

Herald subscribers who fail to receive their paper by 6:30 p. m. are requested to call the Herald business office, phone 1000, and a paper will be sent by special carrier.

WEATHER FORECAST: Generally fair. OREGON: Fair east. TEMP: High, 88; low, 37. PRECIP: 24 hours to 5 p. m. Wednesday, .00; season, 1.51 normal, 2.18; last year to date, 3.20.



JAPS DROP NORTH CHINA MOVE

Ethiopia's Northern Forces Put to Flight

Italy Victorious In Mountain Pass South of Makale

Roman Legions Hope to Surround Retreating Black Warriors; Emperor Selassie Back at Addis Ababa After Trip to Front

By The Associated Press Ethiopia's northern defenders were beaten and put to flight by the fascist invaders in a mountain battle today, the Italian field command reported.

Editorials

On the Day's News

By FRANK JENKINS

THIS headline interests most of us, because it is what we want to hear:

"Italian Advance Turned Back." Picked Ethiopian marksmen, the dispatch relates, caught an Italian column in a narrow pass in the hills, and inflicted heavy losses on it.

THE dispatch, however, comes from Addis Ababa, so it isn't wise to take too much stock in it. In war time, news is censored, and one can't put too much faith in censored news.

IF CERTAIN politicians have their way and the government gets its fingers on the press, so that honest editors can't print what they believe to be the truth, you won't be able to place much reliance on ANY of the news you read.

THE Santa Fe's new train, the super-Chief, streamlined and pulled by a 3600 horsepower Diesel electric locomotive, starts a test run from Chicago to Los Angeles, which is expected to cut eleven hours from the schedule of the present Chief.

Saving time is the big objective of present-day transportation. One wonders, sometimes, what we will do with all this time after we've saved it.

DO you ever drive hard all day, cutting every possible corner and saving every possible minute in order to make the shortest possible time between two points, and then, upon arriving, fool around for two or three hours with nothing definite to do?

Well, most of us have done the same thing.

WHY? For no good reason at all—for speed without a definite object isn't a good reason.

We travel fast because speed is in our blood.

THIS dispatch would be interesting if it were phrased in words simple enough to be understood: "The indirect or fundamental (Continued on Page Seven)

COLLUSION CHARGED AGAINST BUILDERS

WASHINGTON, Nov. 21 (AP)—Secretary Ickes accused four steel companies today of "collusion" in submitting identical bids on both an ocean terminal at Morehead City, N. C., and the Trelborough bridge in New York City.

GOVERNMENT'S DOLE RELIEF FUNDS SPENT

New Deal Has Power to Make Payment Out of Other Sums.

SPENDING ABOVE ORIGINAL FIGURE

Many Questions in Connection With Program Go Unanswered.

WASHINGTON, Nov. 21 (AP)—The money congress earmarked for the dole is all gone, but the New Deal has power to continue relief payments a while longer out of other funds.

Official figures disclosed today that out of \$4,889,000,000 appropriated last session for work-and-relief, \$889,000,000 already has been allotted to direct relief (popularly known as the dole). This is \$9,000,000 more than congress set aside for the purpose.

Wide Powers at Hand However, the Roosevelt administration has wide powers to shift funds from one category to another.

With grants still to be made to 22 states before the dole is due to end December 1, the figures raised these questions: Will there be further dipping into the \$4,000,000,000 works funds for direct relief, making that much less for jobs? If so, will the remaining works funds be sufficient to carry out the plan to give 3,500,000 persons jobs by the end of this month at pay conforming to existing work relief wages?

No Definite Answer Will direct aid be continued after the December 1 deadline if state and local authorities plead insufficient funds to take over the burden.

There was no definite answer at busy relief headquarters today, but inquirers were given a hint when officials referred to recent statements by President Roosevelt and Harry L. Hopkins, relief chief.

The president told a mayors' (Continued on Page Six)

HUNTING CASE CHARGES FILED

PENDLETON, Ore., Nov. 21 (AP)—William Keaton, 37, Dayville, was placed under \$1000 bond in justice court at Long Creek last night on a manslaughter charge arising from the fatal shooting Tuesday of W. C. Gibbs, Long Creek rancher, while on an elk hunting trip at the head of Hungry creek in the Blue mountains.

The body of Gibbs was brought to Long Creek late yesterday and an inquest was held immediately. The jury placed the blame upon Keaton.

Gibbs, who had lived at Long Creek for 38 years, formerly owned a hotel in Pendleton. His widow, a son and two daughters survive him.

Spud Market

SAN FRANCISCO, Nov. 21 (AP)—(U. S. D. A.)—Potato market about steady, supplies liberal, demand fair. Four Oregon cars, seven California, three Idaho arrived; 17 unbroken cars and 17 broken cars on track.

Oregon Klamath Russets No. 1, \$1.75 to \$1.85; few \$2.00. Idaho Russets No. 1, \$1.60 to \$1.70. California long whites, \$1.60 to \$1.85; fair, 80c to \$1.15.

Ohio Strike Riots Occur

GUARDS FORCED TO TAKE REFUGE IN BUILDING AFTER CLASH

CONGRESS COULD DEFEAT PROGRAM

Florida Test Case in Cuban Agreement Pointed To.

WASHINGTON, Nov. 21 (AP)—Former Senator C. C. Dill, Washington state democrat, suggested to lumber interests today that they join other industries to test the reciprocal trade agreement law in the courts.

Expressing belief the law was unconstitutional, he said there were two things industries could do: "They can go to congress and get renewed excise taxes to overcome the acts made by the president, or they can go into court and test the legality of the grant of power given the president to make treaties without ratification by the senate."

Veto Threat Seen "The objection to the first action is that the president probably would veto any legislation increasing the excise tax on items in the pact."

The lumber industry could institute court action to compel the collector of customs in a port of entry to charge the tariffs made by congress rather than those fixed by the president, Dill said.

On the other hand, he added, lumbermen could join representatives of other industries in such a suit, and bring an action covering many items which suffered reductions of protection in any (Continued on Page Seven)

MANIAC SUGGESTED IN SODA POISONING

Possibility Investigated Today by San Francisco Health Officers.

SAN FRANCISCO, Nov. 21 (AP)—George Purnaras, 45, a dishwasher, died in convulsions today three hours after taking bicarbonate of soda. Deputy Coroner Anthony Trabucco said the soda from a different source than that which caused three previous fatalities.

SAN FRANCISCO, Nov. 21 (AP)—The remote possibility a maniac might have poisoned baking soda, blamed for three deaths and the serious illness of 18 persons, was investigated today by Coroner T. B. W. Leland.

He believed there was more plausibility, however, in the theory that two poisons were mixed accidentally with the soda. "Of course there is the possibility that a maniac may have been responsible," the coroner said "but we have found no evidence."

Joseph Rosenthal, department store executive and Nick Manno, salvage company proprietor, appeared in Municipal Judge Alden Ames' court on charges of selling contaminated food. Their hearing was continued until December 2, at the coroner's inquest.

LUMBER URGED TO TAKE PACT INTO COURTS

Ex-Senator Dill of Washington Says Treaty Unconstitutional.

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British Pressure Brought Against Nippon Officials

Nippon Announces Abandonment of Plans to Make Region Autonomous State; Bankers Proceed With Silver Policy

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STATE RULING BACKS ACTION OF BLACKMER

District Attorney Held Within Rights in Taking Fee.

NO CRIME FOUND IN CHECK CASES

Incident Developing Out of Ashurst's Attack Taken to Salem.

AN opinion from the attorney general's office, holding that the district attorney, in charging a fee for collecting on unpaid or dishonored checks, is not committing an act of malfeasance, was received Thursday at the office of District Attorney Hardin C. Blackmer.

It was this practice, presumably, that was condemned by Circuit Judge E. B. Ashurst last month when he assailed Blackmer in his sensational series of instructions to the Klamath county grand jury. Judge Ashurst at that time indicated his belief Blackmer had committed a crime in connection with check cases.

Blackmer Asks Opinion The opinion, prepared in answer to a specific question by Blackmer after the grand jury session, was signed for Attorney General E. B. Winkle by Francis P. Wade, assistant attorney general. It states that there is no law either authorizing or condemning the collection of unpaid or dishonored checks, or the charging of a fee therefor by a district attorney.

Blackmer, in his letter, pointed out that here, as elsewhere, there are a great many "N. S. F." "no account" and "account closed" checks passed each month. Many of these checks are brought to Blackmer's office and the writers prosecuted.

In other instances, Blackmer said, those holding the checks do not wish to prosecute and so signify, but they do request that the district attorney effect collection on the checks if possible.

Minimum Fee Set "On numerous occasions," the letter said, "I have effected such collections, and for the reasons hereinafter stated have charged a percentage of the amount collected. Originally I charged 10 per cent, and later 25 per cent, because that was the minimum fee fixed by the Klamath County Bar association for collection fees.

"I have never charged a commission where criminal charges have been filed with the court, although in case of settlement out of court, I insist that either party should pay the court costs.

"The principal reason for making such collection charges is that my budget for the entire year for investigation work is only \$500. We have a great number of petty complaints wherein formal criminal action is not warranted but some investigation is required in order to maintain peace and harmony, usually neighborhood rows, strayed stock and family quarrels, as well as the work and expense attendant upon collection of worthless checks. This special investigation fund of \$500 is not sufficient for our needs, including check collection work, and, consequently, I have charged commissions on such collections.

"All such money received in connection with the matters above mentioned, and none of it used for my own personal purposes, although I maintain that inasmuch as to collect checks, I may as a practicing attorney, charge a reasonable fee therefor, and am not accountable to anyone for commissions received."

"The attorney general's opinion, at the outset, states the constitutional provisions regarding malfeasance. It also states section 14-438, Oregon code, 1930, prohibiting officers of law from taking fees or compensation other than permitted by law for any official service or duty performed, or neglect to perform such duty or service, and the penalties for such acts.

"The opinion concludes: 'A careful search of the statutes relating to the duties of the district attorneys has failed to disclose any provision of law either (Continued on Page Seven)

TWO MENTIONED FOR COMMISSION

Van Duzer, Walton May Gain Places on Capitol Board.

ANNUAL SCHOOL CENSUS COMPLETE

There are 4107 children of school age in Klamath Falls, Oregon School District Number 1, according to figures compiled in the annual school census which has recently been completed, according to Ida M. Odell, school clerk.

Every child between the ages of 4 and 19 years is included in the census.

Of the total number 1934 are boys and 213 are girls. The school census in 1934 showed a total of 4035, with 1969 boys and 2066 girls.

An interesting comparison in figures from the census of this year and last is found in the number of foreign born parents who have not been naturalized.

Foreign born, unnaturalized fathers in 1935 numbered 55, against 16 in 1934.

Foreign born, unnaturalized mothers in 1935 numbered 52, and last year only 14.

QUAKE FOLLOWED BY TIDAL WAVE

HILO, Hawaii, Nov. 21 (AP)—Heavy seas coupled with what was believed to be a small tidal wave following an earthquake did considerable damage here today.

A short stretch of railway was badly damaged, and two small yachts and a power fishing boat were wrecked. The quake occurred at 1:20 a. m. (6:50 a. m. eastern standard time) and centered a few miles from this city.

PERMANENT KLAMATH PIONEER ORGANIZATION EFFECTED AT ANNUAL DINNER

E. B. Hall Presided at the Dinner Wednesday Night, and Many an Anecdote of Early Klamath Days was Told by Hall and Others upon Whom he Called During the Evening.

ICKES URGES HALT ON OIL SHIPPING

WASHINGTON, Nov. 21 (AP)—Secretary Ickes called on the oil industry today to halt, voluntarily, shipments to Italy.

Explaining at a press conference he had no "authority at all" in the matter, Ickes said "I don't think they ought to" sell oil to Italy.

"They ought to comply both in letter and spirit with the efforts of the government to prevent furnishing war materials to either of the belligerents."

FRENCH READY FOR BORDER EMERGENCY

DJIBOUTI, French Somaliland, Nov. 21 (AP)—A battalion of French Senegalese proceeded today to the interior from Djibouti today to prepare for an overflow of refugees from Italo-Ethiopian war areas and to be ready for any frontier emergency.

SPUD MARKET

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SACTIONS HALT Cargo for Italy

MALAGA, Spain, Nov. 21 (AP)—Three Italian freighters were prevented today from taking cargoes of iron to Italy because of Spain's applications of sanctions against that nation.

The vessels sailed with their general cargoes, but left the iron on the piers.

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