

The Weather
 Forecast: Unsettled to night and Tuesday. Probably with showers. Cooler Tuesday.
TEMPERATURE
 Highest yesterday—57
 Lowest this morning—50

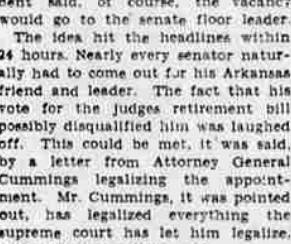
When in Need
 of something—first read the Classified Ads and if this "something" is not listed try advertising. These little ads are widely read and they DO produce splendid results.

Thirty-Second Year MEDFORD, OREGON, MONDAY, MAY 24, 1937. No. 54.

AGE PENSION, JOB INSURANCE UPHeld



News Behind The News
 By Paul Mallon
 Copyright, 1937, by Paul Mallon.
 WASHINGTON, May 23.—The story behind the Robinson boom on the supreme court is one on President Roosevelt.



A Republican senator started it. He told his news friends very confidentially that Senators Harrison and Byrnes had been up to see the president the preceding afternoon.

The idea hit the headlines within 24 hours. Nearly every senator naturally had to come to his Arkansas friend and leader. The fact that his vote for the judges retirement bill possibly disqualified him was laughed off. This could be met, it was said, by a letter from Attorney General Cummings legalizing the appointment. Mr. Cummings, it was pointed out, has legalized everything the supreme court has let him legalize, and a few other things, too.

Everything was fixed. The senate promised to confirm the appointment swiftly, without debate. Everyone said the appointment was in the bag, that is, everyone except Mr. Roosevelt. Apparently he did not know anything about it except what he read in the newspapers.

This does not mean the president will fail to make the Robinson appointment, but only that the senate has been subtly trying to locky him into a position where he could not select anyone else.

The constitution says the senate shall advise and consent to supreme court nominations, but, in this case it seems that the senators are putting the emphasis on "advise" for the first time in history. What makes them so enthusiastic is the hope that they can thus prevent Mr. R. from nominating one of his friends, Prof. Felix Frankfurter, Judge Rosenman or someone like that.

Mr. Robinson, they know, is the best they can hope to get out of the president. He used to be a conservative, but he has gone down the line for everything the president wanted and represents the president's legal and executive attitude in its mildest and best form.

NEW DEAL SCORES MAJOR WIN IN 5-4 COURT DECISION

Final Rulings On Social Security Provisions to Come—No Surrender of State's Powers Says Cordoza.

WASHINGTON, May 24.—(AP)—The administration prized social security legislation, intended to protect workers against another depression, and to provide for them in old age, emerged unscathed today from its constitutional test by the supreme court.

In epochal decisions, the tribunal sustained provisions of the federal measure providing unemployment insurance and old age pensions. It then upheld state unemployment compensation laws to supplement the federal act.

This major administration victory came in a close 5-4 decision in the litigation before the high tribunal this term. Promptly some opponents predicted that it meant defeat for President Roosevelt's program to put "new blood" in the court.

Administration supporters, however, refused to concede the fight. WASHINGTON, May 24.—(AP)—The supreme court held constitutional today the unemployment insurance provisions of the social security act. Justice Cardozo delivered the majority opinion which affirmed a ruling in favor of the legislation by the fifth circuit court of appeals and gave the administration another major victory.

Justice Butler, McReynolds, Sutherland and Van Devanter—four of the nine justices—objected to at least part of the majority opinion. The final rulings on validity of supplementary state legislation and on provisions of the social security act providing old age pensions were yet to come.

Court Pack Speculation. Speculation immediately began on Capitol Hill as to what effect the administration victory would have on President Roosevelt's proposal to reorganize the tribunal. Opponents of the plan predicted that it would be defeated. Proponents contended just the opposite.

"The statute," Cardozo asserted, "does not call for a surrender by the states of powers essential to their quasi-sovereign existence." It was the 67th birthday of the junior member of the court in point of service.

Death Comes to John D. Rockefeller, Sr., at 98

High Points Of Cardozo Opinion On Age Security

WASHINGTON, May 24.—(AP)—The supreme court, in momentous decisions, held constitutional today the unemployment insurance and old age pension provisions of the social security act.

Justice Cardozo delivered both opinions on the top-ranking administration legislation intended to care for the future jobless and cushion the nation against another depression.

Speaking for himself and six other justices in ruling on the old age pension section of the security law, Cardozo said: "The problem is plainly national in area and dimensions. Moreover, laws of the separate states cannot deal with it effectively. Congress, at least, had a basis for that belief."

"States and local governments are often lacking in the resources that are necessary to finance an adequate program of security for the aged." "This is brought out with a wealth of illustration in recent studies of the problem."

"A system of old age pensions has special dangers of its own. If not in force in one state and rejected in another, the existence of such a system is a bait to the needy and dependent elsewhere, encouraging them to migrate and seek a haven of repose. Only a power that is national can serve the interests of all."

"Even if they were collected in the hope or expectation that some other and collateral good would be furthered as an incident, that, without more, would not make the act invalid."

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GOVERNOR NAMES REX PUTNAM AS HEAD OF SCHOOLS

Albany Educator to Act As Superintendent Public Instruction Till 1938 Vote.

SALEM, May 24.—(AP)—Governor Martin announced today the appointment of Rex Putnam of Albany as state superintendent of public instruction. He will succeed Charles A. Howard, who resigned recently to become president of the eastern Oregon Normal school at LaGrande.

Putnam's name was selected from those of 18 Oregon educators who had been applicants for the position which pays \$4000 annually. Putnam, a Democrat, is 47 years of age and has been head of the Albany schools for the past five years.

In announcing his appointment Governor Martin declared that "it was apparent from both the volume and character of the recommendations received that Putnam was the overwhelming choice of the Oregon teaching profession."

The governor stated further letters, telegrams and telephone calls had been received from all sections of the state urging Putnam's appointment. He said he had received more than 700 letters urging the selection of various candidates, including Putnam.

Putnam was born at Buffalo Gap, South Dakota, June 7, 1890, and was educated in the public schools of South Dakota. In 1913, he graduated from the South Dakota Normal school and moved to Oregon, where he attended the University of Oregon from 1913 to 1915, receiving a degree of bachelor of arts in education.

His first school was at Springfield, Oregon. He taught two years in Salem, five years in Tacoma, Wash., and then came to Redmond, Oregon, in 1923 where he was superintendent for five years.

Since 1932 he has filled the position of city superintendent of schools of Albany. Of his 22 years of school work, 17 years have been spent in Oregon and the last 14 as an administrator in Oregon schools.

Kick of She-Hog Cripples Butcher; A Rare Accident

TILLAMOOK, May 24.—(AP)—A female hog's kick in the shin had John Burns, butcher and stockman, walking on crutches today.

Burns, who has roped steers and bucking capuses most of his life without ever receiving a scratch, has a leg swollen almost from his knee to his ankle.

Never having heard of a hog kicking a man, Burns was killing in a slaughter house when the female, suspecting she would be next, led with a heavy boot to the shin.

AUNT ANNOUNCES BIRTH OF THIRD SON TO LINDBERGH'S

Event On May 12, Coronation Night, at English Retreat—Secrecy Envelops Stork's Coming.

CLEVELAND, May 24.—(AP)—The birth of a third son to Col. and Mrs. Charles A. Lindbergh—on coronation night, May 12—was announced today by Miss Anne S. Cutter, Mrs. Lindbergh's aunt.

The baby presumably was born in the rambling English house, "Longbarn," Sevenoaks, Kent, in which the Lindberghs have sought solitude for more than a year. They fled there in December of 1935, before Bruno Richard Hauptmann died in the New Jersey electric chair for the kidnap murder of Charles Augustus Lindbergh, Jr., their first-born.

Secrecy just as deep as that which surrounded the Lindberghs' departure from New York enveloped the home in Kent. All inquiries—some of them from the colonel's best friends in the United States embassy in London—were turned aside.

Reports reaching the embassy, however, indicated Mrs. Lindbergh's health was good. The baby's name was not known. The parents have six weeks from the date of birth in which to register the fact in Kent.

Col. Lindbergh and Mrs. Lindbergh returned home April 9, about a month before the baby's birth, from a ten weeks' aerial tour of Europe and the east.

EDWARD CARLTON CHOSEN FOREMAN NEW GRAND JURY

Death of Boy Bicyclist in Auto Crash Said Under Consideration.

New term of Jackson county circuit court began today, first item of business being the selection of a grand jury.

The jury comprises Edward W. Carlton, Central Point, orchardist, foreman; Warren Coppock, Gold Hill, painter; Cecil C. Clemens, 203 Vancouver avenue, farmer; Nellie Reed, Gold Hill, housewife; Bruce P. Fleming, Jacksonville, orchardist; J. M. Lively, Gold Hill, owner of the Lively lime works; and Alice Chase, Central Point, housewife.

The grand jury immediately began consideration of several pending matters. It was understood that attention would first be given to the case of Nelson E. Cannon, 23, of 1122 Sunset avenue, who is being held on an open charge as the result of the death of Francis L. Heryford, 16-year-old Medford high school student. Cannon was the driver of a car that struck the boy as he was riding a bicycle on North Riverside avenue April 29.

The grand jury was also expected to investigate the death of Joe Tole, 51, hopyard worker who died from injuries sustained in a fall from a car in the Applegate district on the night of April 10.

Cannon is held in the Jackson county jail in lieu of \$2500 bail. He served ten days for driving without a license. A coroner's jury held him responsible for Heryford's death.

Portland, May 24.—(AP)—The state liquor control commission, following recommendations of its newly created enforcement division, suspended 20 beer and wine licenses today and denied 20 applications for licenses.

The commission revoked the license of Rudolph V. Backlund, Eugene, on a charge he permitted hard liquor to be consumed in his beer shop. A resolution was passed to suspend all wholesale,inery and brewery licenses who have not filed their bond by June 7, the suspension to remain effective until bond is provided.

F.D.R.'s Message on Wages and Hours, Praised; Flouted

WASHINGTON, May 24.—(AP)—Congressional reaction to President Roosevelt's message proposing the new wage and hour legislation ranged today from the highest praise to outspoken condemnation.

Senator Guffey (D., Pa.) said he was "wholeheartedly in sympathy with the methods and purposes outlined in the president's message."

Senator Norris (Ind., Neb.) characterizing the message as "very fine," said "that it is one of the things we have got to do to get rid of unemployment."

On the other hand, Representative Taber (R., N. Y.) said: "It is another attempt to regiment the people and throw thousands out of employment. When the president's plan is thoroughly understood, it will be recognized as one of the administration's most reactionary proposals."

His physician, Dr. Harry L. Merrydew, attributed death to sclerotic myocarditis, a hardening of the heart muscles.

The nonagenarian Croesus, who rose from a \$4,500-a-week clerk to mastery of a fortune estimated as high as \$2,400,000,000 died a comparatively "butcher man" in sclerotic myocarditis, a hardening of the heart muscles.

Long ago, since his retirement from active business at the age of 37, he had turned the bulk of his fabulous riches over to his only son, John D. Rockefeller, Jr., or spread it in philanthropic endowments to the far ends of the earth.

In his life-time, out of the golden torrent that gushed him the soubriquet of the greatest "money titan" in all history, he had given away the amazing sum of \$530,850,000. Other gifts by his son raised the total to more than \$700,000,000.

PEACEFUL END IN FLORIDA HOME TO 'MODERN CROESUS'

'There, That's Better' Last Words World's Greatest Giver—Hope to Live a Century Unrealized.

ORMOND BEACH, Fla., May 24.—(AP)—With only members of the household and a few old friends present, a brief funeral service was held today for John D. Rockefeller, Sr., who died at his winter estate here Sunday.

His favorite hymns were sung and the Rev. James N. Anderson, pastor of the Calvary Baptist church at Daytona Beach, read from the scriptures. After the services it was announced the 97-year-old philanthropist's body would be taken from Ormond in a private car at 5 p. m. The car, attached to a Florida East Coast Railway train, will go to the Rockefeller estate at Pocantico Hills, N. Y., arriving there Tuesday afternoon.

(By the Associated Press) ORMOND BEACH, Fla., May 24.—John D. Rockefeller, Sr., the founder of the world's greatest "dollar dynasty" lay still in death today—just 26 months short of his cherished desire to live to be 100.

He would have been 98 years old July 8. The aged capitalist died Sunday morning at 4:05 o'clock E. S. T., at his winter home, "The Casements," drifting peacefully off to his final sleep after complaining that he felt "very tired."

His physician, Dr. Harry L. Merrydew, attributed death to sclerotic myocarditis, a hardening of the heart muscles.

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WALLY AND DUKE REHEARSE UNION

MONTE, France, May 24.—(AP)—Wally Warfield and the Duke of Windsor practiced getting married today and then announced they had abandoned any plan for a honeymoon cruise.

Dr. Charles Mercier, the mayor of Monte, spent two hours in rehearsal with the man and woman he will marry June 3.

He came bustling to the chateau and told his attentive listeners where to stand and how to answer the questions he will ask in French.

Founder of 'Dollar Dynasty' Passes Peacefully in Coma



Here Rockefeller is pictured in varying moods. From left to right, he laughs at a joke; he appears serious and kindly; he is alert; he pores over his studies. (Associated Press Photos)

NEW YORK, May 24.—(AP)—John D. Rockefeller, Sr., was the son of William Avery Rockefeller, a gentel, easy-going farmer and peddler of medicines, with a reputation as a first rate horse trader. John Davison Rockefeller was born in a farmhouse in Richford village, Tioga county, in the Finger Lake region of upper New York state, July 8, 1839.

Report Gosslin To Quit; Go New Berth

PORTLAND, May 24.—(AP)—A report that W. L. Gosslin, private secretary to Governor Martin, would resign to be transferred to another state department within six weeks was published yesterday in the Oregonian which said his position would be left vacant, his duties to be taken over by Mrs. Margaret Langan, chief stenographer in the executive department.

BOSTON, May 24.—(AP-USA)—

Quotations in the wool market held close to last week's levels today, although mills showed little interest in making purchases.

SIDE GLANCES

by TRIBUNE REPORTERS

H. C. Obye neglecting to keep a 4 a. m. appointment to watch Admiral West catch the limit of trout, the admiral proceeding to snag the limit without benefit of a witness.

The Rev. Oscar Gibson, former Medford pastor, describing the glories of pastures new in California.

George Green, Ashland publisher, confining his Medford quaffing to cokes, he being used to the numerous mineral waters of the Illinois City and apparently having doubts about the parking qualities of the H2O here.

Little Robbie Semon requesting a ride on a wild carnival contraption and coming out rather badly shaken up but gamely answering "it's all right" when asked his opinion of the whirling, although lacking in the enthusiasm with which he began the venture.

Velma Severson catching her first fish and beating the veteran Bob Gilstrap in a spirited contest at Fish Lake.

Lockjaw Victim Improves. Condition of Trilla Ferns, nine-year-old victim of lockjaw, was reported today as greatly improved and she is believed to be out of danger. She has been critically ill at the Sacred Heart hospital for the past two weeks following infection of a slight skin abrasion, suffered in a fall. She is the daughter of Mr. and Mrs. Archie Ferns of Fern Valley.

BASEBALL

American	R	H	E
Chicago	5	9	3
Boston	9	14	0
Rigney, Dietrich and Sewell, Renshaw; Walberg and Desautels.			

R. H. E.	
St. Louis	8 14 2
Philadelphia	6 13 0
A. Thomas, Knott and Hemaley; Nelson, Caster and Hayes, Brucker.	

R. H. E.	
Cleveland	0 6 0
New York	14 16 1
Andrews, Hudlin, Heving, Brown and Pytak, Sullivan; Chandler and Dickey, Glenn.	

R. H. E.	
Detroit	3 10 1
Washington	1 7 1
Lawson and Cochrane; Newsom and Millie.	

Hard Liquor Sales For Quarter Higher

SALEM, Ore., May 24.—(AP)—Sale of hard liquor in state owned stores and agencies nearly reached the \$2,800,000 mark for the first four months of this year, the report of the commission showed. The gross of \$2,483,744 was a slight increase over the first four months of last year.

April sales totaled \$632,288, with a net profit of \$121,857. Receipts of the license division were \$13,826 and from the privilege taxes \$63,005.

Electric Co-Op Files. SALEM, May 24.—(AP)—The federation of cooperative electric distributors filed articles of incorporation with the state department to create consumers societies to purchase, generate, produce and sell electricity and electric appliances.

Start Highest Dam. BONNEVILLE, May 24.—(AP) Work on the highest lock gate ever made, the 102-foot downstream gate of the navigation lock at Bonneville, was to start today. Capt. Colby M. Myers, resident army engineer at the dam, said.