

The Weather
Forecast: Fair today and tomorrow; little change in temperature.
Temperature
Highest yesterday 63
Lowest yesterday 28

MEDFORD TRIBUNE

Full Associated Press

Better Be First
Now for a look at the Classified page. You will find some exceptionally fine opportunities for investment this morning. If it is advertised better be first to contact the advertiser.

Thirty-Third Year MEDFORD, OREGON, SUNDAY, NOVEMBER 27, 1938 No. 213

TORTURE-KIDNAP VERDICT PONDERED

The Capital Parade

By Joseph Alsop and Robert Kintner

WASHINGTON, Nov. 27.—In the days of Jay Gould and Commodore Vanderbilt, the elder Morgan and the first Schiff, Wall street fought its battles on the public stage. Now it is different. If you go to Morgan, Stanley and Co., you will probably get a polite denial that Dillon, Read and company is regarded as more than an ordinary competitor. And, if you go to Dillon, Read, you will probably get professions of the tenderest esteem for Morgan, Stanley. Yet numerous signs indicate the approach of an extraordinary struggle between the two underwriting houses. Since J. P. Morgan and company sent out its outfit, Morgan, Stanley's greatness among underwriters has no more been challenged than the parent firm's greatness in the general business world. But now the best-informed men here and in Wall street predict that a challenge will be offered, by Dillon, Read, and in the field of utilities financing.

The game is worth the candle. Before long, the utilities systems will be integrating themselves to meet the terms of the holding company act. Dozens of financing and refinancing operations will be necessary. If Dillon, Read get the bulk of the business away from Morgan, Stanley, the cash profit is likely to be immense. The profit in prestige will be quite incalculable, for Dillon, Read will be the David who licked the Morgan Goliath.

Strangely enough, if the Dillon, Read challenge is finally offered, a friendly relationship with the new deal will have made it possible. Jay Gould shockingly possible. His power over the Federal Reserve Bank, his position as treasury department's deep respect for the "corner" increased the stature of J. P. Morgan and company in the twenties. But the new deal's friendship has rarely been regarded as a commercial asset.

Nevertheless, the story really begins in the 1932 campaign. Then Paul Shields, whose firm of Shields and company, does Dillon, Read's brokerage business, and a Dillon, Read partner, James Forrestal, were about the only important Wall streeters who backed Franklin D. Roosevelt. Both contributed handsomely to the Democratic campaign funds, and Shields subsequently became the president's favorite Wall street cronie.

In the first years of the new deal, the relationship between government and business was confused by furious litigation. Furthermore, the government's outpost in the financial community, the securities and exchange commission, was controlled successively by Joseph P. Kennedy and James M. Landis. Both Kennedy and Landis were compromisers, and there were no real showdowns. The fur began to fly only when William O. Douglas was installed as SEC chairman.

When Douglas got the SEC chairmanship, the Morgan interest was still dominant in the management of the New York stock exchange. The government's first assistance to Morgan rivals came when Douglas insisted on stock exchange reorganization, and used Shields to help him achieve it.

The accomplishment of reorganization ended Morgan's power on the exchange. Almost simultaneously, the supreme court upheld the holding company act. Shields promptly became an intermediary between the SEC and the companies affected by the act. As long ago as last spring, there was a bitter dispute between him and Wendell Wilkie, of the Commonwealth and Southern, who accused him of serving the interests of Dillon, Read and working against those of Morgan, Stanley. At that time, there were rumors of a cooperative relationship between Dillon, Read and Co., Shields, and Harrison Williams, of the North American Co., who first broke the utilities united front against the holding company act. It was also observed that the Dillon, Read lawyers were the firm of Cotton, Franklin, a recruiting place for young new dealers.

Since then, the cooperative relationship between Williams, Shields and Dillon, Read seems to have been

JURY OUT SINCE NOON SATURDAY SEEM DEADLOCKED

OLYMPIA, Wash., Nov. 26.—(AP)—After nine hours and 33 minutes of deliberation, a jury of eight men and four women which heard the Dr. Kent W. Berry torture-abduction case was put to bed at 10 p. m. (PST) tonight without reaching a verdict.

The jury will resume deliberations after having breakfast tomorrow morning, expected not earlier than 8:30 a. m.

The jury received the case at 12:27 p. m. The defendants, Dr. Berry, Olympia physician; James Reddick, taxicab driver; William McAloon, former Montesano night marshal; and Robert Smith, Brady, Wash., dairy farmer, were taken upstairs from the courtroom to the county jail to await the verdict.

The defendants are charged with assault and kidnaping. A first degree assault conviction carries a 20-year maximum, with the minimum to be set by the state parole board. A kidnaping conviction carries either death by hanging or life imprisonment.

Showing the strain of the two-week trial, Mrs. Berry's face was drawn and white during special assistant prosecutor Joseph W. Graham's final plea. Her husband, who wept during his attorney's long and dramatic closing plea for acquittal, was grim.

The aged parents of Mrs. Berry, Mr. and Mrs. Edward Kevin, left the room weeping before the session was over.

Graham's last words were a plea for the four men to be convicted of kidnaping, under which death or life imprisonment, at the jury's recommendation, is provided by Washington law. He asked all but Smith be convicted of first degree assault. The state would accept a second degree assault conviction against Smith, who was credited with saving Baker's life during an abduction and assault last August 19, Graham said.

Woman's Claim Scouted
Graham ridiculed Mrs. Berry's accusation Baker criminally assaulted her on a Fourth of July party, the doctor's avowed motive for "punishing" Baker, Mrs. Berry testified to the assault during the trial and Baker, former coast guard officer, denied it.

The assistant prosecutor hammered home to the jurors Judge John M. Wilson's instructions the "unwritten law" was no defense.

"If a man should find another man attacking his wife, he should have absolute evidence, which Dr. Berry didn't have in this case," Graham argued. "If he did these things on the spur of the moment, there might be mitigating circumstances."

"But this attack was planned over a period of six weeks. The law says this is not a mitigating circumstance."

Kidnaping Not Aim
Berry's counsel, C. D. Cunningham, white-haired and elderly "country lawyer," based his closing plea on grounds that kidnaping was never planned by the doctor and the three men, and that a second degree assault conviction would be the most just verdict for their "punishing" the good-looking former coast guard officer.

"The first thing in his mind was to have Baker arrested and prosecuted for the attack on his wife," Cunningham said. "The next was to take him out and assault him."

"Kidnaping never entered their minds," he shouted.

Counsel for the others accused entered other arguments, for McAloon that he was intoxicated the night of the abduction and for Smith that he came here believing he was to see a bird dog, and then went along with his old-time friend, the doctor. Reddick's attorney said he played his part as a taxicab driver with no criminal intent.

FATHER OBJECTS TO QUINTUPLETS AT WORLD'S FAIR

CALLANDER, Ont., Nov. 26.—(Canadian Press)—Oliva Dionne, father of the quintuplets, today turned thumbs down on a plan to exhibit his little daughters at the New York world's fair next year. He said it looked like "a clear case of exploitation."

(World fair officials said that despite Dionne's attitude they still hoped to have the quintuplets at the fair. A spokesman expressed surprise at the father's comment and said he had been informed Dionne previously had been willing.)

Dr. Allan Roy Dafoe, medical guardian of the quintuplets, who was said by a fair spokesman to have been the first to agree on the premise that the rest of the guardians also consent—said the board had never considered the offer.

"We have had countless offers to exhibit the quintuplets," the physician said, "but we have laughed at them and in the past it has been considered that any such move would not be in the health interests of the quintuplets."

"Since the little girls had their tonsils and adenoids removed recently they have shown much improvement and we expect a great change in their health by spring."

"But there has been no consideration given as yet to move them from their comfortable little nursery here."

Dionne recalled censure in some quarters for a vaudeville tour he and Mrs. Dionne made in 1935. He pointed out this had been called "cheap exploitation" and added, "I wonder what they consider showing the quintuplets in New York would be?"

NAZI PICKETING BRINGS ARRESTS

VANCOUVER, B. C., Nov. 26.—(CP)—Twenty men parading in front of the German consulate here late today were arrested by Vancouver police and charged with obstructing officers. They will appear in court Monday.

The men were wearing placards and distributing pamphlets in front of the building, according to constables. The sheets protested treatment of Jews in Germany.

"Canadian democracy cannot countenance Nazi inhumanity by maintaining relations with Germany," the pamphlets said in part.

"Jewish people, hounded by dehumanized Hitlerism, seek a home and safety. Canada must do her part in alleviating the suffering of this tortured people."

AGED MAN TARRED AFTER ACQUITTAL

CHERRILL, Alta., Nov. 26.—(AP)—Jacob Dirken, 60-year old garage operator, told Royal Canadian mounted police today he had been tarred and feathered by six or seven masked men early Friday, then left to make his own way home, a quarter of a mile.

Dirken was acquitted earlier in the week on a statutory charge. He is recovering from injuries received in a beating at the same time as he was tarred while the RCMP. conduct an investigation.

Big Town Farming

NEW YORK, Nov. 26.—(AP)—Gotham's heaviest November snowfall since the Spanish-American war was good news for Grover A. Whalen, and the other big city farmers at the New York World's fair.

Three months ago they planted a patch of winter wheat on a section of the fair site—it's now the only wheat field in New York City's concrete acres.

It began to grow too quickly toward the "heading" stage. Just after a freight car load of snow was ordered to chill the green wheat sprouts, nature obliged with an 8-inch snowfall. The order was cancelled.

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RELIEF SESSION IN IDAHO LOOMS

BOISE, Idaho, Nov. 26.—(AP)—The ninth extraordinary session of the Idaho legislature will decide Monday its answer to a state relief problem that has grown in 20 years into an intricate affair requiring \$3,750,000 annually and involving a tenth of Idaho's residents.

Gov. Barzilla W. Clark tonight was preparing his message to the legislature. It will deal with matter of providing an estimated \$100,000 for December to provide for the needy, and a small special appropriation for the state prison.

Radio Highlights

By C. E. BUTTERFIELD
Associated Press Radio Editor
Time in Eastern Standard
NEW YORK, Nov. 26.—Started off with interviews at the sailing Friday, broadcast preliminary to the eighth annual Pan-American congress, or the International Conference of American States, are to be continued from the liner Santa Clara at sea as it carries the United States delegation to Lima, Peru.

The schedule calls for almost daily transmission via a special short wave transmitter aboard by NBC, either on the WEAF or the WJZ network. The programs are to consist mainly of interviews conducted by Edward G. Tomlinson.

After the conference opens December 9 both NBC and CBS will be on the air from Lima with interviews of delegates, talks and probably one or two of the actual sessions. At least one transmission a day is planned by each chain.

Sunday Brings: WEAF-NBC—11:30 a. m. from Paris, 40th anniversary discovery of radium. 12:30 p. m. Chicago roundtable, "Monopoly and the New Deal."

WABC-CBS—1:30 Yugoslav anniversary, 7 people's platform, Norman Thomas and others on armament.

Monday Expectations: WEAF-NBC—1 p. m. American Vocational association; WJZ-NBC—4 Livestock show; 4:30 Four-H club leadership awards; 8:05, national conference of Jews and Christians, Dr. Compton.

SIGNS AMERICAN RELATIONS WITH NAZIS STRAINED

WASHINGTON, Nov. 26.—(AP)—Signs of strained relations with Germany multiplied today when the state department assigned its ambassador to Berlin to an indefinite tour of duty in Washington and published new protests against Nazi treatment of American creditors.

Sumner Welles, acting secretary of state, announced that Ambassador Hugh Wilson, who returned here today from Berlin on his way to confer with President Roosevelt at Warm Springs, Ga., had been assigned to the department as an advisor on relations between the two countries. Other officials said later that the assignment, while for an indefinite period, was a temporary one.

Thereafter the department disclosed that the United States embassy in Berlin had complained to the German government yesterday against "acts or policies of foreign governments which discriminate against American creditors and give foreign creditors more favorable treatment than Americans."

BERLIN, Nov. 26.—(AP)—Nazi anti-Semitism was extended today by sharp attacks on those who sympathize with Jews.

"These creatures, these friends of Jews, these servants of Jews deserve no other treatment than that accorded Jews themselves," the Nueren newspaper Frankische Tageszeitung declared.

The Westdeutscher Beobachter of Cologne maintained that "our fellow citizens must not commiserate where commiseration is out of place; the elimination of the Jew from our life must be carried to the bitter end."

Some observers believed these attacks were the beginning of a wider campaign against Germans who think Nazi treatment of Jews unworthy of German traditions.

RUPERT HENRY IS CRITICALLY ILL

Rupert J. Henry of Sunnyclyff orchard was in a critical condition in Sacred Heart hospital last night. He was suffering from a stomach hemorrhage.

Mr. Henry was given two blood transfusions yesterday, the first by his son Jimmy and the second by William J. Bowerman, head coach at Medford high school. Another transfusion was to be administered today, his physician said.

Cause of the hemorrhage was not definitely established. Mr. Henry, however, had been suffering from a cold which caused considerable coughing and resultant strain, it was said. He was taken to the hospital Thursday night from his town residence at 718 South Oakdale avenue.

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Held In Fire Probe



David I. Trewitt (above), 33-year-old ranch worker, was being held by Los Angeles fire and sheriff officials in connection with the \$1,000,000 fire that swept Topanga canyon. The officers, making an investigation, said Trewitt admitted causing the blaze when he dumped coals from a stove in the belief they were dead.

NEW FIRE NEARS HOME OF SCREEN STARS AT ENCINO

LOS ANGELES, Nov. 26.—(AP)—Fresh winds from the Pacific spread a brush fire tonight over the ridge of the Santa Monica mountains across a highway to endanger Encino, where many film notables live.

In two or three places the flames were within a mile of the homes of Al Jolson and Joel McCrea, actors; Edgar Rice Burroughs, creator of Tarzan, and Phil Harris, orchestra leader.

Ralph Scott, Los Angeles fire chief, threw 1,700 reserve firemen into the fight along the mountain ridge and County Fire Warden Spence Turner brought several tractors to clear new fire breaks.

Elsewhere in Los Angeles and San Bernardino counties, where damage possibly reaching \$5,000,000 has been done, the brush and forest fires were held well in check, and may be brought completely under control tomorrow.

Sheriff's deputies in the Roosevelt highway fire area near the ocean arrested three men on charges of petty theft of metal objects from the ruins of homes. One of the men, Charles C. Prawley, 32, was accused of taking an electric refrigerator motor, two wash tubs, a sink and some copper wire.

Many foothill scenes familiar to movie fans were ruined for future film use by the flames and studio executives said that shooting schedules for several pictures would have to be rearranged.

A white ash from the fire, borne on the wind, fell like snow in Hollywood, Beverly Hills and Bel-Air, whitening homes and automobiles.

KILLS COW THAT FED HIM; JAILED

GOLDENDALE, Nov. 26.—(AP)—John Wagner, 46-year old former Yelmka county WPA worker, was in jail here tonight, charged with killing the cow that fed him.

Sheriff C. R. House, of Kllickitat county, arrested Wagner on a grand larceny charge and said the cow belonged to Ray Schuster, a rancher.

The sheriff said Wagner was destitute and had been milking the cow for a month or more to provide for six children. The beast had been allowed to range near where Wagner cut wood. This week, the sheriff added, Wagner butchered it.

DEBT OF NATION NOW 38 BILLIONS

WASHINGTON, Nov. 26.—(AP)—The federal debt has reached a new record high of \$38,584,212,458 on the eve of another huge treasury borrowing operation.

The treasury said the record was attained on November 23, the last date for which complete figures are available and that Secretary Morgenthau would meet with federal reserve officials next week to discuss December borrowing.

SENATE URGED TO CLEAR WPA ROLLS OF 'POLITICIANS'

Activity During Campaign Blasted, Leaders Blamed—New York Times Scribe Defies Hopkins.

WASHINGTON, Nov. 26.—(AP)—Senator White (R-Mc.), a member of the senate campaign expenditures committee, called on authorities today to discharge every relief official or worker found to have used WPA for political purposes in the last campaign.

The committee is scheduled to meet Monday to consider final reports on its campaign investigations.

"I think everyone who knows anything about it recognizes that the WPA has been a demoralizing and corrupting influence in politics," White said in an interview.

He attributed the blame for WPA political activity, which committee investigators have reported finding in several states, to the administration branch of the relief organization.

"I think," White said, "that every official and every employe who has been using the WPA for political purposes ought to be separated from the service."

Plan Policing
He said he would support a proposal by Chairman Sheppard (D-Tex.) that the campaign expenditures committee be made a permanent organization to "police" political campaigns and to recommend legislation to halt political corruption.

The Maine senator suggested a joint organization, with jurisdiction over both house and senatorial campaigns.

White indicated he would propose that the committee recommend that congress decide who legally can contribute to political funds, and that it ask for a congressional study of charges of political abuse of the free mailing and printing privileges.

WASHINGTON, Nov. 26.—(AP)—Arthur Krook, New York Times Washington correspondent, declined today to disclose the source his information that Harry Hopkins, the Works Progress administrator, once told a friend "we will spend and spend, tax and tax, elect and elect."

Hopkins, who previously had denied making the remark, wrote the Times yesterday asking it to identify the source. He asked if the public did not have a "right" to know "who started this unfounded story."

Krook answers Hopkins.
In reply, Krook said he had "verified substantially the quotation" and the belief that it was seriously uttered—before making any use of it." He said, too, that it had been published by some other papers as long ago as September 25, and not denied.

Krook's statement concluded:
"The friend who quoted Mr. Hopkins as substantially repeated is of excellent repute and not at all hard of hearing. He is at liberty to reveal himself if he so desires. I learned his identity in confidence and that confidence—unless I am released—I shall maintain."

PONTIFF BETTER, QUILTS SICK BED DESPITE WARNING

VATICAN CITY, Nov. 26.—(AP)—Vatican sources said tonight that Pope Pius XI was seized with a slight chill about 5 p. m. (1 a. m. P.S.T.) after he had left his sick bed to carry on his official duties. The chill lasted only a few minutes.

The pope had been helped from bed and had sat up part of the day despite the heart attack from which he collapsed yesterday morning. He had been warned that his weakened heart might not survive another such attack.

The supreme head of the Catholic church, 81 years old last May 31, gave proof of his extraordinary fortitude by holding a one-hour conference with Eugenio Cardinal Pacelli, papal secretary of state.

Most of the day the pope matched his will against that of his chief physician, Dr. Aminta Milani, head of the Vatican state's sanitary department.

A source close to the pontiff said His Holiness hoped to attend mass tomorrow in his private chapel and also intended not only to hold the customary official conferences but to receive a delegation of Hungarian pilgrims.

This informant said early this evening that the Holy Father "could not hope to be better."

Dr. Milani permitted his patient to drink a small cup of diluted coffee this afternoon after the pope took some broth and sipped a little champagne.

The physician was seen leaving the papal apartment in late afternoon for a brief stroll.

He intended to spend another night near the pontiff.

RAIN PREDICTED FOR COMING WEEK

Northern California: Fair Sunday; local morning fogs on coast; little change in temperature, light variable wind off coast.

Oregon: Increasing cloudiness Sunday, becoming unsettled next portion; with rain on coast Sunday; not quite so cold east portion; gentle east to south wind off coast.

Outlook for western states, Nov. 28-Dec. 3, inclusive: Unsettled, rains or snows northern districts, probably extending into southern districts by middle of week; normal temperatures.

ROSSER IN JAIL TILL COURT ACTS

DALLAS, Nov. 26.—(AP)—Stating that he would not pass upon a motion of the state to cancel an order of the court admitting the defendant to bail until such time as the supreme court rules on a motion to dismiss Rosser's appeal, Circuit Judge Arlie Walker today continued an order directing that Al E. Rosser, former secretary of the Joint Council of AFL Teamsters Unions in Oregon, be held in jail pending determination of the state's contention.

The state contends that Rosser's failure to perfect his appeal within 30 days of the time of filing notice deprives him of the right of appeal and that the only thing left for the circuit court to do is commit Rosser to the penitentiary to serve out the 12-year sentence imposed on him.

"Young" Mr. Young

OKLAHOMA CITY, Nov. 26.—(AP)—W. L. Young, 84, has young ideas—he's planning matrimony.

Young applied for a license to wed a 72-year-old neighbor, "If she'll have me."

"She hasn't exactly said she would yet, he added cautiously.

Pope Pius Tends Official Duties And Conference Following Heart Attack

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ALCATRAZ FELONS GIVEN LIFE TERM

SAN FRANCISCO, Nov. 26.—(AP)—Two long-term Alcatraz prisoners were convicted of first degree murder today for slaying a guard in a futile attempt to flee from the island prison but escaped lethal gas deaths when a federal court jury added "without capital punishment" to its verdict.

Judge Harold Louderback immediately passed life sentences on James C. Lynch, 26, Texas robber, and Rufus Franklin, 24, Alabama murderer.

Defense Attorney Harold Paulkner asked for a motion for a new trial, which was quickly denied.

The prisoners received the verdict without much display of emotion. Franklin's hands trembled and his lips tightened.

A grim expression around Luca's eyes relaxed slightly as he sat down after the verdict was read.

Alcatraz prison guards immediately surrounded the men, hustled them from the courtroom and manacled their hands.

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CCC YOUTH HELD FOR THREAT SENT SHIRLEY TEMPLE

Galice Enrollee From Georgia Demanded \$10,000 From Child Star, Complaint Charges.

Hinton C. Hardison, 23, CCC enrollee at Camp Rand near Galice, was bound over to the federal grand jury under \$50,000 bail when arraigned before the U. S. commissioner here yesterday afternoon on a charge of attempting to extort \$10,000 from Shirley Temple, child motion picture actress.

Hardison waived preliminary hearing and after the arraignment was placed in the custody of Paul Hanlin, U. S. deputy marshal. Hanlin took Hardison to Portland by train last night. The grand jury meets in Portland Monday.

Hardison is accused of writing a letter to Shirley November 17 in which he demanded \$10,000 under threat of death. He was arrested by bureau of federal investigation men at Camp Rand yesterday and brought to Medford for arraignment.

Details of the alleged attempted extortion were not revealed, including the manner in which Hardison instructed Shirley to pay the money.

Hardison was born in Tilton, Ga., and his home address is now Albany, Ga. He came to Camp Rand October 19. Camp Rand is situated about 20 miles west of Grants Pass in a canyon of the Rogue river.

The Associated Press quoted Lieut. John S. Caughman, Camp Rand commander, as saying that Hardison "did not seem quite so quick as the other boys. He's more of the slow type."

WORST NOVEMBER STORM IN YEARS CLAIMS 92 LIVES

A preview of winter with abnormally low temperatures, high winds and a forecast of more snow persisted over much of the nation today (Sunday) following one of the worst November storms in years. The onslaught caused at least 92 deaths, stormborn traffic accidents, frigidities, and other tribulation added to the toll steadily.

The weather bureau reported a large mass of cold air centered over the Great Lakes region was sweeping slowly eastward. At the same time it drew warmer weather to the Pacific coast, adding to the menace of forest fires.

Much of the northern part of the nation was blanketed by snow. Houghton, Mich., reported the fall was 16 inches deep. Albany, N. Y., had six inches; Boston, five, and Philadelphia, four.

The forecast for New England was cloudy and more snow, the north central states more snow; the south clear but colder than last night.

Travel by train was delayed at Chicago. Trains ran from one half to one and a half hours late, but airlines reported normal operations. Bus transportation also was interrupted, especially in New England.

Recapitulation of storm deaths of the Thanksgiving season showed, New York 25, New England 33, New Jersey 12, Pennsylvania 7, the south, 5, Ohio 9, Maryland 3, Michigan, Indiana and Illinois 2 each, Nebraska and Missouri one each.

NEW DEAL SLOWS UP

WASHINGTON, Nov. 26.—(AP)—More mature consideration of legislation, reduced federal spending and slow-speed in governmental experimentation was predicted in the next congress by Senator Charles McNary of Oregon.

Aid For Columbia
WASHINGTON, Nov. 26.—(AP)—The United States government announced today that naval and military air missions would go to the Republic of Columbia soon to cooperate with that country in organizing its defensive forces.