

LOCAL LIQUOR MEASURE FACES SUPREME COURT

(Continued From Page One)

der whose direction the ordinance was drawn before unanimous passage Monday night, said in connection with Knox's statement: "We welcome any test of the constitutionality of the right of the city of Klamath Falls to enact laws for the control of its own problems."

City to Stand Favor "I cannot see any possibility that the supreme court will turn its back on the expressed mandate of the people—the home rule provision of the state constitution. Under no circumstances will we relinquish our stand."

There has been considerable controversy among apparently equally responsible legal authorities as to whether the home rule act still stands in the constitution. Some believe this provision was permanently amended by subsequent liquor legislation, and others hold that repeal of later laws automatically reinstated the act.

The provision is specifically quoted in the preamble to the city's new liquor ordinance. It says "The exclusive power to license, regulate, control or to suppress or prohibit the sale of intoxicating liquors therein is bestowed in such municipality . . . subject to the provisions of the local option law of the state of Oregon."

Conflicts Noted The Klamath Falls liquor plan calls for the establishment of privately operated, city-licensed bottle liquor stores. This is in direct conflict with the Knox commission's recommendations to Governor Julius L. Meier, proposing the establishment of state-owned liquor stores in various communities. It has been rumored that Governor Meier is to embody the commission's recommendations in his speech to the special session of the legislature late this month.

Just what Dr. Knox means by an "immediate test" was the cause of speculation here. Competent legal authorities pointed out that it would be difficult to find a basis for a test until the legislature takes action. Will Seek Injunction Mayor Mahoney said that if the state should attempt to establish a liquor store here, under legislative authority, the city will ask an injunction to prevent such action, standing on the constitutional rights indicated in the home rule law.

Mayor Mahoney will go to Portland next week to consult with C. C. Hockley, public works engineer, and while there will make two addresses, one before the Willamette society, a democratic organization, and another over the radio on the city's liquor legislation, and will dwell particularly upon the liquor control situation.

The ordinance was jammed through the local legislative mill Monday night in anticipation of repeal of the 18th amendment when the state liquor legislation is expected to be enacted, however, can be effective until December 5, when the last ratification convention meets.

Hanks Introduces Bill Councilman Marion Hanks introduced the ordinance. Some minor amendments were attached as the measure passed through the required readings. The vote was 5-2, and was unanimous for the measure, all councilmen being present. The emergency clause was attached.

Passage of the ordinance met with varied reactions Tuesday. There was some comment on the street as to whether it is too strict, but on the whole sentiment seemed to be favorable.

Ralph Horan and Henry Semon, state legislators, took time to consider the question carefully before making any statements. They will leave in a few days for Salem, where the state liquor legislation is certain to be considered.

Mrs. Boyd Praises City Mrs. Frances Boyd, president of the W. C. T. U., said that she commended Mayor Mahoney and the council for the moral features of the ordinance. She said that, under the circumstances, it is undoubtedly a worthy measure.

Called upon in the recent mayoral campaign to buck Tammany, on one hand, and the popular Joseph V. McKee on the other, he plunged into his task with characteristic zeal, earning a reputation for himself as a man who stands with his opponents, wearing out his secretaries and associates by his restless personal drive.

He will hold the highest executive post in the city which he has held since he was born 51 years ago next month on Varick street in downtown Manhattan, the son of an Italian immigrant who became an army bandmaster.

Fiorello, at the age of three, was taken to the army posts of South Dakota and Arizona, and spent much of his boyhood among soldiers. His father meant for him to be a musician and today he is reputed to be a competent cornetist.

NEW YORK, Nov. 8 (UP)—Final returns of New York's mayoral election today gave LaGuardia, 553,537; McKee, 604,045; O'Brien, 556,100; Solomon, 63,450.

Prohibition Gets Death Blow; 36th State Votes Wet

(Continued from Page One)

RALEIGH, N. C., Wednesday, Nov. 8 (AP)—Returns representing eight of North Carolina's 100 counties, early today gave the dries a lead of almost 140,000 votes in 1473 of North Carolina's 1829 precincts.

COLUMBIA, S. C., Nov. 7 (UP)—South Carolina dry leaders claimed tonight that this state had joined North Carolina in rejecting repeal of the 18th amendment by a narrow margin. However, the vote was so close as to leave the result in doubt at midnight. Count of the vote from all but about 340 rural precincts gave anti-repealists a plurality of slightly more than 2,000 out of more than 65,000 ballots.

LOUISVILLE, Ky., Nov. 7 (UP)—Punctuated by outbreaks that resulted in three fatalities, Kentucky voted today on repeal of the 18th amendment and several local issues. When balloting ended at 4 p. m., officials estimated that 300,000 persons had been drawn to the polls by the repeal and spirited state issues, despite rain and generally murky weather.

Two of the fatalities occurred at Harlan. Shooting during an old election feud between two families caused the deaths of Art Hensley, 50, and Jack Blanton, 55. Three others were wounded. In Louisville a negro was shot to death at a voting place and 22 persons were arrested. Under terms of the state election law, ballots will not be counted until tomorrow.

NEW YORK, Nov. 7 (AP)—Violence and disorder flared over New York City today as hoodlum gangs rode ranges over voters and party watchers in the most turbulent election day New York has experienced in years.

Gang fighting and minor rioting at polling places on the east side became so prevalent that many forces threatened to appeal to Governor Herbert Lehman for assistance unless police coped with the growing disorders. Extra police details were thrown into the bowery and Lower Manhattan districts, but later in the afternoon thugs added to a series of blacklisting and intimidations an attack on Robert Minor, communist mayor candidate, throwing him into the street and kicking unconscious a worker at the polling place.

Arrests for illegal registrations continued at a sharp pace. National prohibition stood at the crossroads today as heavy voting was reported in mayoral and repeal elections. Cold and cloudy weather prevailed generally and in some places it was snowing.

Polling violence and disorders were reported in several places, notably New York, Louisville, Ky., and Hartford, Conn.

GOVERNOR ACTS DES MOINES, Nov. 7 (AP)—Governor Herring today wired sheriffs to deputize citizens "to compel observance of the law" in the farm strike area.

Telegraphic requests for protection of property came to the governor from W. P. Kenney, president of the Great Northern, and F. P. Sargent, president of the Northwestern Railway. Kenney suggested calling out the national guard.

Governor Herring wired the sheriffs to "summon to your assistance such number of citizens as is necessary to compel observance of the law. Please report to me promptly should you have any reason to give the protection to which the law entitles everyone."

Veterans Oppose Open Stores on Armistice Day (Continued from Page One)

will be formed at the Balaizer garage at 9:30 o'clock. It will start promptly at 10 o'clock and end in front of the Elks temple at the corner of Third and Main streets.

At 11 o'clock all ex-service men and their friends will face east and stand at parade rest for one minute. Between 11 o'clock and 11:30 o'clock, street stunts will be held between Third and Fourth streets. Four prizes will be given for winners of the dog races, roller skate race, scooter race and automobile race.

Perkins Will Speak At 11:30 o'clock speaking will be held in the Rainbow theatre with Henry Perkins scheduled to give the address. Following the patriotic addresses a barbecue luncheon will be furnished for all ex-service men and members of their families on the court house lawn. Ex-service men are requested to obtain their red tags for the luncheon.

Theatre Party Planned. Guests of the day will be G. A. R. members, Gold Star Mothers and Indian War Veterans. Transportation for these

TOO LATE TO CLASSIFY FOUND—Black suitcase at Lake-view junction. Owner may have it by paying for ad and identifying same at News-Herald office. 1846

ANTI-STRIKE ORDER FORMS OVER MIDWEST

(Continued From Page One)

serious aspect to the anti-selling movement. Another bridge was burned to the ground late night. It was a mainline bridge of the Illinois Central railroad near Meriden and was the second destroyed since the "farm war" began. The other was near James, Iowa, which was burned early yesterday.

Citizens Ask Protection Meanwhile, Sheriff William R. Tice of Woodbury county (Sioux City), refused to ask Governor Clyde Herring for state troops, despite demands from Sioux City residents that the militia be called out to help bring peace.

Sioux City residents who flew to Des Moines urged Gov. Herring to call out the militia. The chief executive countered that only would he issue the call when the sheriff had said he couldn't handle the situation longer.

Sheriff Disappears His townsmen put the question to the sheriff who agreed to wire his request. Then he disappeared, not to be located. The wire had not been received early today.

Gov. Herring summoned Iowa legislators from the affected district, heard their opinion that 98 per cent of the farmers are opposed to picketing. Then he summoned John Chalmers, president of the Iowa Farmers' Holiday Association. He put an appeal to him to demand peaceful recognition of the embargo. Chalmers agreed.

Sioux City markets reflected the embargo when livestock receipts were greatly reduced. Deputies guarded the Plymouth county courthouse when pickets threatened to storm the building.

When malcontents, cheap politicians, or professional agitators declare the agricultural adjustment act is "too slow," Johnson told more than a thousand business and civic leaders in a luncheon address, "they are blocking recovery."

SARRAULT DEFEAT IN FRANCE PARIS, Nov. 7 (AP)—The overthrow of the cabinet of Premier Albert Sarraut shortly was said by party members to be certain as the result of a radical socialist pact with the government this morning.

A group, with War Minister Edouard Daladier, Interior Minister Adolphe Theodore Steeg, former cabinet minister, and others present, overwhelmingly rejected the idea of the cabinet accepting center or right support instead of that of the old left wing, including the socialists.

WEATHER The Cycle-Stormograph at Underwood's Pharmacy registered a rise in barometric pressure during the last 24 hours, practically assuring another fine day Wednesday. Temperatures probably about the same.

The Tycoos recording thermometer registered maximum and minimum temperatures today as follows: High 46 Low 24 Forecast for next 24 hours: Fair and cool.

The United States weather bureau reports 40 precipitation for the 24 hours ending Monday at 5 p. m.: 2.04 for the season to date; 1.34 normal; 0.90 last year.

It's all right to follow Mae West's advice and hold on to your man, but don't do it while he's driving.

Scientists say human beings lived in Virginia 2000 years ago. The first families will now have to revise their family trees.

Laborlite Cleanser Phone 7413 Laborlite cleans painted work, linoleum, rugs, window shades, curtains, laundry clothes. Clean anything that can be cleaned. 324 N. 11th St.

Again FIRST WITH THE NEW now IN THE UTILITY JAR flavor sealed in VACUUM TRY IT today

NEW YORK, Nov. 8 (UP)—Final returns of New York's mayoral election today gave LaGuardia, 553,537; McKee, 604,045; O'Brien, 556,100; Solomon, 63,450.

Featured BY YOUR OWN GROCER

NELSON WILL RESIGN FROM BOARD TODAY

(Continued From Page One)

will believe that I am not actuated by any motives which are tinged with rancor, bitterness or even resentment, but only a deep and sincere regret. But a single course is open to me."

The final sentence of his statement was regarded as evidence Nelson would resign from the board, of which he is president.

EUGENE, Nov. 7 (AP)—The University of Oregon faculty, student body, the Oregon Dads, the Oregon Mothers and the University of Oregon federation vote united in demanding the resignation of Roscoe C. Nelson, president of the state board of higher education, today following adoption of resolutions and receipt of telegrams from alumni officials here last night.

A petition endorsing the faculty resolution was circulated among students of the university and bore 1024 signatures last night. A committee of 50 students, headed by Thomas H. Tongue, Hillaburo, president of the Associated Students, was appointed yesterday to draw up the resolution which was submitted to all living groups and independent students.

JOHNSON PETITIONS AID FROM FARMERS ST. PAUL, Nov. 7 (AP)—Denouncing "malcontents and cheap politicians," General Hugh S. Johnson, NRA administrator, today appealed to the agricultural Midwest, torn by a farm strike, embarrases and governors' statements, to "give the president a chance."

FIERCE SNOWSTORM RAKES NORTH SEAS TOKYO, Nov. 7 (AP)—A fierce snowstorm on the northern seas was feared today to be leaving a trail of heavy damage and loss of life.

A Rengo (Japanese) news dispatch from Oara said the Hieiyo Maru No. U, a 4815-ton vessel with a crew of 44, was feared lost southwest of Odomari.

Late Monday, the Hieiyo radioed an SOS saying she had struck rocks and that the storm had driven back vessels attempting to rescue the crew.

Re-building of Grandstand Seen Possible Tuesday (Continued from Page One)

the cost and insurance money applied to the remainder. Bradbury said in his message that there is to be a fair meeting in Portland Saturday, at which time a racing circuit would be discussed. He said Klamath Falls was being considered as a racing point on the circuit.

Incendiarism Suspected Fire Chief A. W. Bardell said Tuesday morning that every indication points to incendiarism as the cause of the spectacular blaze, which, in the short space of 20 minutes, leveled the grandstand to smoking ruins, and destroyed five tractors stored in the structure by the J. W. Kerns implement company. The building was valued at between \$5,000 and \$10,000, and the Kerns' property at about \$6,000. There was no insurance on Kerns' tractors, but the fair grounds property, approximately \$35,000 being written on all property on the premises.

Iowa Student Threatened By Kidnap Notes IOWA CITY, Ia., Nov. 7 (AP)—Margaret Hise of West Liberty, senior journalism student, carried a revolver to her University of Iowa classes today as police investigated extortion letters she has received in the last 10 days.

A guard was stationed at the Delta Delta sorority house where Miss Hise is a member, after she received a third threatening letter demanding that she have her father have \$10,000 ready.

Medicated! Ingredients of Vicks VaporRub in Convenient Candy Form VICKS COUGH DROP

ON THE TRAIN YOU CAN DRINK WHEN THIRSTY

EAT WHEN HUNGRY

SLEEP WHEN SLEEPY SAN FRANCISCO \$8.80 ROUNDTRIP \$10.70 LOS ANGELES \$16.60 ROUNDTRIP \$28.70

THESE are the fundamental comforts you should demand when you travel. On the train you get them. You get a swift ride on smooth steel rails. You can read and write in comfort. All these advantages for 2¢ a mile or less—every day, almost everywhere on—Southern Pacific Passenger Station—Phone 2002

Pomona Grange Election Set For Saturday

(Continued From Page One)

gell Valley and Hildebrand subordinate granges. Lunch will be served at 12 o'clock and the lecturer's program will start at 1 o'clock. Frank Jenkins, editor and publisher of The Klamath News and Evening Herald, will be the speaker on the program.

Following the lecturer's program the election of officers will be held. If time permits the newly elected officers will be installed, Mack stated.

Positions to be filled and officers who have served during the past two years are as follows: Master, Earl Mack, Henley; overseer, J. N. Drew, Hildebrand; secretary, O. A. Hildebrand; treasurer, D. E. Furubach; clerk, G. A. Hildebrand; Joe Taylor, Post Valley; lady assistant steward, Mary Dixon, Henley; Ceres, Mrs. Harry Tichenor, Langell Valley; Pomona, Mrs. Harrick, Fort Klamath; Flora, Mrs. George Denton, Fort Klamath.

DUNCAN ADDRESSES WOMEN'S LEAGUE Judge W. M. Duncan of the circuit court of Klamath county, was the principal speaker before the League of Women Voters at the chamber of commerce Tuesday morning.

The judge discussed court procedure, methods of selecting grand jurors, petit jurors and jury lists and procedure of bringing indictments in criminal cases.

He told some amusing anecdotes of the days of Klamath Falls' court house fight. Duncan was district attorney, and at various times members of both sides of the court house war came to him and asked that indictments be brought against members of the opposite side.

Mrs. Nelson Reed reported on the progress of the plan for canal coverage and told of the correspondence with United States senators and congressmen relative to the proposed work. Approximately 25 members and visitors of the league were in attendance.

The next regular meeting of the league will be held November 21, at 11 o'clock, in the chamber of commerce rooms.

Hitler Moves Toward Parley With Nations (Continued from Page One)

foreign minister, Constantine Von Neurath, were believed to have been designed to pave the way for Goering's peace mission to Rome.

Mussolini already had been informed by Sir Simon, British foreign secretary and Joseph Paul-Honcour, French foreign minister, of their views for solving the disarmament pay difficulty, and Dr. Duce thereupon was in a position to talk frankly with Goering.

BEITLIN, Nov. 7 (UP)—Dr. Joseph Goebbels, Nazi minister of propaganda, announced today that Germany is ready to return to the Geneva disarmament conference "as soon as the powers actually have decided to disarm themselves."

A throng of 20,000 persons cheered madly as Goebbels made his announcement in an election campaign speech in the packed Sportpalast.

One hundred fifty million pounds of American-grown tobaccos were displaced by substitute brands in the world markets in 1932.

THOMAS EXPLAINS COUNCIL ABSENCE Echoes of the passage of the city's gross sales tax a week ago featured Monday night's council meeting.

Councilman Charles W. Thomas asked for permission to insert in the record a statement that he was strongly in favor of the measure, and that he was unavoidably absent from the meeting at which a vote was taken.

Thomas said that he was hunting ducks that afternoon, and that he had scheduled to come and get him and his companions did not arrive until evening. The councilman did not get back to town until after the city hall meeting.

During the reading of the minutes of that meeting, the question was raised as to whether the record showed who was the sponsor of the ordinance. The minutes merely showed the ordinance was presented.

THOMAS EXPLAINS COUNCIL ABSENCE

(Continued From Page One)

Councilman Hanks said he thought he presented the measure. City Attorney Leavitt was asked for instructions as to how to correct the record.

Mayor Mahoney then asked Ralph Horan, legal attorney who was present at the meeting and spoke against the gross sales tax at the recent hearing, whether this point would be raised in case of a legal contest over the ordinance.

The attorney grinned and said it might be.

Attorney Leavitt said he didn't think this question would cut any legal ice.

Mahoney finally said that the record would stand as is, for correction later "if Ralph decides to raise the point against the measure."

J. A. Cornforth was granted permission to establish a taxi office in an old bus on the property at Eighth and Main streets.

L. H. Haines was given the job of auditing the city's books for the last half of the year. His fee will be \$250.

Hubbard and Burns were granted permission to sell beer at a place on Broad and Sixth streets.

There was considerable discussion as to whether the Silver Spur night club is a business separate from the Pelican grill, in the same building above. If the night club is a separate business, a separate beer permit is needed. The matter was referred to the police committee.

Bar and Cunningham, Portland engineers investigating the proposed city water system, submitted a bill for \$20 for water tests.

A communication was read from W. C. Van Emon, local attorney, indicating that the Scandinavian Society, Inc., was cancelling the lease on the Scandia hall.

The council instructed the beer inspector to sign a complaint against a local dealer charging violation of the beer ordinance.

Army Officer Refused Bond In Texas Case (Continued from Page One)

may get bond for Murrell if he sees fit. Conviction on the charges against Murrell might carry the death penalty, as the attack allegedly occurred on a military reservation. Murrell denied the accusation.

Miss Ralls, young divorcee of Birmingham, Ala., sobbed out her story of the alleged attack when she testified at the hearing.

Miss Ralls testified for more than six hours, ending her account of the attack which she said occurred October 22 after a dance which followed the Centenary college and University of Texas football game.

She said Murrell took her to a secluded spot on the Fort Sam Houston reservation. They fought in the automobile for 20 minutes, Miss Ralls said, and finally Murrell dragged her from the car, threw her to the ground and subjected her to an attack and proposals of unmentionable indignities.

The defense attempted to im-

KLAMATH PROJECT LISTED IN PLANS

(Continued From Page One)

PORTLAND, Nov. 7 (AP)—A \$5,000,000 appropriation from the public works fund for 10 Oregon highway projects will be made by the state highway commission in formal application within three weeks to the Oregon PWA advisory board. This application will be the first of three, in which \$15,000,000 will be requested.

Leslie M. Scott, chairman of the highway commission, said the department has completed its list of projects which will be undertaken with the first money, if and when it becomes available on the usual grant-loan basis.

The work planned included: Trowdale, Bechoville, Highway, \$1,500,000; Ashland - Siskiyou Summit straightening, \$1,000,000; Cold Springs, Pendleton-Walla, \$779,000; Klamath Falls - Weed, \$400,000; North Santiam, and South Santiam, \$300,000 each; Redmond - Bend, \$170,000; Fourth street improvement in Portland, \$225,000; Linton-Scappoose road, \$160,000; McMinville-Newberg completion, \$100,000.

Litvinov Arrives At U. S. Capital Tuesday Evening (Continued from Page One)

Soviet commissar, who was accompanied from New York by James C. Dunn of the state department protocol division.

"Mr. Secretary," Dunn said with friendly formality, "the people commissar for foreign relations of the Soviet union."

Hull and Litvinov smiled and shook hands. Dunn presented Undersecretary of State Phillips, Assistant Secretary of State Moore, Martin MacIntyre, secretary to the president and other state department officials.

WASHINGTON, Nov. 7 (AP)—Maxim Litvinov, Soviet commissar for foreign affairs, arrived at the capital Tuesday at 4:45 p. m., to be formally welcomed by Secretary Hull and other American governmental officials.

FUNERAL NOTICE Baby Mose, the infant daughter of Mr. and Mrs. Clarence H. Mose of Modoc Point died at her home Tuesday. Funeral services will be held at 2:30 o'clock Wednesday at the Williamson River mission with Rev. Bradshaw officiating. Interment will follow at the Wilson cemetery.

Funeral arrangements are directed by the Klamath funeral home.

NOTICE Regular Do Mokey meeting Thursday, November 9, at Masonic hall, 7:30 p. m. All members and officers be present. ALBERT POWELL, M. C.

Doctor's Treatment Quickly Conquers Acid Stomach "I feel so good after taking Ugra Tablets. For years I suffered with excess acidity. Everything I ate soured in my stomach. My appetite for food was gone. I couldn't even try to work. I wish you could see me. With you I could work with joy—work every day and am not tired in the least."

Ugra Tablets is a doctor's prescription, have a world-wide record of success in the treatment of gas pains, stomach ulcers, excess acid, belching, bloating, pains after eating, sour stomach, indigestion, heartburn, poor digestion, dyspepsia, gastritis, and other conditions caused by hyperacidity or acidity.

Why suffer when you can try this one and get immediate relief of Ugra Tablets today. Use the entire box and then, if you are not positive that they have done more for your acid stomach than anything you ever tried—return the box and get your money back. Ask your druggist for full information as to what a real treatment can do for your acid stomach.

At Star Drug Stores.

—Being without a telephone is such an unnecessary hardship

A TELEPHONE is found in the thrifty home, for it saves the nickels, dimes and quarters of constant errand-running. It increases personal effectiveness.

A single telephone call may be worth more to you than your telephone costs in a lifetime. The Pacific Telephone and Telegraph Company

Business Office—129 S. 7th St. Telephone 300