

The Weather
Forecast
Showers tonight and Thursday, slightly warmer tonight, cooler Thursday.
Temperature
Highest yesterday...72
Lowest this morning...38

Turn the Trick
If there is a demand for anything you have for sale let the classified in this newspaper turn the trick. The cost will be small compared to results obtained. There is no time like the present.

Thirty-Third Year No. 186

JACKSONVILLE YOUTH SHOT FOR DEER

The Capital Parade

By Joseph Alsop and Robert Kintner
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RUMORS CONFLICT ON SUPREME COURT VACANCY
FRANKFURTER REGARDED OUTSTANDING CANDIDATE
HIS NEW BOOK PRESENTS IDEAL OF HIGH JURIST
VOLUME INTERPRETS OPINIONS OF HOLMES

WASHINGTON, Oct. 26.—As the time of decision draws nearer, the rumors about the president's forthcoming supreme court appointment constantly increase. If all of them should come true, the president would have to name a whole benchful of justices, most of them bad.

It is said that he is deeply impressed with the sectional arguments of the organization Democrats, and therefore chooses a westerner. It is said that he shares the view of certain left-wing extremists that the court is a constitutional superfluity which ought to be discarded, and will therefore make some such creditable choice as Senator Sherman Minton of Indiana. It is said (and very truthfully, unless the president and the New York governor have conceived unsuspected similarities) that part of the deal by which Herbert H. Lehman is running for reelection is the nomination of his brother, Judge Irving Lehman, to the high bench.

The truth is that no one on earth but the president himself knows who will get the great office, and probably he has not made up his mind. Meanwhile, in spite of the foolish pleading of certain timidous Jews that his nomination will provoke anti-semitism, Professor Felix Frankfurter remains the outstanding candidate. He has, on his side, outstanding fitness, great personal distinction, a splendid record of achievement and the warm support both of the White House circle and hundreds of the most influential conservatives in the country.

Under the circumstances, therefore, it is news that Frankfurter has summed up his ideal of a justice of the supreme court in three paragraphs of beautifully lucid prose. These paragraphs, which should find a permanent place in the library of American historical writing, form the proem of his new book, "Mr. Justice Holmes and the Supreme Court." They are the fitting close of an exposition of the supreme court's place, powers and functions more lucid and acute than our generation is likely to see again. They follow:

(Continued on Page Two.)

SIDE GLANCES

by TRIBUNE REPORTERS

Charles Watson popping over a buck with a .38 automatic Colt, he refusing to hunt with anything but a pistol, which he uses with his left hand, and to good effect too.

Mrs. O. A. Robbins not being surprised to hear her husband get lost in the woods, that being an old family custom, she recalling when she and he were once lost together on a hunting trip.

Raymond Driver starting out for a day in the hills to take pictures, armed with his camera and luncheon securely enclosed in a huge pall, he recalling the last time he went picture-taking he forgot to put films in his camera and had no lunch.

Maudie Coddling informing a gathering of fem golfers that sandwiches were not enough food, she insisting several should bring pies, too.

Ann Fuson looking like a well-borne cyclone with an impromptu wind-swing hair-do, she apparently perceiving content with such

HARRY GALLUP, 20, FATALLY WOUNDED BY FATHER'S GUN

Second Tragedy for County Comes As Season Ends—Victim Absolves Father in Pre-Death Explanation

Mistaken for a deer and accidentally shot by his father just two hours before the season closed yesterday, Harry Sylvester Gallup, 20, of the Old Stage road, died in Community hospital at 6:14 a. m. today despite all efforts to save his life.

The young man, only son of Mr. and Mrs. John Robert Gallup of the Old Stage road, was shot through the stomach by his 50-year old father while they were hunting in the brushy and timbered area three miles north of the Greensprings highway and between the Johnson Prairie and Moon Prairie roads in the Siskiyou mountains. The tragedy occurred at 3 p. m. yesterday, death coming 15 hours later.

Also in the hunting party were John Niedermeyer and his nephew, Don Niedermeyer, both of the Old Stage road.

County Coroner Frank Perl said today that an inquest was pending, but that it wouldn't be held before Friday as District Attorney Frank J. Newman will be out of town tomorrow.

Boy Assumes Blame

Young Gallup, before his death, assumed all the blame for the tragic accident. City Policeman Clyde Fichtner, who talked with the fatally injured youth after he had been carried from the mountains on an improvised stretcher preparatory to being rushed to the hospital, quoted him as explaining that his father had told him to remain in a certain place, but that he hadn't done so. Instead, Fichtner quoted the Gallup boy as saying, he continued on a few yards, then jumped on a fallen log and waved his gun. It was then that his father fired, Fichtner said the youth told him.

So grief-stricken was the father afterwards that he was unable to give a coherent explanation of the accident, other than that he mistook his son for a deer, and fired, state police said.

Hit In Stomach

The bullet, fired from a 30-20 calibre rifle, struck the youth in the stomach near the last lower rib on the left side. It perforated the stomach, a bowel, several large blood vessels, the left lung, and came to rest just under the skin on the back.

HONOR OF BRITAIN SEEN AT LOW EBB

LONDON, Oct. 26.—(AP)—David Lloyd George declared today that in making the Munich accord "we handed over a little democratic state in central Europe wrapped in the Union Jack and the Tricolor to a ruthless dictator who will deny freedom to both Czechs and Germans alike."

It was the first speech of the wartime prime minister of Great Britain since the Munich pact saved Europe's peace at the price of Czechoslovakia's dismemberment.

The veteran statesman, one of the authors of the postwar settlement which created Czechoslovakia, spoke at the City temple to the London Free Church Federation club. His address was broadcast to the United States.

Referring to the war in China, Ethiopia and Spain and the partitioning of Czechoslovakia, Lloyd George said:

"We have descended during these years the ladder of dishonor rung by rung. Are we going—can we go any lower?"

COUNCIL APPROVES PAVING PROGRAM

At an adjourned meeting late yesterday afternoon the city council adopted a resolution approving plans and specifications for Medford's PWA paved street reconstruction project.

After the meeting Frank H. Rogers, assistant city superintendent, left by motorcar for Portland to present the plans and specifications to the PWA regional office for approval or amendment.

The council will meet again at city hall at 7:30 p. m. Friday to open bids on the bond issue that will help to finance the reconstruction project.

Condemned Youth Ready For Entry Lethal Gas Room

SALEM, Oct. 26.—(AP)—It doesn't make a bit of difference to Leroy Horshell McCarthy whether he dies in the state's new lethal gas chamber.

As a matter of fact, McCarthy told guards today that the sooner it is over the better it would suit him.

McCarthy killed Floyd Pueller Aug. 10, 1937, in the holdup of a service station in Portland in which Pueller was an attendant.

"I'm getting tired of sitting in a cell," McCarthy said today, "and when they gas me, I won't have to sit any more. I was pleased when I heard the supreme court upheld my conviction, because that means it will be over soon."

GIRL BADLY MAULED BY HUGE BEAR AFTER TUMBLING INTO PIT

CLEVELAND, Oct. 26.—(AP)—A 21-year old art student, Miss Julia Zemick, fell into a polar bear's pit at Brookside zoo today and suffered a severe mauling, threatening her life, before keepers clubbed off the bear and pulled her from the pit.

Miss Zemick, a WPA art project worker, had been sketching at the top of the bear's enclosure. At City hospital her condition was described as "poor." She fell 25 feet, and apparently was knocked unconscious as she hit the bottom of the pit.

The big polar bear, named "Silver," let out a roar as she crashed through the netting atop the pit, and then lunged at the girl.

Attracted by the commotion, Curley Wilson, zoo superintendent, began jabbing at the animal with a long pole as it dragged Miss Zemick toward a cave in the back of the cage.

Meanwhile, two other attendants entered an adjoining cage, knotted a rope around the girl's leg, and pulled her away from the animal. Her clothes were torn to shreds and her head, neck and legs deeply lacerated.

FORMER HUSBAND PLEADS INNOCENT

LOS ANGELES, Oct. 26.—(AP)—Martin Snyder, former husband of radio singer Ruth Etting, pleaded innocent today to charges of shooting her present mate, Myri Anderson, 30-year-old radio music arranger, at Miss Etting's home October 15.

Snyder's trial on charges of attempted murder, kidnaping and violation of a state firearms law was set for December 8.

Defense Attorney Jerry Giesler made no request for reduction in Snyder's \$50,000 bail and Snyder was returned to his county jail cell.

APPLAGATE BLAZE HOLDS DANGER AS WIND RAKES AREA

CCC Men Dispatched From Applegate Camp to Battle Fire Near Pennsylvania Mine — Forest Very Dry

Twenty men were dispatched from the Applegate CCC camp early this afternoon as a report was received of a fire in the Applegate district of the Rogue River national forest between the Pennsylvania mine and Park guard station across the California line.

Extent of the fire could not be ascertained immediately, but the situation was potentially dangerous as the forest cover was dry and a high wind was blowing, headquarters here were notified by lookouts. The crew sent to the fire was in charge of Albert Young, protective assistant at the Star ranger station.

The fire was reported by the Dutchman peak lookout and a little later by a man at the Pennsylvania mine.

Two hunters reported to Ashland police this afternoon that a forest fire covering about an acre was burning on Crane Prairie. The forest service dispatched a guard from Pinehurst. The hunters were quoted as saying they saw the fire as they emerged from the Hyatt lake country.

LABOR ACT DIRECTOR DECLARES INAUGURAL OPERATION A SUCCESS

NEW YORK, Oct. 26.—(AP)—Elmer F. Andrews, wage-hour administrator, told the cotton textile institute today reports from all over the country regarding inauguration of the fair labor standards act "encourage us to believe the operation has been a success."

Speaking from the "vantage point of two and a half days," the administrator reported "unpleasant repercussions" had occurred only in scattered instances and a minimum of industrial dislocations resulted. These, he asserted, should disappear soon.

"It is unfortunate," he added, "anyone should lose his job because of this law, but as every surgeon knows, there are few operations in which the patient does not lose some blood."

"The reports which we have from all over the country encourage us to believe the operation has been a success and that the patient will from now on show permanent improvement."

Guard Price Boosts

WASHINGTON, Oct. 26.—(AP)—Secretary Roper warned business today against premature price boosts which he said might choke off the recovery movement.

Directs New Law



Elmer F. Andrews, wage-hour administrator, is shown as the new law regulating hours and wages of thousands of employees went into effect. "Enforcement is in the hands of businessmen and their employees," he said. "They are the ones who will make the law work—not an army of inspectors from Washington."

ASK 'OLD ICKES' DECLARES MARTIN

PORTLAND, Oct. 26.—(AP)—Oregon citizens seeking advice on how to vote will have to consult "old Ickes"—Interior Secretary Harold L. Ickes—and not Governor Charles H. Martin, the fiery governor declared in a speech last night.

"Two weeks from tonight I'll say all you want to hear about politics," Martin told the Columbia Empire Industries, Inc. "Par be it from me to tell you how to vote. I leave that to old Ickes."

Ickes, in a speech at Bonneville dam Monday, indirectly assailed Charles A. Sprague, Republican candidate for governor.

Governor Martin, beaten for reelection in the Democratic primaries by Henry Hess, whom Ickes favored, introduced Senator Edward R. Burke, Neb., who assailed the national labor relations act.

GERMAN PAPERS STIR NEW ANGER AGAINST JEWDOM

Alleged Attack Upon Five Germans by Fifty Jews in Antwerp Cited in Appeal for Additional Curb

BERLIN, Oct. 26.—(AP)—The German press carried reports today 50 Jews had attacked five German passengers of the liner Cordillera yesterday as they walked through the streets of Antwerp, and warned "Germany is strong enough and determined under all circumstances to protect her nationals."

"The consequences may prove most undesirable and disagreeable to Jewdom," the press warned, carrying the dispatches under such headlines as "Fifty Against Five" and "Jewish Rowdyst in Antwerp."

Hint To Belgium

One Nazi party organ—Westphaelische Landes Zeitung of Dortmund—even intimated German-Belgian relations might be disturbed unless "these dangerous elements" are curbed.

These developments came as the weekly organ of the Nazi black-shirted SS guards attacked the Roman Catholic and Protestant Confessional Synod churches for their alleged unpatrotic attitude in the German-Czechoslovak crisis and declared Jews in Germany and Italy were "hostages."

The paper, Das Schwarze Korps, said "Jews living in Germany and Italy are hostages given into our hands by fate so we may defend ourselves in the most effective manner against attacks by world Jewry."

No Compassion

"This assertion may seem rather severe," the paper continued, "to those who in their soft sentimentality always are at hand with a slogan about the 'innocent Jew.'"

"Whoever envisages in all its ramifications the incitement to war which world Jewry has unleashed upon us along a broad front and who ever recognizes the true intentions of these world criminals would be a fool indeed if in the face of such a threat he permitted anything like compassion to surge within him."

GIBSON'S ASHES TO BE CAST INTO ROGUE

GRANTS PASS, Oct. 26.—(AP)—The ashes of W. E. "Rainbow" Gibson, widely-known fishing lodge host, will return to Rogue river. His widow, some time after funeral services, will cast his ashes in Pierce riffle, his best-loved fishing spot. Gibson died of a heart attack Sunday.

Pear Markets

NEW YORK, Oct. 26.—(AP-USA)—Peas: 7 cars arrived, 8 California, 12 Oregon, 1 New York, 4 Washington unloaded, 25 on track; Oregon Bosc 6035 No. 1, \$1.85@2.30, average \$2.11; Anjou 720 extra fancy \$2.10 @.80, average \$2.27; 720 fancy \$1.65 @2.20, average \$1.83.

CHICAGO, Oct. 26.—(AP-USA)—Peas: 1 Oregon, 8 Washington, 8 on track, Oregon Bartlett 237 No. 1, \$2.05@2.25, average \$2.16; Bosc 744 No. 1, \$1.70@2.05, average \$1.88.

UNION CREEK ARREST MAY SOLVE SERIES OF THEFTS NEAR PROSPECT

William M. Carroll, a cook in the blister rust camp in the Union Creek district, was arrested Tuesday night and lodged in the county jail charged with theft of 60 gallons of gasoline and five gallons of oil, belonging to Elton V. Jackson, a logging operator. Carroll was arrested by Deputy Sheriff William Grenbender and Deputy Sheriff Dewey Hill of Prospect.

According to Deputy Grenbender, a cache of cans full of gasoline was located Tuesday in the brush near Union Creek, when the glint of sunshine on the cans attracted attention of the officers. They stood guard over the cache.

After a watch of several hours, Carroll appeared and was questioned by Deputy Grenbender. Later he was placed under arrest. According to the authorities, a piece of hose was found in Carroll's car.

Carroll is being questioned relative to a number of thefts in the Prospect-Union Creek district the past six months. He was scheduled to be arraigned in justice court today.

FRAULIEN'S COUNSEL FAILS IN EFFORT TO KEEP EVIDENCE OUT

NEW YORK, Oct. 26.—(AP)—Counsel for red-haired Johanna Hofmann, 26, alleged courier of a German spy ring in this country, today finished cross-examination of the government's key witness, Gunther Gustav Rurich.

The defense lawyer, George G. Dix, vainly moved for the suppression of evidence taken by federal agents from Fraulien Hofmann's stateroom aboard the North American Lloyd liner Europa, where she was employed as a hairdresser at the time of her arrest last February.

Federal Judge John C. Knox also denied Dix' motion to suppress an alleged "confession" given to Leon G. Turrou, former F.B.I. agent, who helped break the case.

Dix charged the statement was wrong from the German girl by "duress."

It was Rurich's eighth day on the witness stand, testifying against Miss Hofmann and her two co-defendants, Erich Glaeser, 28, former U. S. army private, and Otto Hermann Voss, 38, an airplane mechanic, accused of stealing plans of a new army pursuit plane.

WOMAN INDICTED IN HUBER CASE

Pearl Rhodes Brenner was indicted in true bills returned Tuesday by the grand jury, William J. Gates foreman. She is charged with assault with a dangerous weapon and scheduled to be arraigned this afternoon.

A second true bill was returned by the grand jury, but was withheld pending arrest of the indicted person.

The indictment of Mrs. Brenner grew out of a street dispute between Glen Huber, and his former wife, Mrs. Huber, and the indicted woman is alleged to have hit the former Mrs. Huber over the head with a stove poker. The incident occurred on North Grape street.

Huber, charged with assault and battery for the same clash, was fined \$50 and costs in justice court.

Bluenose Retains Fishermen's Cup

ABOARD GERTRUDE L. THEBAUD, off Boston, (via radio telephone), Oct. 26.—(AP)—Capt. Angus Walker's big Canadian salt banker Bluenose retained the International Fishermen's trophy by taking today's deciding race from the American challenger, the schooner Gertrude L. Thebaud. Bluenose finished the 36 1/2 mile triangular course at 1:04:11 p. m. (P.S.T.)

CABINET ACCUSED IN DIES REPLY TO REBUKE FROM F. R.

President Wholly Misformed On House Committee Investigation Un-American Activities Claim

SAN FRANCISCO, Oct. 26.—(AP)—Sheridan Downey, Democratic senatorial nominee, today charged the statement before a house investigating committee linking him to communistic principles was "unequivocally false and deliberately given out at this time for campaign purposes."

The statement was made shortly after Harpo Knowles, California American Legion investigator, had told the committee Downey and the other Democratic candidates for high office in this state were connected in one way or another with communistic ideas.

WASHINGTON, Oct. 26.—(AP)—Chairman Dies (D., Tex.) of a house committee investigating un-American activities said today cabinet members had sided in a "well-planned campaign of misrepresentation, ridicule and sarcasm" which he said was conducted by persons who hoped to discredit the inquiry.

The committee was rebuked by President Roosevelt yesterday for letting itself be used in an "unfair and un-American attempt to influence an election." Mr. Roosevelt referred to testimony critical to Gov. Frank Murphy of Michigan.

Dies, at the opening of today's committee hearing, read a formal statement of reply.

Would "Use" F. D. R.

It said when the campaign of criticism against the committee had failed, and "recoiled upon the heads of those who conceived and engineered it," the next move was to "exert every conceivable pressure to stifle this investigation," he added.

"When this likewise failed, as a last desperate move, the president was induced to permit the prestige of his great office to be used for the purpose of discrediting the investigation."

"That the president has been a wholly misinformed is obvious from his statement. Of course, the president did not hear the testimony and has not read the record. He is evidently relying upon reports that have reached him from prejudiced sources."

The committee chairman had said earlier he would continue to do his "duty undeterred and unafraid."

What specifically aroused Mr. Roosevelt's displeasure was the committee's permitting testimony from a Michigan Republican that Murphy was guilty of treasonable action for not handling a sitdown strike at Flint last year more vigorously. Murphy now is engaged in a re-election campaign.

Evidence Upheld

The chairman suggested if Mr. Roosevelt doubted the committee's evidence would go on strike at 1 p. m. (P.S.T.) today.

Powers said the strike was in protest against the company's failure to meet with a union committee to negotiate a 44-hour work week as provided under the new wage hour law.

STRIKE IS CALLED ON POSTAL TEL.

CHICAGO, Oct. 26.—(AP)—Frank B. Powers, president of the AFL Commercial Telegraphers' union, announced 1,500 Postal Telegraph employees would go on strike at 1 p. m. (P.S.T.) today.

Powers said the strike was in protest against the company's failure to meet with a union committee to negotiate a 44-hour work week as provided under the new wage hour law.

SEATTLE STRIKE CALLED

SEATTLE, Oct. 26.—(AP)—A strike ordered at Chicago today against the Postal Telegraph company will not affect the company in Oregon. Wash. C. T. Hughes, business agent for local 77 of the International Brotherhood of Electrical Workers said.

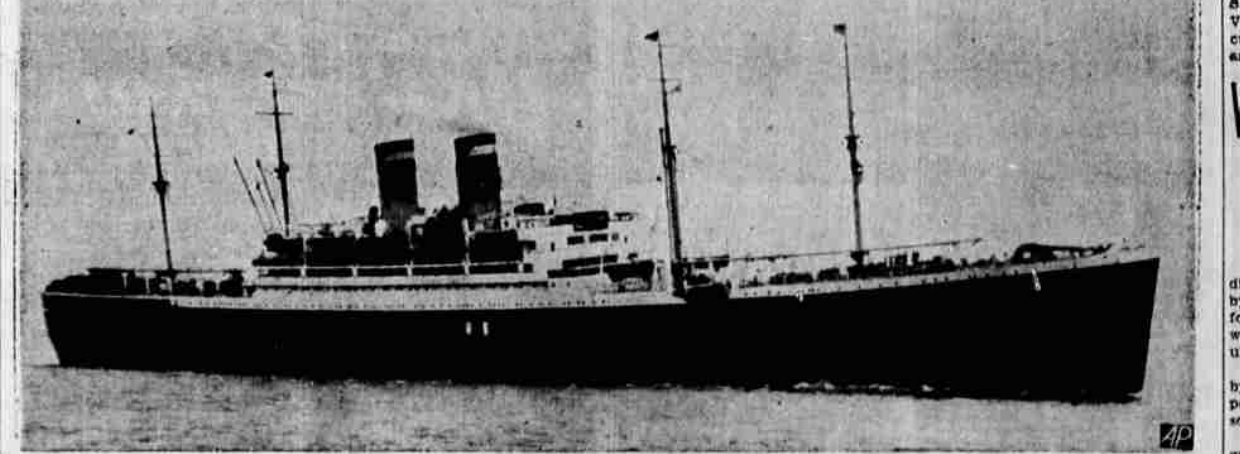
CZECHS ACCEPT OFFER TO ARBITRATE DISPUTE

BUDAPEST, Oct. 26.—(AP)—The Hungarian official press agency today published a Czechoslovak note in which German and Italian arbitration to settle the territorial dispute with Hungary was accepted.

Iron Lung Mother Dies

PORT WILLIAM, Ont., Oct. 26.—(CP)—The 17-year-old girl who a week ago gave birth to a child while in an iron lung suffering from infantile paralysis, died today. The baby died soon after birth.

Liner's Crew Subdues Fire During Atlantic Storm



Following radio calls which sent other ships in the vicinity scurrying to her aid early last night, the crew of the German liner Deutschland won a two-hour fight to control flames which menaced the ship as it rolled in stormy seas 200 miles off Cape Race. (A. P. photo.)

NEW YORK, Oct. 26.—(AP)—Fire aboard ship in perilous, gale-whipped seas of the north Atlantic remained a nightmarish memory today to 391 passengers and 392 crew members on the Deutschland as the German liner headed for New York with her injuries charred by flames.

An electrifying "SOS" flashed through the air early last night when fire broke out in the ship's No. 2 hold, after an explosion of unexplained nature.

"Assistance necessary urgently," crackled over the radio waves. Then—"Fire in room (hold) No. 2."

A "quiet period" was quickly ordered on the seas and observed by ships far and near.

Ships' wireless closed transmitters and bent their ears toward the

Captain Steinecke said not a single passenger was injured.

The middle-sized 15-year old ship, pride of the post-war German rearmament when it was launched with great fanfare by the then President Ebert, left Hamburg last Thursday and was due in New York next Friday.

It is of 21,045 tons and is similar to three other ships built by the Hamburg American for the trans-Atlantic service—the Hansa, the New York and the Hamburg.

The southeasterly gale and rain sweeping the Newfoundland banks increased the Deutschland's peril while the fire was raging in the hold.

Passengers were at dinner, dancing