

**The Weather**  
Forecast: Unsettled with occasional rain tonight and Tuesday. Little change in temperature.  
Temperature  
Highest yesterday 59  
Lowest this morning 45

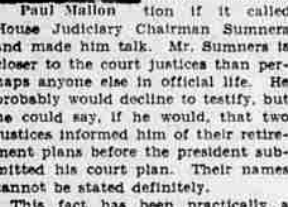
**Find It Pays**  
Keeping a close tab on the classified ads in this newspaper is a daily responsibility of many people. They follow these ads because they find it pays. Take the tip.

Thirty-Second Year

# WAGNER ACT IS UPHELD IN FIVE CASES



**By Paul Mallon**  
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WASHINGTON, April 12.—It may be too delicate a matter to be brought out in the senate hearings, but every insider knows President Roosevelt would have won two or three appointments to the supreme court in June, if he had not submitted his sharp court reorganization program.



The senate committee could get definite information if it called House Judiciary Chairman Sumners and made him talk. Mr. Sumners is closer to the court justices than perhaps anyone else in official life. He probably would decline to testify, but he could say, if he would, that two justices informed him of their retirement plans before the president submitted his court plan. Their names cannot be stated definitely.

This fact has been practically a stage secret in Washington for some time, and has been reported to the White House.

What is not generally known, however, is that the authorities of the new order now have information that the justices feel they cannot carry out their purpose in view of the pressure exercised by the president. If they leave the bench, their departure would have the appearance of surrender.

No retirements now are expected by the president or his well informed leaders.

Note—The names of the justices are not definitely known. Good guesses surmise one was Chief Justice Hughes. He reached the retirement age Sunday and believes, in normal circumstances, justice should retire at 75. Others whose names are frequently suggested are Sutherland and Van Devanter.

The sidetracking of those Nazi and sit-down strike investigations by the house was advertised as a defeat for the leadership. In reality, it was nearly everything except that.

What happened in this Rules Chairman O'Connor went against the wishes of Speaker Bankhead and Floor Leader Hayburn and championed the two investigations. He reported from his committee the resolutions authorizing an inquiry by his friend, Mr. Dickstein, into Nazi activities in the United States and the

(Continued on Page Four.)

**WPA IN BAY AREA RETURNS TO WORK**  
SAN FRANCISCO, April 12.—(AP)—All employees of the WPA in San Francisco and Oakland were ordered back to work today, bringing to an end a strike that was called 12 days ago.

Strikers' leaders and WPA administrators reached an agreement yesterday. The workers gave up their demand for a 10 per cent pay raise. The administration agreed to recommend against any personnel changes outside of Los Angeles, before June 30, end of the fiscal year.

## Government Is Given Sweeping Victory In Labor Relation Suits

WASHINGTON, April 12.—(AP)—The supreme court gave the government a major victory today by upholding constitutionality of the Wagner labor relations act as applied to all business engaged in interstate commerce.

Speculation was stirred immediately as to whether the tribunal's decisions in five cases would affect President Roosevelt's fight for reorganizing the tribunal.

William Green, president of the American Federation of Labor, had described the Wagner Act as "the Magna Charta of labor."

(It guarantees collective bargaining to workmen in negotiating with employers on wages, hours of work and other labor conditions.)

Four of the supreme court's decisions, involving the Jones and Laughlin Steel corporation of Pittsburgh, the Fruehauf Trailer company of Detroit, the Friedman-Harry Marks Clothing company, Inc. of Richmond and the Associated Press, were five to four decisions.

The court was unanimous in the Washington, Virginia and Maryland Coach company case.

Justice Roberts, who has held the balance of power in some five to four decisions, delivered the 5 to 4 opinion upholding the Wagner Act did not violate freedom of the press and could be applied to the Associated Press. He also delivered the unanimous decision in the Coach company case.

Chief Justice Hughes, who was 75 years old yesterday, delivered the opinions in the other three cases. Mrs. Hughes, from a front row seat, listened intently.

The four dissenting justices—McReynolds, Sutherland, Van Devanter and Butler—in an opinion read by McReynolds, contended that the court's rulings in the Wagner cases reversed the view of interstate commerce expressed in decisions outlawing NRA and the Cuffey Coal Act.

Local Character Cited  
In those two decisions, the court said: "The local character of mining, of manufacturing and of crop growing is a fact, and remains a fact, whatever may be done with the products."

A large crowd of sightseers packed the supreme court chamber and extended in a long line down a corridor as the epochal decisions were being read.

The chief justice read rapidly and vigorously, frequently looking up to glance about the chamber.

"Employees," Hughes asserted in the Jones and Laughlin decision, "have as clear a right to organize and select their representatives for lawful purposes as the respondent (steel corporation) has to organize its business and select its own officers and agents."

The question of collective bargaining, upheld by the court in businesses engaged in interstate commerce, has been the major point of dispute in the recent series of sit-down strikes.

Under the decision, the legislation is applicable to all businesses held to be in interstate commerce.

Grand Application  
The ruling holding that a steel company, a trailer company and a clothing manufacturing concern were engaged in interstate commerce, broadened the applicability of the statute far beyond what its opponents contended were the proper boundaries.

The coach company admitted that its activities were in interstate commerce.

In each of the five separate decisions of the national labor board directing the reinstatement of employees who had been discharged for what the government contended were "unfair labor practices."

Justice McReynolds delivered the dissenting opinion in the steel, coach company (trailer) and clothing company cases with Justice Van Devanter, Sutherland and Butler concurring. Justice Sutherland read the dissent in the Associated Press case. The case justices were in the minority in each 5 to 4 decision.

Fundamental Right  
"The right to contract," McReynolds asserted, "is fundamental and includes the privilege of selecting those with whom one is willing to assume contractual relations. This right is unduly abridged by the act now upheld."

"A private owner is deprived of power to manage his own property

(Continued on Page Two.)

**Hungate Is Able Leave Hospital**  
Don Hungate, talent high school youth injured in an automobile crash at Voorhes crossing Saturday night was discharged from Community hospital this morning to return to his home. Hungate sustained a fracture of the left collarbone and bruises and scratches when the car he was driving hit one driven by Corbin Edgell and overturned.

His companions, Keaton Robbins and Richard Meyers were uninjured, as were Mr. and Mrs. Edgell.

## "No Recognition" -- Ford



Truett lead and zinc workers returned to their jobs today in an atmosphere made tense by a bloody week-end in which nine were shot, with leaders of an unaffiliated group announcing determination to "prevent C. I. O. unionization of this territory."

The wounding of eight men and a boy at Galena, Kas., yesterday by gunfire from a headquarters of the International Union of Mine, Mill and Smelter Workers, climaxed a week-end of beatings and floggings and brought this terse statement of plans of the group opposed to the committee for industrial organization:

"All mines and smelters will be open as usual Monday. All men will go back to work.

"We will continue our attempts to prevent C. I. O. unionization of this territory."

Officials said the normal total of men went to work on the midnight shift.

Signed by President F. W. (Mike) Evans, that notice was posted at the headquarters here of the Tri-State Mine, Metal and Smelter Workers' union, which claims 8000 members in this rich mine area of Oklahoma, Missouri and Kansas.

The weekend toll included the flogging of Constable Ray Keller at Rockerville, Okla., in addition to the Galena shooting and the beating of a number of men here.

Announced intention of the C. I. O. through its affiliate, the International Union of Mine, Mill and Smelter Workers to attempt organization in this prosperous district provided the background for the outbreak.

Fort Lewis Convoy Due Here Tuesday For Night's Camp

Everything was reported in readiness at the army today for the overnight encampment tomorrow night of a convoy of the 9th field artillery of Fort Lewis, Wash. The artillery unit is en route to the Presidio in San Francisco with equipment for the 30th infantry regiment which is to march north to Fort Lewis for massed maneuvers.

The convoy is due to arrive here about 5 p. m. tomorrow. It consists of 28 vehicles, two officers and 65 enlisted men. Lieut.-Col. Robert G. Kirkwood, commanding the 9th field artillery will accompany the convoy.

The unit will spend the night in the army. Cots will be set up in the auditorium and field kitchens in the rear of the army. The march south will be resumed at 7 a. m. Wednesday.

The 30th infantry is scheduled to spend the night of April 20 at the fair grounds here.

**Court Probers Stirred By Wagner Act Rulings**

WASHINGTON, April 12.—(AP)—The senate judiciary committee quickly resumed its hearing on the Roosevelt court reorganization bill today when members learned the supreme court was deciding constitutionality of the Wagner relations act.

The court's decision, awaited for weeks, stirred interest among committee members to fever heat. The members hurriedly left the hearing room to learn full details of the court's action.

The recess came while Texas Democratic opponents of the president's plan were testifying it would undermine constitutional liberties and damage the party irreparably.

L. L. James of Tyler, heading the 35 lawyers, merchants, farmers and clergymen brought to the capital petitions, which he estimated contained 25,000 signatures of persons in every section of the state.

"Some of these people say," he declared, "that if this plan goes through, you might as well bring on the purple robes of royalty and make preparations for the coronation."

James disputed assertions by supporters of the bill that the election to the house in Texas Saturday was a test on the issue. Lyndon B. Johnson, backing the president's proposal, won. Two of his rivals had denounced the measure.

"The campaign turned on personalities, not issues," James said. "Furthermore, Johnson had some support from members of the supreme court defense association represented here today."

Senator Logan (D-Ky.) and advocate of the bill, said the election "ought to serve notice on some of those in opposition that they are not following the popular course."

Senator Van Nuys (D-Ind.) said some opponents, like himself, "would rather sacrifice personal ambitions than succumb to a popular movement which strikes at the very fundamentals of our government."

## NINE MEN SHOT IN UNION STRIFE OVER WEEK-END

Beatings, Floggings, Climaxed by Gunfire From Headquarters of Union in Galena — Resume Work

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Dr. C. P. Patterson of the University of Texas called the bill "unconstitutional in spirit and in fact, if not in law, inadequate if there is a court problem, and dangerous as a precedent."

Contending the plan would violate states' rights, he said the supreme court "has already stretched the constitution to the 10th degree in favor of the national government."

"To force it to go further by controlling its powers," he added, "would destroy the court as a judicial body, would make it a party agent, and would lose the nation's respect for it."

"Moreover, it would threaten the integrity of the judicial branches of the 48 state governments, and undermine the political and social order of the nation. In fact, this is already a fait accompli."

Patterson said he had heard talk of revolution unless Roosevelt constitutional concepts prevail, and asked: "Is this propaganda to frighten the American people into accepting a radical change in their constitution by an act of congress dictated by the president?"

"Some people think this would be revolution," he explained.

Patterson advocated a constitutional amendment to fix the court permanently at its present number, nine justices, and set an age or term of service for compulsory retirement of future appointees.

**TURKEYS HOLD ANSWER FOR HOPPER TROUBLE**

WASHINGTON, April 12.—(AP)—Farmers facing an invasion of grasshoppers this year turned today they may be able to turn the pest into a profit by acquiring a flock of turkeys.

A report to the agriculture department from the Pacific northwest said land owners there had controlled the grasshoppers by turning loose turkeys, each of which gobbled up grasshoppers at a rate of 500 to 1000 a day.

C. A. Henderson, Klamath county agent in Oregon, said grasshoppers caused an annual crop loss of \$250,000 each year between 1920 and 1930 while land owners and government spent thousands of dollars for poisoned bait.

**McNary Bill Hit**  
WASHINGTON, April 12.—(AP)—Arthur Newton Paek, president of the American Nature association, criticized today the McNary bill for an inland waterway starting at Lewiston, Idaho, as a potential destroyer of the 1200,000,000 salmon industry of the Columbia river.

**Income Shares**  
Maryland fund: Bid \$9.95, asked \$10.87.  
Quarterly Income: Bid \$18.24, asked \$19.99.

## Ousted A. P. Man In Wagner Case Will Regain Job

NEW YORK, April 12.—(AP)—Morris Watson, now a director for "The Living Newspaper," a WPA project in New York City, said today in commenting on the Associated Press Wagner act decision: "I intend to return to the Associated Press as soon as the labor board arranges the details, and I shall continue to do whatever I can to promote the organization of press association and newspaper editorial workers into the American Newspaper Guild so that they may obtain decent hour and pay standards, which have long been denied them."

**PLANE SCHEDULES TO BE CUT HERE FOR SHORT TIME**

Temporary discontinuance of two airmail schedules out of Medford beginning next Thursday was announced today by Postmaster Frank DeSouza.

A letter from S. A. Ciesler, general superintendent of airmails at Washington, D. C., said the two schedules are being dropped for the time being because the United Air Lines is placing in service the new and much larger 21-place Douglas planes which "it is stated, should not land on the Medford airport for the present."

The full service of four airmail schedules will be resumed on or before May 15, Mr. Ciesler informed Mr. DeSouza.

Under the new temporary schedule trips 6 and 3 will be maintained. Trip 6 is southbound and leaves the airport at 12:00 a. m. Trip 3 is northbound and leaves at 5:54 a. m. Mails close at Medford postoffice 45 minutes before plane departure time.

The northbound plane now leaving here at 3:10 p. m. and the outbound plane leaving at 10:34 a. m. will be discontinued under the temporary arrangement. The planes coming into the Medford port will be the present 10-place Boeings.

A revised schedule issued today by the United Air Lines made no reference to a resumption of four Medford schedules daily.

While no official statement was issued, it was the general understanding that the company is of the belief that the present runway at the mu-

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**ENGLAND MOVES TO PROTECT SHIPS**

By the Associated Press  
Great Britain ordered her mightiest men-of-war to the Bay of Biscay today to protect British shipping in the high seas against Spanish insurgent vessels blockading Spain's north coast.

As the huge battle cruiser Hood, most powerful warship in the world, neared the blockaded waters, another British war vessel raced to the rescue of a merchantman reported "detained" by the insurgents. Shipping circles later said, however, the report probably was only a confusion of names.

The British cabinet hurriedly called Sunday session decided on the reinforced naval guard in the Bay of Biscay but refused to guarantee protection to British food ships entering Spanish territorial waters. The insurgents are attempting to prevent food from reaching the beleaguered city of Bilbao and have declared provisions cargoes will be regarded as contraband.

More than 3,000 government troops were estimated to have been slaughtered west of Madrid in a surprise attack against the right flank of the government army.

**Vancouver Airmail Unhurt In Smash**

LA GRANDE Ore., April 12.—(AP)—Frank Gilbert of Vancouver, B. C., escaped injury late yesterday when he was forced down in the Blue mountains 40 miles north of here.

He was en route to Toronto from Vancouver in a low-winged Aeronca plane. The plane landed in soft ground and overturned, breaking a propeller and inflicting minor damage. Gilbert will continue the trip as soon as repairs can be completed.

**WAGNER TO BROADCAST TONIGHT ON DECISIONS**

NEW YORK, April 12.—(AP)—Senator Robert F. Wagner, author of the Wagner Labor Relations Act, will speak tonight on the radio at 8 o'clock (E.S.T.) on the "The Supreme Court's Decision on the Wagner Relations Act."

The address will be broadcast over the National Broadcasting company.

## APPLAGATE DEATH IN AUTO ACCIDENT PROBED BY POLICE

Joe Tole, 51, Hopyard Employee, Dies After Fall From Car After Dance — Principals Hazy on Details

The state police and sheriff's office today investigated circumstances surrounding the death of Joe Tole, 51, hopyard worker, last Saturday night following a fall from an auto, driven by Howard Gibson, Applegate district resident. District Attorney Frank J. Newman said an autopsy would be held today to determine the cause of Tole's death.

The accident occurred about 11:30 p. m. on the Missouri flat road, a short distance from its intersection with the main Applegate road.

The state police report stated that Tole had sustained cuts about the head, bruises of the face and head, and "possibly broken ribs." There were no body bruises the report said.

Gibson, in a statement to state police, said he and his wife, and Earl Gibson, 26, a brother, attended a Grange dance at Applegate Saturday night. About 11:30 o'clock they left for home in a Chevrolet coupe, the brother riding in the "turtle back" and Gibson and his wife in the front seat. About 75 yards up the Missouri flat road, Gibson stated his brother called and said "something had fallen from the car." Gibson stopped the car and an investigation revealed Tole groaning beside the road. The brother ran to the dance-hall for aid. Tole later was taken to a Grants Pass hospital, where he died. The accident occurred in Jackson county, and Tole's body was brought here yesterday.

Hazy On Details  
Neither Gibson, his wife, or her brother, had a clear recollection of when Tole had boarded the auto, according to the statement, which further said there had been considerable drinking. Sheriff Brown said Gibson, his wife, and Tole, were riding in the front seat, when the accident occurred. Gibson in his statement, said he and his wife were talking, and he did not recall Tole getting into the car. The brother said he thought Tole embarked at the dance hall, "but am not sure of it."

Authorities said if the autopsy justified, an inquest would be held. Tole was employed at the Clute hopyards in the Applegate district, and his mother, by the name of Frances, first name unknown, resides at Kearney, Neb.

The state police and sheriff deputies journeyed this morning to Applegate district for an investigation.

**S. P. BROTHERHOODS SET THURSDAY FOR CALL TO WALK OUT**

SAN FRANCISCO, April 12.—(AP)—District officials of two railroad Brotherhoods of Labor set Thursday night as the tentative time for a possible strike call on Pacific lines of the Southern Pacific company.

C. V. McLaughlin, speaking for the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Trainmen, said a committee of 60, representing all divisions on the lines, would meet here tomorrow to determine definite action.

He said results of a strike vote would be sent to national officers of the brotherhoods at Cleveland, Ohio, and that the Southern Pacific would then be notified.

"The strike will probably be called Thursday night," he stated in announcing that final returns from 8,500 members of the two unions showed 98 per cent in favor of a strike.

Railroad officials and a federal mediator, however, discounted likelihood of a walkout, at least until further mediation has been tried.

**Labor Federation Demands 3 Million Be Provided Jobs**

WASHINGTON, April 12.—(AP)—A demand from the American Brotherhood of Labor for falling short by at least 1,000,000 jobs of providing for the unemployed.

"In planning for the 1937-1938 federal budget, we must recognize that the present federal works program is inadequate," he said.

## SIDE GLANCES

by TRIBUNE REPORTERS

A crowd of the curious melting away at the scene of a minor car bump upon arrival of Ray Sloneker with full authority of the law to open plugged traffic lanes.

The three busy bees of the chamber of commerce, Banwell, Boardman and Holt, busy trying to keep warm upon the recurring disruption in the chamber's seating plan.

Employees unable to find Janie V. (not Veronica) Smith among the tractors, bulldozers, trail-builders, bladders, hose carts, spare parts and other paraphernalia at the forest warehouse when an urgent phone call came for her.

Don Mace lingering in town long enough to catch his breath before embarking again on a round of the far-flung CCC camps of the Medford district.