

THE WEATHER
Highest temperature yesterday 85
Lowest temperature last night 37
Precipitation for 24 hours .12

Roseburg News-Review
THE DOUGLAS COUNTY DAILY

SLURS
The U. S. and Germany are in a diplomatic mess over Nazi press references to American citizens in retaliation for La Guardia's thrusts at Hitler.

DR. TOWNSEND DRAWS FINE, JAIL TERM

Editorials
On the Day's News

By FRANK JENKINS
A FRIEND who specializes in looking after his own business and not worrying too much about things he can't control said to this writer the other day:

WELL, it's like this:
There are now nine members of the supreme court, which is the interpreter of the constitution. The constitution is the fundamental law, which says what we can do and what we can't do.

Five members of the supreme court, as at present constituted, are a majority, and in a considerable number of cases five members of the court have been ruling AGAINST the New Deal, holding its laws to be in violation of the constitution, and four members have been rather generally holding FOR the New Deal.

As a result, a lot of New Deal laws have been invalidated.
HERE is the point of the present controversy:
The constitution does not fix the membership of the supreme court. That is left to congress. So President Roosevelt and his smart New Deal lawyers have said to themselves:

"Why not beat this game by INCREASING the membership of the (Continued on page 4)

MRS. E. BABCOCK
DIES IN ROSEBURG
After an illness of many months, Mrs. Ella Adell Babcock died Thursday, March 11, at the home of her daughter, Mrs. W. M. Olerkirk, on South Stephens street, Roseburg. She was born in Ohio, Dec. 18, 1862, and with her family moved to Pullman, Wash., in that city's pioneer days. For five past three years she made her home in Roseburg.

FLASHES OF OREGON EVENTS

Pumper Kills Fireman
PORTLAND, March 12.—(AP)—Internal injuries suffered when a fire department pumper accidentally was thrown into reverse resulted fatally for Frank E. Platt, 58, city fireman. He was crushed against the wall of a fire station.

Pollution Bill Assailed
PORTLAND, March 12.—(AP)—A letter claiming the new stream pollution bill was "scrutinized and lacked sufficient consideration on the part of the legislature" went to Governor Charles Martin today. It was signed by representatives of the committee of 100, the Metropolitan association and the Oregon Apartment House association.

Power Plant Projected
SALEM, Ore., March 12.—(AP)—The Mountain States Power company has announced plans for a \$50,000 power plant at Stayton. Date of completion is July 1.

Dement Heads Coos Fair
COQUILLE, Ore., March 12.—(AP)—Officials of the Coos county fair re-elected Ellis S. Dement of

MOTOR LABOR STRIKES REMAIN IN DEADLOCK

G. M. C., REO, CHRYSLER AND HUDSON TIED
DETROIT, March 12.—(AP)—Homer Smith, president of the United Automobile Workers, announced today after a conference with General Motors executives that "we're not going to sign anything until union delegates have voted on it."

State Will Not Intervene, Governor Murphy Says; More Than 75,000 Workers Idle.
DETROIT, March 12.—(AP)—Harvey Campbell, secretary of the Detroit board of commerce, today strikes affecting thousands of automobile workers and hundreds of employees in unrelated industries, telegraphed Governor Frank Murphy a request for a conference of law enforcement agencies in the Detroit area to draft a "militant program."

Other Plants Idle.
Union negotiations with Chrysler corporation executives were deadlocked on a demand for exclusive bargaining rights which the company declined to grant. Peace efforts at the Hudson Motor Car company plant here, and at the Reo Motor Car company at Lansing, Mich., were at a standstill.

George Oscar Cheney, 85, of Cow Creek, near Glendale, died at the home of his daughter, Mrs. Henry Gadecke, in Glendale Thursday evening. Mr. Cheney was born in Vermont in 1851 and lived in Glendale for 55 years. Besides Mrs. Gadecke, Mr. Cheney is survived by three daughters—Mrs. Jake Fisher and Mrs. Barbara Olinghouse of Glendale, and Mrs. Alice Bellow of Salem.

Gravestone services will be held at the Masonic cemetery in Glendale Sunday afternoon at 2:30 o'clock, with Rev. N. S. Ficus officiating. Arrangements are in charge of R. M. Eberle, associate director of the Douglas Funeral home.

Myrtle Point president of the fair association, The 1937 event will be held at Myrtle Point, Sept. 15-18 inclusive.

Dog Makes Self Solid
REDMOND, Ore., March 12.—(AP)—W. A. Miller looked at his new "door-sten baby" dog today and was not at all dissatisfied. The stray pup won a home when it followed Miller while the latter plowed a field and dug up his new master's billfold which was lost while Miller was at work.

Back to Finland
PORTLAND, March 12.—(AP)—John Osterman, who chances for a dirty, ragged derelict to a gentleman of means overnight, is going home to Finland.

A few weeks ago police arrested the whiskered outcast on a vagrancy charge and discovered he had bank deposits totaling about \$7,000 and owned several timber tracts on the coast. The municipal judge persuaded him to change his habits and purchase a new and less odorous wardrobe.

Now Osterman has turned his back on the old life and will travel first class to visit his former home.

Norris Offers Court Dispute Solution

Try Both Legislation and Change In Constitution, Senator Advises; Decisions of Justices Criticized
WASHINGTON, March 12.—(AP)—Senator Norris (Ind., Neb.) urged congress today to try both legislative remedies and constitutional amendments to relieve what he called "the present intolerable situation" in the courts.

If those opposing limitations on the power of the courts persisted, he told the senate, it would result "in the pendulum swinging farther to the other side than progress, thinking men and women are advocating at this time."
Without committing himself on President Roosevelt's court bill, Norris listed that and seven other legislative methods for curbing the courts without a constitutional change.

He also listed a series of possible constitutional amendments, any one of which he indicated he would support.
"Our judiciary has not kept pace with human progress," the veteran Nebraska liberal asserted.
"Our judges too often have stood upon the highways of human progress and held aloft 'stop' signs that have impeded civilization in

its triumphant march.
Our forefathers were not laboring under the impression that they were living in an age that had reached the end of human progress.
"And, with due respect to the ability, the honesty, and the wisdom of our judges, I believe it can truthfully be said that many of them are living in an age that is past, and are continuing to construe our fundamental law in a light that has faded, rather than in the sunlight of an electric age."

Much of the senator's speech was devoted to a legal argument that congress by law could require more than a mere majority decision of the court to invalidate legislation.
Unfairness Seen
Asserting that any tribunal, whether judicial or legislative, is "composed of men with all the imperfections attributable to humanity," Norris said:
"It would seem, therefore, not only reasonable but almost imperative that when the supreme court

(Continued on page 3.)

MARTIN PUTS VETO ON JURY MEASURE

Unconstitutional, Declares Governor; T. B. Hospital Bill Is Approved.
SALEM, March 12.—(AP)—Stating the idea of selecting a jury list by lot was "unconstitutional," Governor Martin vetoed today house bill 88 known as the Multnomah county jury measure.

Under the proposed measure, introduced by the Multnomah house delegation, provision was made that "in counties of 200,000 or more population the jury list shall be selected by the clerk of the circuit court and such list be made from persons appearing on the latest registration books of the county," and "the names entered upon such jury list shall be selected by lot from each precinct" in proportion to the registered voters.

The governor stated that under the present law county courts of each county makes a list "containing names of qualified jurors in the county so far as it may be able to ascertain the same from the latest tax roll or registration lists."

The governor objected to the "different method" provided for one county as against the methods in other counties, which he declared was unconstitutional. He added where the constitution "prescribes certain qualifications," such as "the most competent of the permanent citizens," no other law passed by the legislature was valid.

The governor added that no other state in the union permitted jury selection by lot.
T. B. Hospital Approved
In the presence of Mrs. Saldie Orr Dunbar, leader in tuberculosis prevention work, the governor signed the bill appropriating \$110,000 for construction of a state tuberculosis hospital in Portland (S. B. 102). The voters approved construction of such a building outside Marion county when funds were made available more than two years ago. Any state building outside the capital seat must be approved by the electorate.

Mrs. Dunbar wrote a letter to the executive that none of the money would be used until an additional \$30,000 were raised from other sources, either through the federal government or privately. The bill was signed with this understanding.

VETS FROM HERE REACH NEW HOME
LOS ANGELES, March 12.—(AP)—Ninety-five war veterans arrived on a special train Thursday from Roseburg, Ore. to live at the national military home in Sawtelle. Veterans' facilities are undergoing changes at Roseburg, necessitating the transfer.

F. R. QUOTED TO SWAT HIS COURT PLANS

President's Own Words in Book Cited by Wheeler Opposed Idea of More Justices.
WASHINGTON, March 12.—(AP)—Senator Wheeler (D., Mont.) told the senate today President Roosevelt in 1933 wrote in his book "Looking Forward" that to add judges to federal courts "simply adds to the ravages of the disease."

"Because some people now disagree with his proposal and agree with what he said in 1933," Wheeler commented, "they are now thought to be just 'defeatist' lawyers."
"Let the president, when he wrote that book, was right when he said it was unwise to add judges to the bench because it would only add to the ravages of the disease."

Wheeler insisted the supreme court had not been responsible for halting all farm relief remedies, as he said Senator Norris had implied.
"I call attention to the fact that the McNary-Haugen bill, a better way I think than other suggestions since, was not stopped by the supreme court but by a president of the United States," he said. (President Coolidge vetoed the McNary-Haugen bill.)

"No," agreed Norris. "The supreme court did not get a chance on that. They are not to blame because they didn't go wrong there."
His remark brought a titter from the galleries.
"I simply want to say," Wheeler resumed, "that when you add six more men for life, that is not six

(Continued on page 6)

'ONE PLAY' O'BRIEN KILLED IN CRASH

CHICAGO, March 12.—(AP)—John J. "One Play" O'Brien, 31, assistant football and track coach at Notre Dame university, was killed early today when his automobile crashed into a railway viaduct pillar.

O'Brien was en route to his South Bend, Ind., home after a sneaking engagement at Harvard, Ill., when the accident occurred.
He earned the sobriquet "One Play" in 1928 against the Army by catching a 40-yard touchdown pass on his first play of the game to upset the Cadets 12 to 7. The late Coach Knute Rockne pulled him out immediately after the feat.

O'Brien died practically on the anniversary of one of his greatest days.
It was six years ago tomorrow that he hung up a world record, running the 65-yard high hurdles in 7 and 4/10 seconds at the 1931 "neutral" intercollegiate conference indoor track meet at South Bend.

His record lasted but six hours, however, as the same night Leo Sennaman, of the University of Illinois, eloped a tenth of a second off the time at the Big Ten meet held at Champaign.

O'Brien is survived by his widow and three children.

NEW PARTY DRIVE IN OREGON PLANNED

PORTLAND, March 12.—(AP)—A new drive to form an independent political organization in Oregon appeared in prospect today.
Officers of the Oregon commonwealth federation, in a statement saving "in the face of desperate need the legislature has failed us again," called a convention of "Oregon progressives" for April 24 and 25 in Portland.

David C. Epps, Portland, publicity director for the convention committee, said "this proposed convention . . . is the culmination of efforts which date back to the nearly successful gubernatorial candidacy of Peter Zimmerman, Yamhill farmer, in 1934."

Feels Law's Hand, Continues to Fight

WASHINGTON, March 12.—(AP)—Dr. Francis E. Townsend, old age pension leader, received a sentence of 30 days in jail and a fine of \$100 today for contempt of the house of representatives.

When sentence was pronounced by U. S. District Judge Peyton Gordon, the gray-haired Californian said "thank you, sir." His attorney announced the case would be appealed. Justice Gordon continued Townsend's \$1,000 bond, pending the appeal.

Later Townsend issued a statement to the press defending his pension plan and saying "try as they can to imprison me, they can't imprison that idea."

The pension advocate was convicted recently by a district federal court jury on one of the two counts resulting from his walking out of a house committee hearing on the Townsend \$200-a-month pension plan last July.

Elisah Hanson, Townsend's attorney, had asked for a new trial, but Justice Gordon denied the motion today. He imposed the minimum sentence and explained the law required both a jail term and a fine.

"Persecution" Claimed
Townsend charged in his statement that the house committee "had no intention of being fair" in its investigation.
He said "it was functioning for the sole purpose of persecuting me and endeavoring to blacken my character, so that the public would not take my plan seriously."

Another congressional committee, he said, had read statements by F. P. Morgan, the banker, and Richard Whitney, former president of the New York stock exchange, but he declared the committee before which he appeared would not listen to his statement.

"I realized that I, as the representative of millions of people, though they may be poor and needy was not to have the same privilege accorded to me that was accorded to the money bags of the

(Continued on page 6)

REBELS WITHIN 44 MILES OF MADRID

Italian-Aided Drive Shoves Loyalists Back; American Commander Injured.
(Mexico Associated Press)
Beleaguers' shells burst in Madrid again today as an insurgent army, reported by government officials to include 30,000 Italians, pressed toward the capital through Guadalupe province.

Insurgent communiques said Generalissimo Franco's forces battered their way forward in a hard-fought battle to Trujieque, 44 miles northeast of Madrid.

Defense commanders admitted the offensive had reached Trujieque but said their troops were holding there.
The battlefield about the little Spanish town was strewn with bodies and abandoned weapons.
Many prisoners were taken, a Madrid communique said, including two Italian communist officers of a unit called the "Garibaldi battalion."

American Leader Hurt
An American, Robert Meriman, former instructor at the University of California, Berkeley, Calif., and commander of the "Abraham Lincoln" battalion in the government's international brigade, was taken to a hospital at Murcia with critical injuries.

JOHN GOODBOURN PASSES ON AT 85

John Goodbourn, 85, died this morning at 401 Fullerton street, after a long period of ill-health. He was born in the village of Upper Brighthelm, Westchester, England, August 11, 1851, and came to this country with his parents at the age of seven years, the family settling in Edwards county, Illinois.

Mr. Goodbourn was married in 1876, at Browns, Illinois, to Sarah Ann Cowling, who died in 1914. He had made Roseburg and vicinity his home since 1909, with the exception of some three years spent in California.

He was a lifelong member of the Methodist Episcopal church. Surviving are a daughter, Mrs. Fred F. Baum, of Santa Barbara, Calif., and a son, Lawrence E. Goodbourn of Roseburg.

Funeral services will be held at the Roseburg Undertaking company chapel at two p. m. Saturday, March 13, with Rev. S. Raynor Smith officiating. Lawrence Goodbourn will accompany the body to Alton, Illinois, for burial.

Amelia Earhart Ready to Hop Off On Planned World-Circling Flight

OAKLAND, Calif., March 12.—(AP)—Amelia Earhart announced today she planned to start her flight around the world at 5 p. m., either Sunday or Monday, weather conditions permitting.

The first 2,400-mile leg of the flight thus would be made at night and the aviatrix would arrive at Honolulu in the early morning.

Although the big "flying laboratory" plane would start alone at 200 miles an hour, Miss Earhart said she would not open the motors to anywhere near their capacity.

"I am going to save the motors as much as possible," she explained. "I'd rather have them going good over India than to speed

them and wear them out on the first part of the trip."

The flier got a top rating of "A" in a blind flying test after a commerce department inspector went aloft with her.

While plans for the world flight neared completion, Pan-American Airways announced it would start a clipper plane within a week to blaze a new commercial air trail between here and New Zealand.

From here to Hawaii, the route of the clipper and Miss Earhart will be the same, but from Hawaii, the aviatrix heads 1,900 miles southwestward to Howland island while the commercial ship sets a more southerly course for Kingman reef, 1,100 miles away.