

The Weather
Forecast: Fair but with increasing cloudiness tonight and Tuesday. Not much change in temperature.
TEMPERATURE
Highest yesterday 88
Lowest this morning 50

Please "Kill!"
"Sold out! Please 'kill' my For Sale Ad." A common expression for people who use Mail Tribune Classified. It is an easy matter to find a buyer by using these little ads.

Thirty-Second Year MEDFORD, OREGON, MONDAY, AUGUST 16, 1937 No. 126.

SENATE COMMITTEE APPROVES BLACK



By H. R. BAUKHAGE.
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WASHINGTON, D. C., Aug. 16.—The White House press conference following the nomination of Senator Black for the supreme court was well attended. The president was as chipper as ever. He had a recent haircut and there were no visible signs of the battle scars from the congressional revolt which had spread to the house from the senate.

When the subject of the wages and hours bill, stymied in the rules committee, was brought up, the president said there was no news on it. But there might have been if President Roosevelt had chosen to disclose the battle plan which had just been completed—subject, of course, to change in these days of strange vicissitudes. This is the strategy, as it had been laid down in case the rules committee remained obstinate: Each committee chairman in the house was to be approached with a warning to the effect that the rules committee was assuming legislative powers, that it was refusing to grant the rule required to bring the bill out on the floor of the house for consideration until the measure was tailored to suit its taste. The argument would then be advanced that, if the rules committee pursued its present course, the rest of the committee might as well be abandoned entirely.

From Monday to Friday of last week, Washington witnessed the smoothest piece of lightning lobbying that has been seen in many a moon when King Cotton called on the president for help in his hour of need. The whole thing was stage-managed by a single businesslike figure, but wrapped in a romantic robe of intrigue and adventure. He was Col. Lawrence Westbrook, one-time promoter of farm cooperatives, Texas relief official and later assistant director of Harry Hopkins' WPA.

The colonel at present is retained in an advisory capacity by the WPA and is honorary director (without honorarium) of the association of state agricultural commissioners. At one time he was with the American Cotton Cooperative association, but for some reason left its employ. Now he has been named to investigate it.

A few days ago, Senator Smith's agriculture committee ordered a probe of charges against the association brought by J. Roy Roberts, So. Carolina commissioner of agriculture. Mr. Roberts says that the association has misappropriated cotton in that state, with a resultant loss to producers. Mr. Westbrook was named.

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MCCOLLOCH RECEIVES COMMITTEE APPROVAL

WASHINGTON, Aug. 16.—(AP)—The senate judiciary committee recommended today the confirmation of Claude McCulloch as federal district judge in Oregon.

Portland Youths Accused of Holdup

ROSEBURG, Ore., Aug. 15.—(AP)—Officers here were holding for questioning three Portland youths, Donald E. Randall, Charles Conroy and Arthur O'Neil, each 22 years of age. District Attorney J. V. Long said the trio stopped at a service station near Rice hill Sunday and that O'Neil was reported to have thrust his hand in his pocket and demanded money from a man whose name the officers have not yet learned.

SIDE GLANCES

by TRIBUNE REPORTERS

Maynard Bush going in as pinch-hitter, smacking in a telling run and thus putting the Typos picnic softball game on ice for Medford, he surprising everyone, himself most of all.

Lee Garlock taking three pairs of brogans to the cobbler after his strenuous foot work at the legion convention.

Rudy Singley marching around town to display the bronze statuette of Columbus won by Medford at the Casey picnic, he finally deciding to save the leather by putting it on exhibition at the CoCo.

DELAY PROPOSALS ARE BEATEN DOWN BY DEM. MAJORITY

Leaders Plan To Call Nomination Up For Senate Confirmation Tuesday—Hot Debate Foreshadowed

WASHINGTON, Aug. 16.—(AP)—The senate judiciary committee approved today the supreme court nomination of Senator Black (D., Ala.).

Voting down all proposals for delay, the overwhelming Democratic majority of the committee agreed to report the liberal Alabamian's nomination favorably and at once.

Democratic leaders planned to call the nomination up in the senate tomorrow for confirmation. Republicans already, however, had served notice they would urge its reconsideration for hearings, foreshadowing, at least, a bitter debate over the appointment.

The committee turned down requests for general hearings on the nomination, and said the argument was chiefly over "constitutional questions."

Two Record Votes

Only two record votes were held in the hour and a half executive session of the committee.

Senator Neely (D., W. Va.), chairman of a subcommittee on the nomination, moved to report the Black nomination favorably. Senator Burke (D., Neb.) moved as a substitute that the committee delay "until it could examine the legal ability of the nominee."

The vote rejecting Burke's substitute was 11 to 5, with the committee lineup as follows:

For the nomination: King (D., Utah), McCarran (D., Nev.), Burke (D., Neb.), Austin (R., Va.) and Steiwer (R., Ore.).

Against the motion: Neely, Van Nuys (D., Ind.), Logan (D., Ky.), Dietrich (D., Ill.), McGill (D., Kan.), Hatch (D., N. M.), Pittman (D., Nev.).

(Continued on Page Three.)

TRUCK LINE GETS SUSPENSION ORDER

SALEM, Aug. 16.—(AP)—An order suspending Consolidated Freight Lines, Inc., for 30 days for alleged violations of the state motor transportation act came today from N. G. Wallace, state public utilities commissioner.

The suspension will be effective September 15, but Wallace explained the company may ask to have the effective date of suspension delayed. The company, one of the largest trucking firms in the northwest, operated throughout Oregon, the order affecting its operations over the entire state.

GIRL SHOTS STEP-DAD IN ROW OVER CAR USE

WHARTON, Tex., Aug. 15.—(AP)—A quarrel between a 17-year-old girl and her step-father over her visit to town in the family automobile today had led to the death by gunshot of the stepfather, Jack Watkins, 40, an oil well driller.

The girl, Mozelle McDaniel, was quoted by Deputy Sheriff Carl Stebrecht as saying her stepfather came to Wharton to return her home, and told her he would punish her.

After the girl and Watkins returned home, Stebrecht said, she obtained a .22 rifle. Sixteen shots were fired, eleven of which struck Watkins. He died en route to a hospital. The girl was held here, but no charge had been filed.

Education Expense Higher This Winter

EUGENE, Aug. 16.—(AP)—Among those higher costs of living this fall will be education. Fees and tuition will be about \$1.50 more at the University of Oregon than last year and \$2.00 at the normal schools. Residents of the state will pay \$50 a term at the university and state college and non-residents \$70. At the normal schools, the fee will be \$21 for state residents and \$27 to others. The schools open September 26.

Union Rivalry Closes Two Portland Sawmills

Nominee Congratulated



Sending in the name with a list of other nominations, President Roosevelt named Senator Hugo Black (right) of Alabama to the supreme court bench. It surprised his colleagues in Capitol Hill, but here's the vice-president, Jack Garner, offering his congratulations.

EARL FEHL BACK, FILES AFFIDAVIT HE'S STILL JUDGE

Earl H. Fehl, ex-county judge of Jackson county who served the major portion of a four-year sentence in state prison for complicity in the Jackson county ballot theft, returned today. Terms of a parole granted by Gov. Charles H. Martin prohibited his return to this county until midnight Sunday. He is scheduled to appear as a witness in the civil suit of his mother-in-law, Corlita E. Staley, against the estate of the late T. Helmroth, for collection of rentals allegedly due under a purported contract.

Before appearing in circuit court with his wife and Mrs. Staley, Fehl filed a document with the county clerk in which he maintains he is "the duly elected and qualified county judge of Jackson county," and further asserts that "with the aid and help of divine providence, and the desire to act manfully as the elected servant of the people, stands ready to accept the command to resume as county judge."

In a letter to Sheriff Syd I. Brown received Sunday, Fehl demands "protection," and states he is returning to Jackson county "unarmed."

In the civil action in circuit court, presided over by Circuit Judge E. B. Ashurst of Klamath county, on assignment from the

Glendale Defeats Roseburg 7 to 3

ROSEBURG, Ore., Aug. 16.—(AP)—The Roseburg Pirates were defeated by the Glendale Loggers 7 to 3, in a Southern Oregon baseball league game at Finlay field Sunday.

War in China Unpopular Among Tax-Ridden Japs

James A. Mills, dean of Associated Press foreign correspondents, wireless from the S. S. President McKinley, between Japan and Shanghai, the first completely uncensored story of Japanese side of the Sino-Japanese conflict.

ASHLAND TRUCK LINE TO PURCHASE ZERO CO.

WASHINGTON, Aug. 16.—(AP)—The interstate commerce commission has authorized the Pacific Truck Express, Ashland, Ore., to purchase for \$15,000 the property and operating rights of the Zero Express of Washington and Oregon.

Co-ed Slain In Stroll On Campus

BEREA, Ky., Aug. 16.—(AP)—Police investigating the ambush slaying of a Berea college co-ed were hunting today for George E. Wells, 20, a quiet, poetry-writing student of the mountain institution.

Lindbergh Eldest Is Five Years Old

WEALD, Eng., Aug. 16.—(AP)—Jon Lindbergh was five years old today at Long Barn, the rambling Kentish house where he lives with his father and his mother and his little brother.

Furs, Jewels Taken From Actress Home

HOLLYWOOD, Cal., Aug. 16.—(AP)—Kath Gillian, French film actress, found \$20,000 worth of furs and jewelry missing from her canyon home when she returned from an overnight trip, she told police today.

WOMEN, CHILDREN RUN GAUNTLET TO LEAVE SHANGHAI

AMERICAN FAMILIES ORDERED OUT OF WAR-BESIEG CITY—Furious Fighting Staged Both Banks Whangpoo.

By MORRIS J. HARRIS
SHANGHAI, Aug. 17.—(Tuesday)—(AP)—Chinese soldiers drove desperately at Japan's fortress-like naval headquarters under the glare of star-bells early this morning as the land, sea and air battle of Shanghai entered its fifth day.

On both banks of the Whangpoo river, Shanghai's outlet to the sea, the battle raged furiously, large Chinese forces hammering with infantry and artillery against Japanese naval units facing both ways from the river.

The Chinese asserted they had captured the Japanese headquarters, huge steel and concrete building at the northern boundary of Shanghai's Hongkew park, whence Japanese guns had been blasting their lines.

This has been the key point of the Japanese shore positions, believed to be the emergency radio set of Sigmund Levanevsky, missing Soviet flier.

The Whangpoo, center of the battle zone, was the avenue of escape for Shanghai's American and other foreign communities, which began wholesale evacuations of Shanghai. All American women and children were ordered to leave the inner refuge area already had been taken down the shell-swept river to a home-bound liner.

The Japanese warships on the Whangpoo turned their chief attention to a great concentration of Chinese troops in Pootung, testing industrial district just across the river from Shanghai. Thirty of forty thousand of China's best soldiers with artillery were reported to have taken up positions there, exchanging fire with the Japanese ships at almost point-blank range.

STAR PUBLISHES AS TRUCE ENDS

SEATTLE, Aug. 16.—(AP)—Guarded by 36 policemen under orders of Mayor John F. Dore, the Seattle Star continued normal operations today despite the end of a four day truce reported agreed upon by union printers and the American Newspaper Guild.

TO DEDICATE HIGHWAY TO MEMORY OF ROGERS

LOS ANGELES, Aug. 16.—(AP)—A highway linking the east and the west will be dedicated to the memory of Will Rogers tomorrow.

Post-Mortem Tot Lives Few Hours

WILKES-BARRE, Pa., Aug. 16.—(AP)—Death claimed Pennsylvania's second post-mortem baby in two weeks today a few hours after it had been delivered from its dead mother in a Cesarean operation at the contagious diseases hospital.

FLYING PHYSICIAN SAVES K.F. WOMAN

KLAMATH FALLS, Aug. 16.—(AP)—Anti-venom rushed from the Rogue River valley in a plane piloted by her physician, Dr. Paul Sharp, probably saved the life of Mrs. Cyril Cook of Keno, attendants at the hospital where she is slowly recovering from a rattlesnake bite, said today.

Senator McNary Returns With News of Importance For People of His State

Third Term Effort by Roosevelt Will Be Resented Is Republican Solon's View; Supreme Court Bill Dead as Dodo

By Joseph Pigney
PORTLAND, Aug. 16.—(AP)—The American public will resent a third term effort by President even more than his attack on the supreme court, Senator Charles L. McNary of Oregon, Republican minority leader, told interviewers upon his return from Washington today.

"There will be no revival of the supreme court measure," he said, "it is as dead as a dodo."

Senator McNary, who found the call home "irresistible" and left the hot capital before congress adjourned, brought vital news of national and state affairs to his Oregon people.

"The Bonnevillite dam measure as passed by the senate is the best bill ever provided for a government operation of a power and navigation project," he said.

Fair to Companies

"It protects public interest more effectively than other measures of a similar nature. It is fair to private companies and much better than the one passed by the house."

The senator, chief sponsor for the vast northwest power measure, remarked he "didn't know a thing" about J. D. Ross of Seattle, prominently mentioned as a candidate for Bonnevillite administrator.

"Then he added 'I know a hell of a lot but I'm not going to tell it now.'"

Oregon's grant for capitol building development is not at the top of the list, the Republican chief said, but "will get it."

"They are going to use the first money for burned schools and public buildings damaged by floods, but I'm certain there will be enough left for a capitol grant."

McNary interviewed Interior Secretary Ickes just before he headed west. The cabinet officer "is strong" for the \$400,000 grant for the library.

(Continued on Page Eight.)

STRICKEN BOY IN RACE WITH DEATH

EUGENE, Aug. 16.—(AP)—A fight was started today by Eugene doctors, nurses and firemen to save the life of Rudrick Swearingen, 15, Springfield, who is suffering from paralysis of the diaphragm. An ambulance left here this afternoon for Portland, taking the youth to the Doernbecher hospital where a drinker respirator is available.

HOOVER TO FISH IN SOUTHERN OREGON

SPOKANE, Wash., Aug. 16.—(AP)—Fleishman Herbert Hoover left by automobile for Portland, Ore., today after reporting "we had wonderful luck fishing" on a trip through Wyoming and Montana.

The former president steadfastly refused to discuss politics, but replied to a question:

"Physically, I feel perfect. My ailments are all spiritual and political."

He was traveling with Dr. Glenn Mason, Yale university law professor and assistant Republican national committee chairman and Robert North, Stanford university student.

Mr. Hoover said they would fish in southern Oregon.

Furs, Jewels Taken From Actress Home

HOLLYWOOD, Cal., Aug. 16.—(AP)—Kath Gillian, French film actress, found \$20,000 worth of furs and jewelry missing from her canyon home when she returned from an overnight trip, she told police today.

BAKER, Ore., Aug. 16.—(AP)—Herbert L. McDonald, 47, was killed instantly when struck by a circus train at Haines Sunday night.

ACTIONS BY A.F.L. FORCE SHOWDOWN WITH C.I.O. GROUP

1,000 Men Out of Work When A.F.L. Group Refuses To Permit Its Members Handle C.I.O. Lumber

PORTLAND, Aug. 16.—(AP)—The building trades council, an affiliate of the American Federation of Labor, dispatched two pickets to each of ten lumber mills today where the employees are members of the committee for industrial organization.

Two of the plants closed immediately. The action threw 600 men out of work at the Inman-Poulsen mill and an undetermined number at the Jones Lumber company.

The A.F.L. group said it will refuse to permit its members to handle CIO lumber. The Portland local of the lumber and sawmill workers severed relations with the A. F. L. by accepting a C.I.O. charter.

By noon the shutdown was estimated to have put 1000 men out of work and the closed mills included some of the city's largest—Jones Lumber, Inman-Poulsen, Clark & Wilson, Eastern and Western and East Side Lumber.

No show of violence accompanied the first critical showdown between the rival union groups and A. F. L. leaders predicted it would be the means of a settlement, containing only a small number of workers had stepped into the C. I. O. and that the majority never had a fair chance to vote.

Simultaneously with the shutdown the Labor Temple association ordered

(Continued on Page Three.)

BARTLETT PICKING GETS UNDER WAY

Picking of the Bartlett pear crop of the Rogue River valley, estimated at 16,000 tons, started today in several orchards, and will be in full swing by the end of the week.

A small lot of Bartlett has been sold to canneries for \$7.50 per ton. Myron E. Root, packing plant operator, reported, for sizes two and one-half inches and larger. Root reported the cannery purchases were light, and the Bartlett cannery market "very quiet."

No cannery price has been announced, but representatives of California and Willamette valley canneries were reported investigating local conditions.

The Myron E. Root packing plant is scheduled to start packing Tuesday, and the Pinnac Peak Packing company will start its No. 1 Wednesday afternoon, and its two other plants Friday. Other plants will start during the same period.

FLYING PHYSICIAN SAVES K.F. WOMAN

KLAMATH FALLS, Aug. 16.—(AP)—Anti-venom rushed from the Rogue River valley in a plane piloted by her physician, Dr. Paul Sharp, probably saved the life of Mrs. Cyril Cook of Keno, attendants at the hospital where she is slowly recovering from a rattlesnake bite, said today.

Dr. Sharp, called to attend Mrs. Cook Saturday afternoon after she had been bitten near her home on the Klamath river, learned that the snakebite antivenom supply available here was only enough for one injection.

He telephoned a Medford druggist, then flew to the mountains in his cabin plane, picked up the packages of anti-venom, one of which had been hurried from Ashland to the Medford airport, and returned, all in the course of about an hour.

Mrs. Cook remained in a critical condition Saturday night and all day yesterday but appeared considerably improved today, Sharp said.

Huge Sturgeon Landed

TOLEDO (UP)—Largest catch by commercial fishermen so far this season has been a 105-pound sturgeon measuring 6 feet, 8 inches in length. The fish yielded about 60 pounds of roe marketing at \$2 a pound.

BAKER, Ore., Aug. 16.—(AP)—Herbert L. McDonald, 47, was killed instantly when struck by a circus train at Haines Sunday night.