8 Pages Today

The Evening Herald

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Price Five Cents — KLAMATH FALLS, ORE., MONDAY, OCTOBER 13, 1930 — Number 7271

Was Too Good

ST. HELIER, (Jersey), Eng., (UP)—A butcher named Toogood was arrested in connection with a disturbance after the races here.

BERLIN IS SCENE OF RIOTS

SUGGESTS WHIP AS A DETERRENT

Head Law Enforcement Commission Says Laws Failing

"PEOPLE REBELLING" OVER LAW MAKING

Says Organized Society And "Rebels" Are at Actual War

LOUISVILLE, Ky., Oct. 13. (AP)—The American Prison Association conference here today had before it a suggestion from George W. Wickersham, chairman of President Hoover's law enforcement commission that "a careful inquiry into the results of flogging as a punishment may well be made to determine the desirability of employing it in the war against banditry and racketeers."

"Flogging by birch or by 'The Cat'" was discussed by Mr. Wickersham in an address which he had written but which was read to the conference in his absence, by E. R. Cass, New York, general chairman of the association.

Crime Is Rampant

Mr. Wickersham saw a state of actual warfare in the United States between organized society and "rebels against its authority." Modern crime, he said, was conducted by "fearless men" whose spectacular methods were superior to the defense of the police forces.

"We pride ourselves upon the successes of democracy," Mr. Wickersham said. "Yet crime is rampant and every daily newspaper spreads before us tales of increasing lawlessness."

Laws Not Sufficient

"Very slowly we are coming to realize," he said, "that something more than legislative fiat is necessary to make good citizens; that all the threatened punishments legislative imagination can devise will not compel rebellious human natures to abide by rules of conduct that run

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LINDBERGH IS FARM OWNER

NEW YORK, Oct. 13. (AP)—Colonel and Mrs. Charles A. Lindbergh have bought a farm near Princeton, N. J., and hope presently to make it their eastern home.

The farm contains a little more than 160 acres, Colonel Lindbergh told the Associated Press today. Most of it is hilly and covered with dense trees and orchard land, but it will be possible to make a landing field for small planes and the colonel intimated that might be done.

The Lindberghs contemplate building a home on the farm "sometime" and although the colonel has no intention of changing his legal residence from St. Louis he and his wife plan to make the Princeton place their residence when they are in the east. They now have a New York apartment, and also spend some of their time at the Englewood, N. J., home of Dwight W. Morrow, Mrs. Lindbergh's father.

The Princeton acreage is not far from the estate of Gerald B. Lambert, one of those who helped finance Lindbergh's New York-Paris flight.

Church Council Says Only Few of Guilty Pay Penalty for Armistice Day Killing

NEW YORK, Oct. 13 .(AP)—In a report issued by the Federal Council of Churches here yesterday, three national church bodies reported after an extensive investigation, six industrial workers of the world, serving long sentences for the Armistice Day killings at Centralia, Wash., in 1919, were paying the penalty for a tragedy in which they were by no means alone guilty. The report made no recommendations.

The study was issued by the Federal Council of Churches, the National Catholic Welfare conference and the Central Conference of American Rabbis. It covered 83 typewritten pages.

Blame was attached to the efforts of Centralia business men to oust the I. W. W.'s which led to the clash, to leaders of the American Legion for allowing legionnaires to become involved "probably by design," and to the judge, whose imposition of long sentences was said to "thwart" the attempts of the jurors at "rough justice". The I. W. W.'s, in turn, were severely criticised for a course of action which made "blood-shed and even loss of life likely."

Investigation of the killing of the four parading ex-soldiers, the lynching of one I. W. W., after their hall had been wrecked, and the subsequent trial and the conviction of seven men of second degree murder was made at the request of church bodies in Washington.

The men sentences were James McInerney, Eugene Barnett, John Lamb, O. C. Bland, Bert Bland, Britt Smith and Ray Becker. They were given 25 to 40 years. Loren Roberts, one of the defendants, was found not guilty because of insanity but was committed to an institution. McInerney died in prison last August 13 and Roberts was released on August 20 on a judgment that he was now sane. Judge John M. Wilson, Olympia, presided at the trial.

FELL 125 FEET; WILL RECOVER

PORTLAND, Oct. 13. (AP)—Kenneth Wilson, 24, was in a hospital here today, but well on the road to recovery, following an accidental 125-foot fall from the Yale bridge over Lewis river near Vancouver.

Wilson, his wife and a party of friends stopped to lean over the rail and were tossing stones in the water. Suddenly he found himself whirling through space. He remembered nothing more until he regained consciousness to find friends anxiously manipulating his arms and legs.

He was cut and bruised from having struck the bottom of the river which is ten feet deep. Although he does not remember striking the water or any of the events while he was in the river, he swam strongly for shore a few seconds after he splashed into the stream.

Young Man Killed As Horse Veers Into Auto Truck

BAKER, Ore., Oct. 13 (AP)—Henry Levy, 17, was killed late yesterday when the horse he was riding was struck by a truck driven by Lee Roby of Baker. The boy's skull was crushed and he was injured internally.

The saddle horse and a horse Levy was leading became frightened as the truck approached and the saddle horse backed against the side of the truck. The animal was knocked down and Levy's head struck the ground. The horse was uninjured.

"Stuck Up," But Has Good Time 'Till Cops Come

PORTLAND, Oct. 13 (AP)—Ensconsed comfortably atop an automatic traffic signal from which he was tearing off loose parts and throwing them at passing automobiles, Richard Russell, 24, a negro, was arrested last night. When he saw two patrolmen approaching Russell leaped from his perch and challenged the officers to a battle. He was subdued rapidly and charged with being disorderly.

SUPREME BODY FAILS TO PASS ON JONES LAW

WASHINGTON, Oct. 13. (AP)—The supreme court today refused to pass on the constitutionality of the Jones law providing heavy maximum penalty for prohibition violators.

The validity of the law was challenged by Hugh McElvogue and William J. Brown, who had been convicted of violating the dry laws at St. Joseph, Mo.

The men were charged in the indictment with selling a small quantity of whisky. McElvogue was sentenced to the penitentiary for one year and one month, and Brown, who was also convicted of maintaining a nuisance under the prohibition law, was sent to the penitentiary for four years and fined $250.

The prison sentences were imposed under the Jones law. In both cases the constitutionality of the law was challenged as an illegal delegation of legislative power. The men contended the trial judge had unlawfully taken upon himself to decide the meaning of phrases used in the Jones law, such as what in his discretion constituted "casual or slight violations," "habitual sales," and what were "attempts to commercialize violations of the law."

It was insisted that the delegation to the trial judge of authority to classify the offense and to determine the punishment was in violation of the federal constitution which required that congress should classify offenses and prescribe the punishment.

In refusing to review the case the court made no explanation. Its action, however, was based, it is understood on the ground that the case did not properly present the issue of constitutionality.

The question can be brought before the court again since the refusal to review today did not mean that the court is unwilling to pass upon the constitutionality of the statute.

Autopsy Surgeon Doubts Portland "Cop" Was Slain

PORTLAND, Oct. 13 (AP)—Physicians and detectives were yet unable to reach a decision today as to whether Patrolman Robert E. Drake was murdered early Saturday or whether he was the victim of an accidental plunge to the bottom of a downtown elevator shaft.

Autopsy Surgeon Hunter reported he could not account for one of Drake's injuries "unless it was caused by a soft body which struck with great force," such as a "sap."

On the other hand, those employed in the vicinity of roadway and Couch streets in the tough northend, neither heard nor saw a disturbance in that district.

The other theory is that Drake tried the door of the street entrance elevator, found it stuck, pushed against it, and plunged downward 12 feet when it gave way.

Weather

The Cyclo-Stormagraph at Underwood's Pharmacy is registering a higher barometric pressure today and indications are for some more beautiful fall days.

The Tycos recording thermometer registered maximum and minimum temperatures as follows:

High	52
Low	32

Forecast for next 24 hours: Generally fair not much change in temperature.

OREGON: Generally fair tonight and Tuesday. Some cloudiness in north, no change in temperature. Gentle variable winds on the coast.

RACKETEER IS GREETED BY BULLETS

'Legs' Diamond Who Was Deported by Germany Gunmen's Target

GIVEN CHANCE TO SURVIVE WOUNDS

Five Shots Take Effect But He Survived Similar Ordeal Before

NEW YORK, Oct. 13. (AP)—Jack "Legs" Diamond, gangster and racketeer, rallied today in Polyclinic hospital from five bullet wounds inflicted yesterday by would be assassins who burst into his room in a west side hotel, fired on him and fled.

Doctors who believed chief to be dying, reported when he awoke this morning from four hour's sleep, that he had a fair chance to recover, and they regarded his condition as so much improved that they held in abeyance plans for a blood transfusion.

Shot Five Times Before

Fevered and weak from loss of blood, his frame already weakened by tuberculosis and stomach ulcers and bearing the scars of five other bullet wounds received several years ago when "Little Augie" Orgen was shot down by his side, Diamond awoke today, glanced wanly at the headlines about the shooting in the morning papers, and murmured to the patrolman on guard at his hospital door, "Oh, are you still there?"

Before sinking into a coma he told police he did not know his assailants or why they shot him.

Show Girl Sought

Discovery of some of Diamond's clothing in a room adjoining his, occupied by Miss Marion Roberts, a show girl, sent police on a search for her.

She was found hiding in a clothes closet in the apartment of Miss Agnes O'Laughlin, another show girl, on Eighth avenue. Miss O'Laughlin recently brought

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DINOSAUR EGG SHELLS FOUND AT RED LODGE

PRINCETON, N. J., Oct. 13 (AP)—A tell-tale little tooth discovered near some dinosaur egg shells in Montana gives an insight into the possible fate of the earth's largest race of animals, the extinct dinosaurs.

Discovery of the eggs, the first found on this continent, and of the tooth nearby was announced today by Dr. Glenn L. Jepsen, head of the Scott fund expedition of Princeton university. They were found near Red Lodge in southern Montana last summer.

The tooth was in the same geological formation with the nearby egg shells, an indication, said Dr. Jepsen, its owners may have been more or less contemporaneous with dinosaurs.

The unusual and important aspect of this, he said, is that the tooth owner was a mammal, an animal type usually credited to a later age than dinosaurs, and a creature of higher intelligence, supposed to have developed after the dinosaurs became extinct.

Asks Permit To Install Radio Station Here

WASHINGTON, Oct. 11 (AP)—Station KUJ, Longview, Wash., today requested authority from the federal radio commission to assign its license to Paul R. Heltmeyer.

At the same time, Heltmeyer (1346 Fourteenth Avenue) Longview, applied for permission to move the station from that address to the Willard hotel, Klamath Falls, Ore., changing time from half to unlimited on 1500 kilocycles.

OFFICES AND BANKS ARE CLOSED TODAY

In commemoration of Columbus Day the offices in the county court house were closed today. Work will be resumed Tuesday morning on the usual schedule.

The three banks in the city were also closed to mark the holiday.

Thieves Raid Klamath Home; Loss Is Heavy

Upon returning to their home late Sunday afternoon Mr. and Mrs. J. Brothenek, of the Klamath Falls-Lakeview highway, found everything in chaos, practically all their clothing stolen, including several suits and overcoats, and Mrs. Brothenek's dresses and coats. No money had been left in the house, but in their search the thieves had upset everything. Beside the clothing, three watches were taken.

With almost unbelievable daring, the thieves had remained in the house and cooked a hearty meal of bacon and eggs and vegetables.

An $85 rifle and shot gun belonging to Mr. Brothenek, were left standing in a corner, but the invaders had removed all the cartridges from a belt, thrown them in a chair, and taken the belt.

Beds were torn to pieces, contents of dresser drawers had been thrown on the floor, and the house was in a deplorable condition.

Sheriff Low was called Sunday afternoon, and he announced today that he had several important clews that he expected would lead to the arrest of the thieves.

The Piedmont Golf club house was also entered Sunday night, however nothing was missed but a box of candy which lead officers to believe that children had forced their way into the house.

ATTORNEY AND JUDGE TARGETS OF THOS. KAY

SALEM, Ore., Oct. 13, (AP)—Frank C. Hesse, Astoria attorney, and Circuit Judge H. K. Zimmerman of that place are criticised in a letter by State Treasurer Kay because of the fee Hesse was allowed by the court to collect for acting as attorney for the state in the Astoria Savings Bank liquidation. Kay says that Hesse put in a claim for a $15,000 fee. The court allowed $5000, which is said to have been contrary to an agreement signed by Hesse and A. A. Schramm, state superintendent of banks, whereby Schramm was to fixe the fees.

The agreement with Schramm was signed also by A. W. Norblad, then Hesse's partner, but Norblad became governor received no fees and is not involved in the fee dispute.

Kay's letter shows that Hesse was paid $4820 as attorney and retainer fees and $127.42 expenses for his early work in the liquidation. Then litigation arose and Hesse continued to act for the state. Under the terms of the agreement, says the Kay letter, Schramm told Hesse his fee would be $750, or $1000 if the case was appealed. When the case was decided in the state's favor Hesse is said to put in his claim for $15,000. By way of compromise Schramm offered $1250, and later the bank board told him he might raise it to $1500. Hesse refused to agree to this, and Schramm agreed to arbitrate by referring it to the circuit court. In court Schramm contended for a $1250 fee, but the court fixed it at $5000.

Kay's letter was written to A. Shapiro, one of the depositors in the bank, who protested to Kay as a member of the banking board, about the amount allowed Hesse by the court.

Land Is Added To Battle Rock Park

SALEM, Ore., Oct. 13. (AP)—T. D. Davidson and his sister, Eleanor C. Davidson of San Francisco have deeded to the state without cost two lots at Port Orford, Curry county, which will become part of Battle Rock park. The park site comprises about a block, and all the property has now been acquired by the commission. The Davidsons gave their property in memory of their father, George Davidson, who at one time owned it.

Joe Fales Gets 240-pound Buck

Joe Fales of the Klamath Falls Marble and Granite Works is stepping as high as a blind horse. The reason is that he bagged a 240-pound mule deer over in Lake county. And, Joe has reason to be proud. It was the first hunting trip he ever made and the first time he ever took aim at a deer.

Fales was accompanied on the trip by George Grizzle, also of the granite works, and the two report a delightful trip.

U. S. SOUND SAYS HEAD OF BANKERS

Financier Says Artificial Respiration Is Not Needed

WEALTH PRODUCING POWER NOT INJURED

Loans Increase Hundred Million on Foreign Securities

NEW ORLEANS, Oct. 13. (AP)—Twobridge Galloway, of New York, president of the Investment Banker Association of America, told the association's members in convention today business does not need artificial respiration, as the wealth-producing power of the country has not been hurt essentially.

President Galloway's address treated with the general conditions and circumstances affecting national investment banking, and resounded with optimism regarding the country's business and financial future.

"The orgy of speculation which clouded the country's vision has passed," he said, "and clearer thinking is now the rule rather than the exception. Old fashioned standards for judging values are again back in vogue, and as investment bankers, we can do our part to direct the saving of the country into constructive and dependable lines.

"While speculation has its proper and independent function in our economic life, after all, the back log of prosperity is the savings and sound investments of the people. Through constructive financing and prudent saving, there has been built up a renewed buying power and normal demand for goods and services. With your help, normal confidence can be more readily restored and the fundamental law of supply and demand brought into balance.

"Business today does not need artificial respiration. The wealth producing power of the country has not been essentially hurt. The equipment and management of American industry, from both

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STORMS WREAK DAMAGE SUNDAY

MEXICO CITY, Oct. 13, (AP)—Dispatches to Excelsior from Acapulco, resort town in Guerrero, today said the worst hurricane in years struck Friday night causing collapse of a number of buildings and wrecking roads and telegraphic communications.

Considerable property damage is reported from along a long section of the coast although there were no casualities so far as known. Reports to Excelsior from the state of Sinaloa said hundreds of families were homeless in the southern part of the state.

GRENOBLE, France, Oct. 13. (AP)—Damage of many millions of francs were inflicted yesterday and last night by a wind or tornado force which swept through the rich walnut growing district between Vinay and Tullins in the River Isere district. More than 6,000 trees were destroyed and it is estimated it will take 25 years to replace them. Many persons were made homeless.

BRADY, Tex., Oct. 13, (AP)—The second flood within a week struck this city today as the Brady river went on another rampage due to heavy rains.

Fifteen business houses were flooded.

Six inches of rain fell at Eden, upstream, since 4 a. m.

Many persons who were forced from their homes only a week ago again had to remove their houshold goods and seek higher ground.

Residents up the river telephoned of rising waters in the night and a general alarm was given.

SAN ANGELO, Tex., Oct. 13. (AP)—The Santa Fe railway station and tracks were under four feet of water at Christoval, 21 miles south of here today, as a result of the heaviest flood along the South Concho river since 1906.

Four hundred sheep were drowned in the railroad shipping pens.

Water came within 100 yards of the business district but is receding.

City Stormed by Radicals as Session of Reichstag Opens

Windows Are Smashed and Pistols Fired: Police Force Taxed to Maintain Order; Adjournment Voted by Reichstag.

BERLIN, Oct. 13 (AP)—Troops of Fascist rioters, storming through down town Berlin, smashing shop windows and firing pistols into the air, turned the opening of Germany's new reichstag today into a wild reign of Anti-Jewish rowdyism.

The violence of the Fascists and rioting of communists in the shadow of the parliament building, at the edge of the famous Tiergarten, taxed police and threw the proceedings of the reichstag itself into relative obscurity.

On the Potsdamerplatz the rioters, who wore no uniforms and were identifiable only by their shouts of "Hail Hitler," smashed the windows of the Palast Cafe as well as those of limousines parked outside. The rioters numbered about 300 and added a wild west touch to their activities by firing their pistols in the air.

The new Reichstag with its radically re-aligned membership convened today for a brief session which had been preceded by a vigorous clash between throngs outside the parliament building and hundreds of police set to guard the meeting.

Reichstag Adjourned

The Reichstag was called into session shortly after 3 p. m., and adjourned until Wednesday at the same hour its conflicting party leaders might have opportunity to reconcile their views on a presiding officer.

The brief session today was presided over by the Venerable Centrist Herold, whose 82 years entitled him, as oldest member, to that honor.

The members of the cabinet, headed by Chancellor Bruening, took their places not on the ministerial benches but on the floor with their respective parties.

When the white-bearded Herold read his pedigree and requested any one older than himself to come forward, the Communists called out: "There's where the Fascists missed their chance." The communists continued with numerous ironical interruptions, to try to retard the business program but the Fascists remained quiet. They became demonstrative only when one of their number was nominated as one of four temporary secretaries. As he took his seat next to the chairman he gave the Fascist salute to his comrades, in which they all responded with the customary "Hail" and salute.

The session was by no means devoid of incident and today's minor clashes on the floor gave an inkling of what might be expected when legislative matters later should come before the body.

The roll call had been started

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ACTIVITIES OF UTILITIES ARE EYED BY BORAH

SPOKANE, Wash., Oct. 13. (AP)—Senator William E. Borah of Idaho, said yesterday that if public utilities operating in Pennsylvania have engaged in politics and are spending "money which must necessarily come from the rate payers," he favors a senatorial investigation.

Senator Borah, a Republican, told the Associated Press here that he had been in communication with Pennsylvania Republicans who said the utilities had declared war on Gifford Pinchot, and that W. W. Atterbury, president of the Pennsylvania railroad, had resigned as Republican national committeeman "in order to oppose Pinchot."

"I am informed that the utilities have declared open war on Pinchot, the Republican nominee in the primaries," said Borah, "and also that Atterbury, president of the Pennsylvania railroad and Republican national committeeman, has resigned as such in order to oppose Pinchot.

"Vast sums are being used, it is said, by the companies to bring about Pinchot's defeat. I know only what was sent me in the way of information.

"Nothing could be more wide reaching in its demoralizing influence than for such utilities to engage in politics in that way.

"The public will be entitled to know just what they have been doing."

COLORADO SPRINGS, Colo., Oct. 13, (AP)—J. Dawson Hawkins, 62, one of the best known mining technical experts in the west, died today after an extended illness.

LATE NEWS

FORD AT DOWNING STREET

LONDON, Oct. 13 (AP)—Henry Ford called at N. 10 Downing street today and talked with Prime Minister Ramsay MacDonald for half an hour before the opening of imperial conference session. The call was described as a social visit and was said to have had nothing to do with the imperial conference. The empire delegates continued today their study of inter-empire trade relations.

REBELS ACQUIRE PLANES

RIO DE JANEIRO, Oct. 13 (AP)—Ten Curtis Wright guardsman type fledging airplanes equipped with bombing racks, and machine guns front and rear, soon will be added to the Brazilian federal air forces through a contract signed here today by a representative of the Curtiss-Wright company.

MAKES NEW RECORD

KARACHI, India, Oct. 13 (AP)—Commander Charles Kingford-Smith, who is attempting a record flight to Australia, arrived here this afternoon, four and a half days out of London. This is a new record for the distance by London to Australia fliers.

MAYOR HELD GUILTY

SPRINGFIELD, Mo., Oct. 13 (AP)—Mayor Thomas H. Gideon and four other men were found guilty by a federal court jury today on charges of conspiracy to violate the Volstead act.

YOUTH IS KILLED

SEATTLE, Wash., Oct. 13 (AP)—Anthony Viavadas, 16-year-old high school student, was shot and killed here yesterday by Patrolman Rollo Wilson, who said he caught the youth stealing a musical instrument.

The Nightly Argument

AUNT HET
By Robert Quillen

"I like a woman that ain't scared to talk about anything, but I don't like one that can't talk about nothin' else."

POOR PA
By Claude Callan

"M[illegible] a man get to heaven it is best for him to have a second wife. She says she's noticed that the second always makes a man meek enough."