

The Weather
Forecast: Fair today and tomorrow; no change in temperature.
Temperature:
Highest yesterday 79
Lowest yesterday 53

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Get the habit of reading the Classified Ads. every day. The very thing you are looking for is bound to appear sometime. When it does just hurry along as thousands read the Classified daily.

Thirty-Third Year MEDFORD, OREGON, SUNDAY, JULY 3, 1938 No. 88.

The Capital Parade
By Joseph Alsop and Robert Kintner
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NEW RULING INCREASES POWER OF SEC
NOW IT CAN BLACKLIST ACCOUNTANTS
LAWYERS, ENGINEERS, LOBBYISTS ALSO INCLUDED
THIS TANTALUM TO LIFE-AND-DEATH RULE

WASHINGTON, July 3.—A few days ago, the securities and exchange commission took a portentous but little noticed step—a step which interestingly illuminates the whole process of modern government.

In brief, the commission assumed a life and death jurisdiction, in so far as their business affairs are concerned, over all persons and firms practicing before it. Formerly the commission merely admitted lawyers and agents to its bar. Now, at the bidding of the commission, accountants, engineers, lobbyists and the like, who swarm through the corridors of every government agency, may lose their SEC income tomorrow by a vote of the commission.

It sounds simple enough. But on closer inspection, several circumstances of the commission order are seen to be very significant. In the first place, it may be a coincidence that the order was issued on the very day that a trial examiner's advisory report, bitterly criticizing the great accounting firm of Price, Waterhouse for allegedly improper practice, was also given to the public.

But the fact is that the new order is aimed squarely at the certified accountants, and was promulgated at the insistence of Commissioner Jerome N. Frank, who has a bee in his bonnet about the business practices of accounting and engineering firms. The order's purpose is to insure that balance sheets drawn up to show compliance with the truth in securities laws shall be dependable and accurate. At such, the order is criticized. Indeed, adoption was inevitable, sooner or later.

But the order's meaning is far larger than might be suspected. Certified accounting is a large and prosperous business, daily influencing commercial habits, supporting large numbers of people, and providing exceedingly handsome incomes for the owners of the small number of dominant firms.

Hitherto it has seldom been subjected to public criticism, and certainly when the securities laws were written, neither the members of congress who voted for them, nor the accountants who watched them pass without murmuring, realized that they included detailed regulation of the accounting business. Yet that is precisely what has happened.

The power of a government agency to do what the SEC has done has never been tested in the courts and it may not be upheld, but if it is, the SEC has unquestionably extended its power to make rules for all accountants. In every large accounting firm the preparation of statements for the SEC is a good part of the work. If the SEC bans a particular firm, that firm inevitably loses a big percentage of its business.

More than that, however, it is publicly blacklisted. "Unethical and improper professional conduct" is among the grounds named by the SEC for banning firms and persons practicing before it. And what accounting firm could hope to obtain much respectable business if such a label were pinned on it by one of the most influential agencies of the government?

As has been remarked, the SEC's order was not only justifiable but inevitable, given the task the SEC has to perform. The commission is one of the most efficiently operated agencies of the government. Since it has made peace with the New York stock exchange, its policy on every front has been a firm moderation. Now even the Wall Streeters and managers of utilities holding companies, who once feared and hated it most, hold the commission in considerable respect. It cannot be accused of grasping for unnecessary power.

And that, really, is the lesson of the SEC's new order. Power breeds power, surely and rapidly. Once the government assumes the duty of making any rules in a given field, it must end by making all the rules.

The short history of the SEC amply demonstrates this truth, if it has not already been proved by

TRIAL OF ROSSER MARKED BY ROWS OVER CONFESSION

Ex-Teamster Chief's Attorneys Subpoena Ralph Moody To Produce First Banks Arson Admission.

DALLAS, Ore., July 2.—(UP)—The original written confession of Albert N. Banks, convicted arsonist, was the subject of heated wrangles this afternoon in the trial of Al Rosser, former Portland teamster head, charged with complicity in the burning of the West Salem Box factory last November.

Overruled by Judge Arlie G. Walker in their demands that this confession be introduced in court, defense attorneys George F. Vanderveer and Charles W. Robinson obtained a subpoena directing Ralph Moody, special prosecutor for the state in labor racketeer cases, to produce it in court.

Reputed in Trial
This confession, which had been made by Banks to Portland officers immediately after his arrest for arson, did not involve Rosser in the box plant fire, but has been reputed by Banks in testimony at the trial. Banks testified that he had been advised by Attorney Robinson and others not to mention Rosser and that he is the "fall guy" in the case.

The state produced two more confessed participants in the box factory fire today in an effort to link Rosser as the higher-up who conceived and had the burning carried out. Cecil Moore and John Newlands, both awaiting sentence for actually starting the fire, described the arson job.

Moore said Banks paid him, Newlands and Ernest "Red" Carson \$105 for doing it and recited in a low voice that their efforts to get more money failed. Moore did not talk to Rosser about the payoff, he testified, but knew that Newlands and Carson did. Moore also admitted that Rosser paid him \$50 for picketing work in connection with the river pilots strike.

Jail Hearing Admitted
The defense attempted to bring out that Moore's confession was the result of an unmerciful beating at the hands of Portland police. Introducing a doctor's certificate showing that Moore had received serious injuries to his eyes, jaw and back.

Moore, under cross-examination, said he had been hit 12 times by Detective Mumpower and that after this beating he couldn't walk for three weeks.

Newlands had previously testified that they made their deal to burn the factory with Banks, who was then business agent for the teamsters' union at Salem. He said that he poured the gasoline on some shavings, while Moore touched the match. Carson, the other confessed participant, waited for them in a car.

The trial will re-open Tuesday, with the likelihood that Dave Ruts, another teamster union head in prison for racketeering, will take the stand.

GAY PARTY PRECEDED CAMERAMAN'S DEATH INVESTIGATION SHOWS

HOLLYWOOD, Cal., July 2.—(UP)—Captain H. J. Wacker of the central homicide squad said tonight he was investigating a gay party attended by King D. Gray with another man and two women a few hours before Gray was found shot to death in a coupe in front of the Hollywood postoffice.

Gray, 42, a cameraman who once filmed Rudy Pickford, Douglas Fairbanks and Marjolein Valentine, only last week finished filming a mystery film at Universal studios.

He was married and the father of two sons. He was considered a "mild timid family man." He had been reading a letter addressed "Daddy Dear" when he was killed Thursday morning by a bullet through the chest and lay dead for hours before the body was discovered.

Miss Frances Bleakley, 29-year-old former University of Southern California student, named as wife of the "Dear Daddy" letter, told police in New Castle, Pa., she knew nothing about the slaying, which was developed into Hollywood's No. 1 current crime mystery.

FOURTH OF JULY BOMB COSTS YOUTH AN ARM

STOCKTON, Cal., July 2.—(AP)—An explosion of a homemade Fourth of July bomb today cost Otto Aechbacher, 20, of London his right arm.

Aechbacher was constructing the bomb of steel pipe and glass powder when the explosion occurred. Officers said a file evidently caused a spark.

Doctors at San Joaquin General Hospital amputated the shattered arm at the elbow.

Two Burn With Boat
PRINCE RUPERT, B.C., July 2.—(Canadian Press)—Giacomo C. Colussi and his wife were burned to death last night when their motor boat exploded and caught fire off Jap Point, a few miles north of here. Three other sons were seriously burned. A daughter escaped unharmed.

Astor Kin Wants W P A Job



Francis O. French (above), father-in-law of multi-millionaire John Jacob Astor, 3rd, is shown in his rented flat in Middletown, R. I., as he got in a bit of practice for the WPA job he hopes to land. French, spurning aid from his wealthy relatives, has applied for relief, declaring he was down to his last \$15 and willing to do "a laborer's task if necessary to earn a living for myself and my wife."

JOB IS LANDED BY PICKET ORDINANCE HEADED FOR TEST

BOSTON, July 2.—(AP)—Francis O. French, father-in-law of John Jacob Astor 3rd, tonight had a job at a golf driving range near the Harvard stadium. Ward C. "Red" Madden, proprietor of the range, said French would start work Tuesday.

The once-wealthy Rhode Islander, scheduled to work with 17 other employees who pick up golf balls and clean the clubs, may give driving lessons for fees after his regular hours.

Blood Island relief authorities had not acted finally, up to tonight, on his earlier relief application.

The ordinance is modeled after one recently passed in Eugene and requires that pickets be licensed at \$5 each for 30 days and that any placard carried first be submitted for approval. The penalty is a fine up to \$200 or one day in jail for each \$2 fine.

The union promptly announced its intention of bringing the measure before the state supreme court, if necessary, to prove it unconstitutional.

HUNGRY SHIRLEY VISITS NEW YORK

NEW YORK, July 2.—(AP)—Hungry, definitely hungry—she made that very plain—blonde little Shirley Temple paid New York her first visit today and was a bit awed by the bigness of the big town.

"Gee! You have everything big here, don't you?" she asked, glancing from a window at the towering buildings. "I want to see it all, but most of all perhaps, I want to see the Statue of Liberty."

A doll tucked in each arm—"one of them is named Susie Black because she has a wooden head"—Shirley confided that she was keeping a diary of her motor trip across the country with her parents, Mr. and Mrs. George F. Temple.

She got tired on the way from Washington and a bit sleepy, but she didn't take a nap, decidedly "no!"

"Well, if you must know, I didn't want to muss up my hair, she explained, tossing perfectly coiffured locks, crested with a tiny red ribbon.

FIND PHOENIX MAN FATALLY INJURED

OREGON CITY, Ore., July 2.—(UP)—A man, tentatively identified as John B. Parr, 42, of Phoenix, Ore., was fatally injured tonight, either by falling off a train, or being hit by one.

Critically injured, he was found lying alongside the Southern Pacific railroad tracks five miles south of Oregon City by the engineer of a freight train. He was rushed to the hospital, but died a short time later.

Identification was made through a liquor permit, which was found in his pocket. A blank transfer form of the Veterans of Foreign Wars indicated he was a war veteran.

HUGHES PREPARES FOR FLIGHT OVER ATLANTIC

BERBANK, Calif., July 2.—(AP)—Howard Hughes, wealthy flier, said tonight he would take off before noon tomorrow for New York to prepare for his flight to Paris.

He does not, he said, plan to span the continent in one hop but likely will stop tomorrow night at some city en route to New York.

Mechanics who checked the power plants of the big transport plane said they were satisfied the ship is in good condition for trans-Atlantic journey.

\$30 TON IS SOUGHT FOR CANNING PEACHES

BERKELEY, Cal., July 2.—(UP)—Fifty members of the canning peach committee of the California farm bureau federation voted here today that they would accept not less than \$30 a ton for their 1938 canning peach crop.

BULLETIN

SEATTLE, July 2.—(AP)—Night game score (10 innings):
Hollywood 9 11 3
Seattle 8 6 4
Prizefight, Miller, Crandall and Nrenzel; Barrett, Beck and Fernandes.

FEDERAL INCOME FAR OVER-SPENT IN FISCAL YEAR

New Year Will Bring Deficit Of Three Billions Because Of New Spending Program—Treasury Reports

WASHINGTON, July 2.—(AP)—The government over-spent its income by \$1,459,000,000 in the fiscal year which closed Thursday night.

The deficit was the smallest of eight consecutive shortages, but the new year will bring a deficit of approximately \$3,000,000,000 because of the new spending program.

The treasury made public today final figures on operations for the fiscal year. They showed the treasury income was \$6,241,661,226.99 and its expenditures \$7,700,374,277.37.

The expenditures total included \$65,464,950 for debt retirement, making the gross deficit \$1,524,713,050, compared with \$2,811,318,910 in the previous year.

Due to the use of devalued gold, the year's increase in the public debt was held to \$740,126,583, bringing the direct obligations of the treasury to \$7,164,740,315.45. This was an average of \$285.70 per person. When the public debt was at its post-war low of \$15,719,283,767, on December 31, 1930, the per capita share was \$129.66.

The deficit was reduced last year both by increasing revenue and decreasing expenditures.

Receipts were \$448,000,000 higher, and reached the highest total in more than 15 years. Income taxes, amounting to \$2,634,618,138, were \$478,000,000 higher, and excise taxes totaling \$2,379,453,099 were \$97,000,000 larger.

The only major tax classification to decline was customs duties, which fell \$127,000,000 to \$359,187,249 due to sharp decrease in American purchases of food and merchandise abroad.

The works progress administration again led all spending agencies, using \$1,472,499,478 to finance its works relief program.

BRITE BROTHERS GAIN NEW HOPE FOR LIFE IN ACTION OF HIGH COURT

SAN FRANCISCO, July 2.—(AP)—New aid for the Brite brothers in their efforts to escape the death penalty for the slaying of three men near Yreka, Calif., Aug. 30, 1935, came from the California state supreme court today.

Chief Justice William H. Waste disclosed the majority of supreme court judges had gone on record favoring executive clemency in commuting their sentence to life imprisonment, and had so informed Gov. Frank P. Merriam.

John H. Brite, 36, and his brother, Coke T. Brite, 34, were convicted of killing Sheriff's Deputy Martin Lange, 48; Constable Joseph Clark, 54, and Capt. Fred Seaborn, 59, of Vallejo, a former navy officer.

The officers, Seaborn and Charles Baker, killed the Brites 35 miles north of Yreka when they sought to serve warrants on them after Seaborn and Baker, his vacation companion, had complained they previously were attacked by the Brites while the latter were prospecting for gold and a horse had wandered on their claim.

Baker, only one of the quartet to survive the ensuing fight, notified police. A long search for the brothers ended when they voluntarily surrendered and claimed the shooting was in self defense.

HUSBAND HELD IN SLAYING OF WIFE

SEATTLE, July 2.—(AP)—Discovery of two rings, previously listed as missing, definitely eliminated robbery as the motive for the slaying of Mrs. Emily Maude Butte. Detective Chief Ernest Yorik said tonight. Yorik said they were found in her apartment where she apparently had hid them.

Mrs. Butte's husband, Charles F. Butte, formerly prominent San Francisco bridge builder, engineer and clubman, held without charge, confirmed San Francisco dispatches. Yorik said that he figured in a divorce action in San Francisco four years ago. His first wife, Mrs. Lenor Butte, used for separate maintenance, and sued Mrs. Emily Zigler, San Francisco bay district solicitor, for \$100,000 heart balm. He said he won a divorce decree at Reno and wed Mrs. Zigler.

REAMES ENROUTE HOME IS WORD TO GOVERNOR

SALEM, July 2.—(AP)—Senator A. E. Reames has left Washington and is now en route to Oregon. Doris Swayne, his secretary, telegraphed Governor Charles H. Martin today.

Senator Reames lives at Medford and was appointed to fill the unexpired term of Senator Frederick Stetzer, who resigned a few months ago.

Rich Mother Lode Found On Disabled Vet's Farm

SAN DIEGO, Cal., July 2.—(UP)—Discovery of a rich mother lode, which experts have termed second only to the rich Homestake mine in North Dakota, has been made on the ranch of a disabled World War veteran, near Lakeside, it was revealed today.

The wife of Guy Kimball, known as "Miss Alice," made the rich discovery while following an old hobby of prospecting which she learned in the Montana Powder river country.

Already "Miss Alice" has refused offers of \$20,000 and \$30,000 for the property. She says "perhaps it will bring \$100,000 and perhaps as much as \$1,000,000, but what does that matter? None of us need a million to make us happy."

Assays of the heavy, green ore, which was found in two parallel veins, separated by a vein of gray-white quartz, have shown gold to the extent of between \$20 and \$75 per ton. No assay has been run on the quartz.

The Kimballs bought to 340-acre ranch in 1931 when Kimball was bedfast as the result of a lung in-

THOUSANDS VISIT NEW CAPITOL ON INSPECTION DAY

Parade and Speeches Feature Program—Moving In Starts Today—Governor Raps Interference.

SALEM, Ore., July 2.—(AP)—Six thousand Oregon people evaled themselves of the first opportunity to inspect the interior of the new \$2,500,000 state capitol here today, attending the open house arranged by the Salem Cherriana.

Thronged milled through the giant rotunda, the legislative halls and four floors of the new building after witnessing a 10-blocks long parade and listening to a brief program of addresses which were broadcast over a coastwide radio hook-up.

The address of Governor Charles H. Martin, devoted principally to praise of the capitol reconstruction commission, the architects and contractors who had a part in erecting the building, was not entirely non-political. At one point he said:

No Interference Needed
"We Oregonians are citizens of a sovereign state and are competent to determine our own future course without outside interference from whatever source."

This was accepted by some listeners as a reference to recent participation of prominent figures in the national administration in opposition to the governor in the recent primary campaign, in which he was defeated for renomination by Henry Hees of La Grande. Relative to industrial warfare in Oregon, he mentioned there has been no labor controversy in construction of the building and added:

"Here in Oregon we have no place for racketeering, for political chicanery or for class warfare."

Riley Description Glows
A glowing description of the building and its setting was given by Frank Branch Riley of Portland. Dr. Bruce Baxter, president of Willamette University, was master of ceremonies. Mayor V. E. Kuhn delivered a welcoming address.

The Royal Rosarians of Portland, the Newberg Rosarians and Junior drum corps from several Oregon cities participated in the parade with local civic groups.

State departments will begin moving tomorrow into the new white marble capitol, built on the site of the old capitol which burned in 1935. The building stands completed except for the bronze statue of a pioneer which will surmount the central tower, some other large art works for the rotunda, and landscaping.

NO DEFENSE FOR BRITISH VESSELS IN WAR TRAFFIC

KEWTEERING, England, July 2.—(UP)—Prime Minister Neville Chamberlain, summarizing his position in a speech here today, made clear that the government will refuse to risk involving the nation in war in order to defend British ships which enter Spanish Loyalist ports to gain high profits.

Great Britain will fight again if necessary to preserve liberty, the prime minister said, but the costs are so great that he felt "it my prime duty to strain every nerve to avoid a repetition of a great war in Europe."

"When I look around the world I must say I am appalled at the prospect," Chamberlain said. "War accompanied by horrible barbarities, inflicted either wittingly or unwittingly upon civil populations, is going on in China today, or much nearer to us in Spain."

In the World War, he said, Great Britain preserved liberties and "if we felt they were in danger again and there was no other way of maintaining them than we would fight once more."

He said, however, that the World War resulted in thousands killed and wounded, and added, amid loud applause, that "I am bound to say again what I said before and what I say now not only to you but to all the world, in war, whichever side may call itself victor, there are no victors, but all are losers."

It will be a general business holiday, with all federal, state, county and city offices, banks and the state liquor store closed for the day. The postoffice will be closed and there will be no mail delivery.

In general Medford stores will be closed, though a number of grocery stores will remain open.

The Mail Tribune will not be published tomorrow.

FRANCES FARMER WINS FEE CLAIM

NEW YORK, July 2.—(AP)—Frances Farmer's rise to stage and screen stardom was accomplished without much help from her husband or attorney—from theatrical adviser Shepard Traube. New York's state supreme court ruled today.

Justice Samuel Rosenman dismissed a suit by Traube for \$75,000 which he claimed was coming to him for boosting her up the ladder to thespian success.

He vouchsafed that, partly through his advice, she developed from a gauche western schoolgirl into a finished success, the metamorphosis including the jettisoning of 30 surplus pounds from the hips.

SHAKES WIFE'S HAND AS DEATH COMES ON

ST. LOUIS, July 2.—(AP)—Charles Froelich, 66, a janitor, shook his wife's hand warmly as she was removing the dishes from the dinner table today.

Then he began emptying his pockets, placing their contents on the table.

"I won't need these things any more," Mrs. Froelich told Constable Andrew Sears her husband told. "I am going away. I just took poison."

A few minutes later he collapsed and died.

Sears said Mrs. Froelich told him they had quarreled.

NEW YORK, July 2.—(UP)—Sen. Royal S. Copeland (D-N.Y.) who died June 13, left an estate of \$48,000, according to statements filed in surrogate's court today.

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Ends Love Strike



Mrs. Hedl Heusser, beautiful red-headed divorcee, meditatively munched a hot dog after finally walking out of the Irvington, N. V., home of wealthy Rollo K. Blanchard, where she waited nine days for him to come home and marry her. Blanchard, declining to submit to her sit-down strike, tied himself off on his yacht.

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JUSTICE CARDOZO IN OXYGEN TENT DURING RELAPSE

Secretary Reveals Cooling System Also Installed In Hospital Room—Loses Ground In Hot Spell.

PORT CHESTER, N. Y., July 2.—(UP)—United States Supreme Court Justice Benjamin Cardozo is seriously ill and has been placed under an oxygen tent, his secretary disclosed tonight.

The justice, who has been absent from the supreme court bench for several months because of illness, has not been well since the last hot spell, although previously his health had been improving, his physician announced.

In addition to the oxygen tent a cooling system is being used in the justice's room.

The statement issued by Cardozo's physician said:

"Justice Cardozo has not been well since the last hot spell. Previously the justice had been gaining ground steadily. To conserve his health it has been thought best to use an oxygen tent combined with a cooling system."

Justice Cardozo was forced to leave the bench in January when he suffered a severe attack of shingles aggravated by several heart attacks. His heart has been weak for years.

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ST. LOUIS, July 2.—(AP)—Charles Froelich, 66, a janitor, shook his wife's hand warmly as she was removing the dishes from the dinner table today.

Then he began emptying his pockets, placing their contents on the table.

"I won't need these things any more," Mrs. Froelich told Constable Andrew Sears her husband told. "I am going away. I just took poison."

A few minutes later he collapsed and died.

Sears said Mrs. Froelich told him they had quarreled.