose, \$1.25 central; local, \$1.15-1.25 orange boxes.

ONIONS — New crop, Walla Walla, Jumbo 45c, \$2.25; standards 45c @ 2.

Chicago Wheat

CHICAGO, Aug. 12.—(AP)—Four cents a bushel tumble in the price of September delivery of corn formed an outstanding feature of the grain trade late today.

The 4-cent drop carried September corn contracts down to 98 1/2 cents, the extreme immediate permissible limit, and tended to pull all grain values lower.

Wheat: Open High Low Close Sept. 1.13 1.14 1.12 1.12 1/2 Dec. 1.14 1.15 1.13 1.13 1/2 May 1.19 1.19 1.14 1.14

Portland Wheat

PORTLAND, Ore., Aug. 12.—(AP)—Wheat: Open High Low Close Sept. 1.00 1.00 99 99 Dec. 1.01 1.01 1.00 1.00

Cash wheat: Big Bend bluestem, h.w., 13 pct., 1.03 1/2; 12 pct., 1.00 1/2; dark hard winter, 12 pct., 1.14 1/2; 12 pct., 1-0 1/2; 11 pct., 1.02 1/2; soft white and western white, 99 1/2; hard winter and western red, 1.00 1/2.

Oats—No. 2 white, 26.00.

Wall St. Report

NEW YORK, Aug. 12.—(P)—Stocks took on a recovery tinge in today's market and numerous issues pushed up fractions to a point or more.

Principally favored in the comeback were selected steels, motors, oils, rubbers, rails, utilities and specialties.

While late profit selling reduced extreme advance in a number of instances, the majority of leaders closed near their tops of the day.

Brightening business prospects rather than any change in the immediate news picture, brokers said, accounted for the moderate revival of buying.

There apparently was little or no market response to the nomination of Senator Black to the supreme court vacancy.

Transfers approximated 750,000 shares.

Today's closing prices for 32 selected stocks follow:

Al. Chem. & Dye 237 Am. Can 109 3/4 Am. G. Pgn. Pow. 9 1/4

Table with 2 columns: Stock Name and Price. Includes: A. T. & T., Anaconda, Aech. T. & S. P., Bendix Avia., Beth. Steel, Caterpillar Tract., Chrysler, Coml. Sct., Curtiss-Wright, Du Pont, Gen. Elec., Gen. Foods, Gen. Mot., Int. Harvst., I. T. & T., Johns-Man, Monty Ward, North Amer., Penney (J. C.), Phillips Pet., Radio, Sou. Pac., Std. Brands, St. Oil Cal., St. Oil N. J., Trans. Am., Union Carb., Unit. Aircraft, U. S. Steel.

San Francisco Butter. SAN FRANCISCO, Aug. 12.—(AP-UBDA)—Butter unchanged. SACRAMENTO, Aug. 12.—(AP)—Churning cream butterfat: First grade 97 1/2; second grade, 95 1/2. OAKLAND COBBLER GETS PEN ON MORALS CHARGE. ROSEBURG, Ore., Aug. 12.—(P)—W. H. Carsly, 74, Oakland cobbler, was sentenced in circuit court this morning to five years in the state penitentiary after pleading guilty to a charge of contributing to the delinquency of a minor. Carsly was arrested on a complaint charging assault with intent to commit rape, but the charge was reduced following further official investigation. District Attorney J. V. Long said, Carsly waived grand jury investigation and pleaded to a district attorney's information. Closing time for Too Late to Classify Ads is 1:30 p. m.

ADRIENNE'S Dresses - Coats - Suits. Out They Must Go at These Ridiculously Low Prices! Balance Of Summer Stock. Values up to \$49.50. \$3.98, \$5.00, \$10.98, \$15.00. Balance Summer STRAWS. Values up to \$12.95. For \$1.00. NIGHTGOWNS. Printed Batiste. Values \$1.69. Special..... \$1.00. ADRIENNE'S

PRICES ADVANCE MIDNIGHT SATURDAY AUG. 14. LA FAYETTE . . . \$35.00. AMBASSADOR 6 . . . \$65.00. AMBASSADOR 8 . . . \$85.00. BUY NOW AT OLD PRICES! WHY WAIT FOR HIGHER PRICES? Today you can have a BIG, BEAUTIFUL NASH SEDAN AT ONLY \$912. DELIVERED HERE! Federal and State Taxes Included. Completely Equipped. No Other Charges! Now You Can Get—A big 117-inch wheelbase Nash-LaFayette six-passenger sedan, completely equipped, with built-in trunk, safety glass all around, extra tire and wheel, all dual equipment—including transportation charges. Best "Trades" in Town—No one has a more liberal policy on "trade-ins" than we have. You'll be surprised how much we will allow! Please drive in at once—for a wide selection of models and colors. Bargains like these won't last long! Get Out of The "All Three" Class! WALTER W. ABBEY, Inc. South Riverside Phone 303. Garage 610 So. 6th Phone 261.

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