

Annual Autumn Dollar Days Friday, Saturday in Medford Stores

The Weather
Forecast: Fair but with increasing cloudiness tonight and Friday, little change in temperature.
Temperature _____
Highest Yesterday _____ 59
Lowest this Morning _____ 24

MEDFORD TRIBUNE

Pay Like Rent
Are you getting tired of paying rent? Then perhaps you will be interested in buying a home and paying for same like rent. Watch for the opportunities offered on the Classified page of this newspaper.

Thirty-fourth Year

MEDFORD, OREGON, THURSDAY, NOVEMBER 16, 1934

No. 204.

ASSOCIATE JUSTICE BUTLER PASSES



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Washington, D. C., Nov. 16.—Not since President Roosevelt proposed packing the supreme court has the chief executive aroused such criticism in his own camp as his approval of the plan to circumvent the neutrality law by transferring eight ships of the United States Lines to the Panama flag. Washington's Schwelienbach, Iowa's Minton, Texas' Connally, all 100 percent new dealers, are a few of the men who made the president's fight to repeal the embargo and are now sore as boils at the palpable evasion of the law.

The reaction from the Pacific Northwest was quick and bitter, particularly from unions and those citizens who had opposed repeal of the embargo in the first place. Inside story of the affair can only be partly pieced together now; someday it will come to light. This much is known: Several days after this space indicated what the neutrality bill would do to Pacific coast shipping, West coast operators became alarmed, met in San Francisco and rushed representatives to the national capital. Arrival of the representatives was the first official cognizance shipping received in the debate. But Atlantic coast operators said little. They had a card up their sleeve.

IN AN administration which features sympathy for the common man, no one thought of what would happen to the thousands of sailors who would be beached by tying up ships. While not a ward of changing American ships to a foreign flag was mentioned or suspected during the debate, certain ship-owners had an understanding with the United States maritime commission. The commission, a creature of Mr. Roosevelt, had the consent of the president to sanction the transfer to Panama; the commissioners would not take such responsibility without express approval. It looked legal to Mr. Roosevelt and was.

Someone in the state department announced the transfer was quite proper. Then, just as the maritime commission arranged a special meeting to authorize the transfer, the public got wind of the affair and indignation was expressed from one end of the continent to the other, good and loyal new dealers among the first to lead the

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Wage Reports
Salem, Nov. 16.—(P)—The state unemployment compensation commission warned employers today that they have until December 10 to file wage reports for the year ended last September 30. Those filing late will be assessed penalties.

SIDE GLANCES

by TRIBUNE REPORTERS

Arnel Butler proving to Moore Hamilton that their mountain skating pond wasn't frozen yet by comparing this year's weather reports with last year's.

Pat Hayes advising a friend that a dentist's office is no place to carry on matters concerning one's tailoring business.

Ray Wilfley using a half dozen different phases of psychology while trying to get a patient to pose properly, all of the phases seeming to be in vain.

Art Larsen being all befuddled over breaking into a northern newspaper as an A No. 1 scribe or something.

Doc Frank Freeburger guffawing at the funny current Crate picture.

DEATH WILL GIVE F. D. R. APPOINTEES COURT MAJORITY

Butler Termed Conservative by New Dealers — Funeral Services Tomorrow

Washington, Nov. 16.—(P)—Associate Justice Pierce Butler of the supreme court died today. The 73-year old justice entered a hospital for treatment of bladder trouble last summer, and with the exception of two weeks when he was able to return to his home, he had remained there since. His death meant that President Roosevelt's appointees would be in the majority on the court. Mr. Roosevelt has named four of those on the nine-man tribunal.

Was Conservative
Butler was a Democrat, but officials of the Roosevelt administration had termed him one of the two "conservative" members of the court, the other being Justice James C. McReynolds. Although Butler was the third oldest of the justices—Chief Justice Charles Evans Hughes, like McReynolds, is 77—he had been reported in robust health during the term of court which ended last June.

As the supreme court assembled at noon, Hughes, his voice trembling with emotion, announced Butler's death. "It is my sad duty," he said, "to announce the passing, early this morning, of our brother, Mr. Justice Pierce Butler."

Appointed in 1923
"After a long and distinguished career at the Minnesota bar, he was appointed associate justice of this court and took his seat in January, 1923. Trained in the exacting school of a most active professional practice, Justice Butler brought to this court not only his learning in the law but a rich store of practical experience. His fidelity, his courage and forthrightness, which were his outstanding characteristics, made him a doughty warrior for his convictions, and he served the court with great ability and indefatigable industry, and an unwavering

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Ponder Compromise In Shipping Tieup

San Francisco, Nov. 16.—(P)—Marine firemen and ship owners pondered a proposed compromise to end the tie-up of 95 steam schooners on the Pacific coast today, as San Francisco bay shipping remained virtually paralyzed by at least three separate controversies.

The membership of the Shipowners Association of the Pacific Coast was in a several-hour session and planned to meet later today.

Roseburg-Diamond Lake Road Will Get First Trial Friday

Roseburg, Nov. 16.—(P)—A half-century-old dream of local enthusiasts is expected to come true tomorrow when the first vehicle is expected to traverse the route from Roseburg to Diamond Lake. Forest Supervisor V. V. Harpham will pilot a car over the route of the North Umpqua road on which a connection is expected to be established today by construction of a temporary bridge across Copeland creek.

More than 50 years ago plans were discussed here for a road across the Cascades to eastern Oregon. In comparatively recent years a forest service road was built from Roseburg east to Steamboat ranger station, while another road was constructed from Diamond Lake

Conservative



Justice Pierce Butler

CAPITAL SPECULATES UPON SUCCESSOR FOR ASSOCIATE JUSTICE

Washington, Nov. 16.—(P)—A list of names which might serve as a "who's who" of the judicial world was put forward today in speculation over a supreme court successor of Justice Pierce Butler.

High on the roster were such administration stalwarts as Solicitor General Robert M. Jackson of New York; Attorney General Frank Murphy of Michigan, and Senator Wagner (D-N.Y.). Those who believed the appointment should go to the west, mentioned among others Thurman Arnold of Wyoming, assistant attorney general in charge of the anti-trust division; Senator Lewis B. Schwelienbach of Washington, and Judge Harold Stephens of Utah, a member of the United States court of appeals for the District of Columbia.

S. F. FAIR BACKERS URGE CITY'S HELP

San Francisco, Nov. 16.—(P)—Failing in their search for a private financial "angel," fund raisers turned despairingly to the city government today for the rest of the money needed to re-open the \$55,000,000 Golden Gate exposition in 1940. San Francisco officials were told that unless they found \$250,000 in surplus cash in the current year's budget, wrecking crews probably would be called to Treasure Island before many more days.

GERMANY TO FIGHT UNTIL SUPREMACY OF BRITAIN ENDED

Will Let Military Judgment Choose Time for Attack Says Nazi Spokesman

By Melvin K. Whiteleather
Berlin, Nov. 16.—(P)—An authoritative source announced today Germany had decided to "fight until British supremacy in the world is destroyed."

Germany, this source said, "will have no peace terms to offer until such a victory has been won." The statement was made in connection with the German reply to the mediation offer of The Netherlands and Belgium and in answer to the question, "what might Germany's peace terms be."

(Germany's reply to the mediation offer, made orally by her foreign minister, Joachim von Ribbentrop, was a polite "No.")
Success Only Question
(Franz von Papen, Germany's ambassador to Ankara, said yesterday that Germany was fighting to "avoid a repetition of the tragedy of Versailles and to build a better Europe.")
"It is no longer a question of German peace terms," the Berlin official stated.

"Such a question might be raised in Paris and London, but not in Berlin. We are far beyond that and there will be no peace terms until we reach success. We are as ready to fight as we were for peace."
This source said there was speculation throughout the world over why Germany did not attack.

"The speculators assert we need to attack to keep up morale," he said, "for we must attack the southeast for (foreign minister) Von Ribbentrop needs a success to show the fuhrer."
Weakness Denied
"We have no fear of attacking, but intend to let military judgment choose the time and not to be goaded into it by foreign propaganda."

His statement emphasized it "would be a great mistake for the outside world to get the impression there was weakness here."

Today's communique of the German high command was con-

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GRANGERS FAVOR MILK LAW REPEAL

Portland, Nov. 16.—(P)—The Multnomah county Grange approved a resolution last night demanding repeal of the state milk control act. The resolution said the law was administered principally in the interests of the Portland district, gave large producers virtually a monopoly, was detrimental to the interests of consumers and worked against small producers. The Grange favored circulation of petitions to place the repeal on the ballot.

JACK-O-LANTERN BURNS FATAL FOR LITTLE GIRL

Seattle, Nov. 16.—(P)—Little Juanita Joy Stevenson, 7-year-old daughter of Mr. and Mrs. William Stevenson of Vancouver, Wash., died yesterday of burns suffered October 30 when a jack-o-lantern ignited her clothing. The girl was rushed by ambulance the 190 miles from her home to Seattle for special treatment the night she was burned.

Willamina, Ore., Nov. 16.—(P)—Governor Sprague dedicated the \$90,000 Union high school building here last night, citing the trend toward fewer but larger schools which afforded better educational facilities.

War Bulletins

Capetown, Union of South Africa, Nov. 16.—(P)—The sinking of the 706-ton British steamer Scala Shell by a German raider 180 miles northeast of Lourenco Marques, Mozambique, was announced officially tonight.

London, Nov. 16.—(P)—The British press association reported today the German steamer Leander, 989 tons, had been captured by a British cruiser and her crew of about 30 interned.

Paris, Nov. 16.—(P)—A minimum of war activity on the western front was reported today by the French general staff, which announced in a communique that there was "no notable news during the night."

News of war on the sea was confined to a statement by Blockade Minister Georges Perrot that 223,297 tons of merchandise consigned to Germany had been seized by the French navy up to November 10.

F. OFFENBACHER OF APPLGATE PASSES, AGED 64

Fred Offenbacher, 64, well-known resident of the Applegate, passed away at a local hospital at 3:15 p. m. Wednesday, after two weeks illness.

Mr. Offenbacher was born in Bavaria, Germany, July 11, 1875. He came to the United States when he was five years of age, and has lived in Jackson county since that time. The family home is on the Applegate.

He gained his education in the schools of Applegate and Jacksonville. He leaves many friends to mourn his departure. He is survived by his wife Mrs. Minnie Offenbacher of Applegate; one daughter, Mrs. Kathryn Wheeler of Medford; three sons, Leon, Lance and Fritz, all of the Applegate; also one sister, Mrs. Flora O'Brien, and two brothers, John and Herman of the Applegate. Funeral services will be conducted from the Perl Funeral Home, Saturday at 2 p. m. Rev. Sherman L. Divine of the First Presbyterian church officiating. Interment will take place in Jacksonville cemetery. Friends are respectfully invited to attend the services.

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KLAMATH INDIANS BUY CATTLE HERE

Approximately 200 head of stock cattle were purchased yesterday by the government for Indians at the Klamath reservation and at Chiloquin. The cattle, obtained from Butte creek and Eagle Point stockmen, were inspected here at the stock yards by E. W. Kubli, county inspector, before shipment to Klamath.

The agent from the reservation was here to take charge of the transaction, although several Indians came from Chiloquin to look after their individual interests.

DELROY GETCHELL IS SERIOUSLY ILL

Delroy Getchell, widely-known local resident and president of the Farmers and Fruit-growers bank, is confined to the Community hospital by a severe attack of pneumonia and his condition is regarded as serious. Mr. Getchell had been suffering from a heavy cold for several weeks before entering the hospital Tuesday. The attending physician said Mr. Getchell had passed a fairly restful night, and showed slight improvement today.

RELEASED CAPONE DISAPPEARS WITH FEDERAL OFFICERS

Former Gangster Guarded for Own Protection After Being Freed From Prison

Baltimore, Nov. 16.—(P)—Al Capone entered Union Memorial hospital today for observation and treatment. His physician, Dr. Joseph E. Moore, declined to discuss the case but hospital officials said Capone was admitted under his own name.

Washington, Nov. 16.—(P)—Al Capone, Chicago's fabulous gang overlord in the lush days of prohibition, went free today after seven years in prison—but what that freedom meant to him other than removal of the handcuffs and an end to barred cells, federal prison authorities refused to disclose.

The ailing "Scarface" was given his unconditional release at Lewisburg, Pa., penitentiary in the early hours of the day, according to Director James V. Bennett of the federal prison bureau. But then he disappeared—still in company of federal officers—as effectively as if he had been put once again behind the grim walls of Alcatraz.

Unconditional Freedom
Hours after the release was effected, Bennett gave this account: Capone, who had been held in Terminal Island prison, California, for 10 months after having been removed from Alcatraz.

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LABOR TO APPEAL ON PICKET RULING

Portland, Nov. 16.—(P)—Notice of appeal to the state supreme court from a three-judge court's decision holding Oregon's labor control law unconstitutional was filed today by attorneys for organized labor.

The request of the CIO, AFL and railroad brotherhoods for a declaratory judgment holding the law unconstitutional was refused more than two months ago. The labor control law was voted by the people last November.

In Father's Steps

Calgary, Alta., Nov. 16.—(P)—John David Jones of Portland, Ore., 19-year old son of a former British soldier, is enroute to Great Britain to enlist in his father's old regiment, the Royal Welch Fusiliers.

Poison Gas Tank New Weapon With Frightful Possibilities

By Howard W. Blakeslee
Associated Press Science Editor
New York, Nov. 16.—(P)—Poison gas warfare has a new weapon ready for the battlefield. It is the chemical tank, a squat, speedy, steel-skinned caterpillar, whose insides, instead of guns, are mostly poison liquids and gases. This tank is described by Lt. Col. Augustin M. Prentiss, U. S. A., chemical warfare service, as one of the most formidable methods of attack yet devised. He is one of the great authorities on gas warfare. "Chemical tanks have the power," he writes in the chemical warfare bulletin, "to suddenly release enormous concentrations of non-persistent lethal gas in such strength as to readily break through any military gas mask." The non-persistent gases are those which float in the air, and poison the lungs. Their potency

Going Straight



Al Capone

Washington, Nov. 16.—(P)—Attorney General Murphy said today that Al Capone and his family had given the justice department assurance the former gang leader was "going straight and not going to get mixed up in illegal activities."

Murphy said, however, three federal agents were keeping Capone under surveillance and would continue to do so for some time, because "certain things have come to our attention." Those things pertained partly to Capone's physical condition.

SUICIDE ATTEMPTED BY EX-L. S. U. PREXY ON PEN ENTRY EVE

Baton Rouge, La., Nov. 16.—(P)—Sheriff Newman H. DeBretton announced that Dr. James Monroe Smith, former Louisiana State university president, attempted to commit suicide this morning in his jail cell by slashing his foot with a razor blade.

Smith was scheduled to be taken to the state penitentiary tomorrow to serve sentences totaling from eight to 24 years for misuse of school funds. DeBretton said Smith was in a very weakened condition but not in danger of death.

Smith's bed was covered with blood and he was in a bathtub into which water was running when he was discovered by a jail attendant who went to serve him coffee.

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Radio Highlights

By Associated Press
(Time is Pacific standard)
Tonight: Europe, WABC-CBS; 5:55, 8: WEAF-NBC-east, 8: MBS, 9: 7:15.
Friday: Europe, NBC-chains 5 a. m.; WABC-CBS 5 a. m., 3:30 p. m.

Poison Gas Tank New Weapon With Frightful Possibilities

as weapons was greatly reduced by gas masks in the world war. But the chemical tanks may prove so effective, Col. Prentiss says, an entirely new type of gas mask will be needed for protection. This mask would shut out all outside air and keep its wearer alive by breathing oxygen stored inside the mask. A single tank, he explains, carrying 1000 pounds of phosgene can cover in one mission an area downwind 500 yards long and 100 yards wide. For an additional 500 yards, or a total of nearly two-thirds of a mile, the concentration of this gas will be sufficiently deadly to cause serious casualties. The great advantage of this new war engine is the ease of placing gas. For example, to do the same thing with artillery or projectors of gas, would require hours of preparation, transporting materials to the firing lines. The tanks, alone of ground weapons, carries its own gas.

U. S. FRESH FRUIT EXPORTS BANNED BY GREAT BRITAIN

Country Cannot Squander Foreign Currencies When War Materials Are Needed

OTTAWA, Nov. 16.—(AP)—Britain and Canada have agreed to limit exports of Canadian apples and pears to the United Kingdom to one half of the average for the past two years.

The agreement would permit Canada to send about 2,900,000 bushels of apples and 40,000 bushels of pears to the United Kingdom per season.

London, Nov. 16.—(P)—Exports of fresh fruit from the United States to the United Kingdom virtually have been prohibited, effective today.

Under Britain's wartime laws licenses for fruit imports will be granted for some parts of the empire, but it was said authoritatively that none would be granted at present for the United States.

Officials of the British food ministry would not say when trade in American fruits might be resumed.

It was asserted, however, "Britain can hardly squander her foreign currencies in fruit when there are such things as war materials to be bought and paid for in America."

San Jose, Cal., Nov. 16.—(P) Secretary of State Cordell Hull was urged by Congressman John Z. (Jack) Anderson of California today to ascertain the truth of a "strong rumor" that Great Britain plans to stop importing fresh fruits November 20.

Anderson, in a telegram to the secretary of state last night, declared "such an embargo would result in a tremendous economic loss to growers of fresh fruit on the Pacific coast." Anderson is a San Benito county pear grower.

By Walter Warren.
San Francisco, Nov. 16.—(P) Britain's ban on fresh fruit shipments from the United States stopped a \$17,000,000 business today. British purchases in 1938 topped that figure.

Fresh fruit shippers as well as growers were glum when told the rumored ban had actually gone into force. However, they were hardly surprised.

They had been warned the empire would have little money to spend on fruit, with the staggering demands of the military machine coming first and taking all funds available for export to pay for imports.

Britain had been taking little fresh fruit from the United States since the war started. Shipping has been scarce. British ships have been commandeered for other and more pressing business. Neutral ships have almost unanimously shied away from British ports. Some have left British-bought fruits in Ireland, but that is a wasteful route, spoiling much of the fruit.

Some foreign trade bankers here thought there might be a swing in British demand from fresh to dried and canned fruits. They are easily stored and shipped, hence adaptable to both military and civilian needs. Britain took nearly \$6,000,000 worth of American dried fruits last year and around \$15,000,000 worth of canned fruits.

Principal fresh fruit shipments to the United Kingdom have been citrus, apples, pears, grapes and plums. In all these the Pacific states have done important business.

Astoria, Nov. 16.—(P)—The war department announced today the WPA had granted an additional \$30,000 to continue a rehabilitation project at Fort Stevens for another seven months.