

Vital Question of State's Rights At Stake in Cowlitz Controversy

Olympia—(U.P.)—A vital question of state's rights appeared to be at stake in the Cowlitz river dams controversy, although the fish-versus-kilowatts struggle has been more prominent in the legal arguments of the dispute.

The state's rights question is whether a subordinate subsidiary of state government, such as the city of Tacoma, has authority to condemn state property outside the city's boundaries.

Authority Claimed
That is what the city would have to do to build its proposed Cowlitz dams at Mayfield and Mossyrock. The city claims it has such authority from the Federal Power Commission under terms of the federal power act.

"This is a case of the tail trying to wag the dog," said the attorney for the state, which is attempting to assert its rights as superior to those of one of its component parts—the city of Tacoma.

A state fishery, state highways and some state land would be inundated by water behind the dams, if they are built. To get that land, the city would have to condemn the state property under rights of eminent domain.

The state argues that the city does not have such rights outside the city limits, where the dams are located. The city said such condemnation would not be indiscriminate, but would be orderly and the state would be treated properly.

"That's not the point," argue attorneys for the state. Since when does the federal government get the idea it can authorize a city to overrule its superior?" they ask.

"Since the federal power act was passed," answers the city. The city claims that in the case of the Cowlitz dams, the city, just as any licensee, can go ahead with the project under terms of the FPC permit, regardless of state laws.

The FPC has power to deter-

mine who shall build dams on navigable streams or water the city claims in pointing to such a ruling by the State Supreme Court last year on the Cowlitz controversy.

Valid License Ruled
The high court ruled then that Tacoma had a valid license to build dams under terms of the federal power act and FPC permit.

But the dispute in point has

not been decided by the high court, according to the state. The federal government may have jurisdiction over navigable waters, but it doesn't have jurisdiction over state highways, and state property that would be flooded by the waters behind a dam, the state maintains.

It is this point of state's rights that attorneys believe the proposed Cowlitz river dams dispute will be decided.

On The Side

By E. V. Durling

(Distributed by King Features Syndicate, Inc.)

"There are now over 4,500 hotels and motels in the United States that welcome guests with dogs. If you are planning to take a trip across the country in your elegant motor car you don't have to leave your dog in a kennel. Incidentally, there are 40 hotels in Manhattan that welcome dogs. These include some of the finest hotels in town. In Los Angeles only some of the smaller hotels welcome the pups. However, the best hotels in Beverly Hills don't bar dogs. They are welcome at such world famous hostels as the Beverly Hills Hotel, Beverly Carlton and the Bel Air. All hotels in the USA welcoming dogs are listed in that guide titled "Touring with Towser."

Passing By
William Haines. Cinema star of the silent film era. If you recall him starring in the film version of "Brown of Harvard," I may be able to get you into the young old timers association. Haines is now one of the country's leading interior decorators.

Says He
"What's all this about the overworked housewife?" writes a Detroit husband. "Last summer I took charge of our 2½ year old daughter and 5 months old son and performed every duty handled usually by our allegedly overworked females from washing, cleaning, ironing to all other operations of keeping house. This was done besides working 40 hours a week in a gas station. While doing housekeeping and handling the child care I had plenty of time to watch TV and talk with neighbors. I would change jobs with my wife anytime. Housekeeping is a cinch."

Please Note
New Yorkers get their best break in the drink and food line at their neighborhood pubs and restaurants. The purveyors of refreshment operating that type of bar depend on a steady trade. They go all out to please their clientele. Many Broadwayites and fellows from other so-called sophisticated sections are patronizing some of the picturesque bars along Third ave. The quality is good, the prices are reasonable and the atmosphere is interesting and amusing.

Asking
Queries from clients. Q. Have you readers in Faith (S.D.), Hope (N.D.) and Charity (Mo.)? A. Not that I know of. But give me time I'm just a young fellow. Q. Has there ever been a woman jockey riding regularly at major race tracks? A. A young woman named Judy Johnson rode in hurdle and steeplechase races at the New York tracks. She is now a trainer of jumpers. Q. You said Harry Fox was teamed with the Dolly Sisters. You should know it was the Miller-Sisters. A. Harry Fox was,

at different times, teamed with both the Dolly Sisters and the Miller-Sisters.

Horses and Women
"In grandma's day the stockings worn were heavy and black." So I note it said. The reference would be more apt if it read "Great-grandma's day." When the majority of today's grandmas were whistle girls they wore silk stockings that might have been black but were not so heavy. Whether or not silk stockings had more appeal than nylons is open to discussion. Ask your grandpa.

Injuries
My right arm I injured playing football. A "glass arm" resulted, handicapping my baseball efforts. In baseball I broke four fingers. But how do you think I recently put my left arm temporarily out of business? Why, sir, operating a typewriter. I thought I had a cold in my arm but a discerning man of medicine determined the cause as aforementioned. My chair was too low; too much reaching up. Too much use of left arm in spacing. He said many users of typewriters suffered similarly.

Steel Producers Pare Allotments

New York — (U.P.) — Steel producers, caught "flat-footed" by the continued strength of the market, are wielding a heavy pencil on customer allotments in a "desperate" effort to restore order, Iron Age said today.

"Both old and new customers are getting the treatment," said the national metalworking weekly.

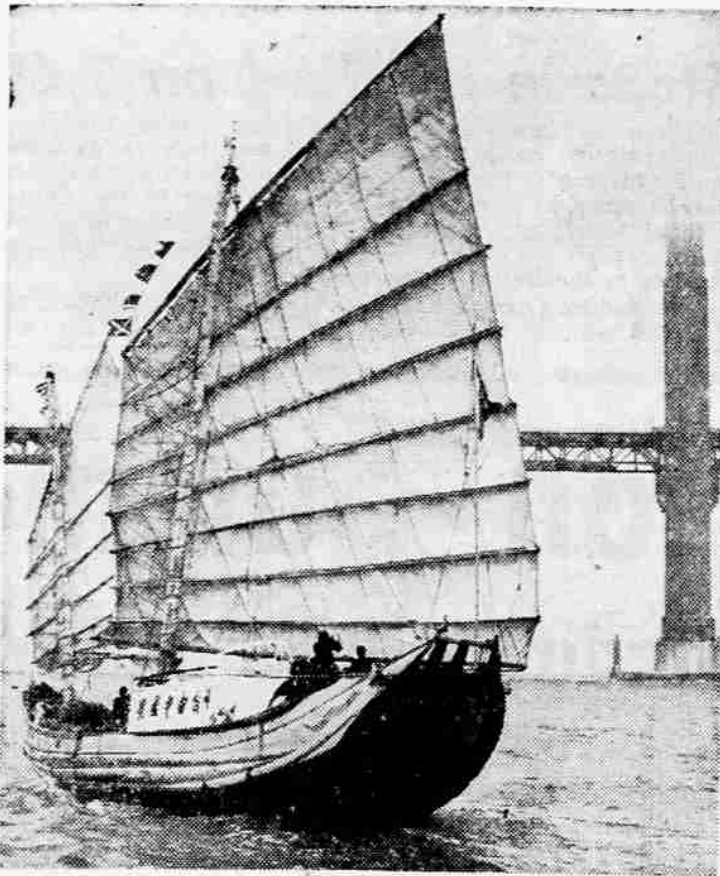
Meanwhile, the mills are going through one of the worst periods in recent years from a production and customer relations standpoint.

Iron Age said steel companies thought the market would ease during the summer, but, instead, are finding incoming orders still 10 to 15 per cent ahead of capacity.

In addition, it said, producers were hit by a short-lived strike, a maintenance problem of major proportions, a record breaking heat wave and summer vacations in their own shops.

"The ingot rate, since the strike, has reflected the cumulative effect of these problems," said the magazine. Operations this week are scheduled at 89 per cent of capacity, while last week the mills produced only 88.5 per cent.

A cow pumps an estimated 400 pounds of blood through her udder for every pound of milk produced.



LAND HO!—The 70-foot, 30-ton junk "Free China" nears the log-shrouded Golden Gate Bridge, entrance to San Francisco Bay, after a 112-day journey from Taipei, Formosa. With a crew of five Nationalist Chinese and Calvin E. Mehlert of Fresno, Cal., U. S. vice consul at Taipei, the ship made the long voyage with sails her only means of power.

In and Around Eagle Point

Eagle Point — Mrs. Gertrude Stanley was hostess to 32 members of Central Point Garden club at her home on Nichols branch Friday, Aug. 5.

Mrs. A. E. Crance of Eagle Point attended a family reunion at Prospect the last week end in July, at which there were five sisters and two brothers and families. One sister, Mrs. Crance had not seen for 21 years, making it a doubly happy occasion for the two. At the family dinner on Saturday evening there were 30 present.

John Robertson, Eagle Point, is recovering from a serious operation he recently underwent in a Medford hospital.

Mrs. C. H. Davis, Mrs. Violet Bilson, Eureka, Calif., and Mrs. Bilson's sister, Mrs. Edwina Johnston, Hollywood, Calif., were callers on Mrs. Orvil Henderson Thursday, Aug. 4. The three were staying in Ashland and attending the Shakespearean festival, but returned home Sunday.

The opening of the Klamath Stockmen's Commission company yards at Klamath Falls was held Tuesday, Aug. 2, and was a success, with something over 800 head of cattle being sold during the first day. Bertrand Stanley, son of Mrs. Gertrude Stanley, is one of the owners and until about a year ago lived on the family ranch on Nichols branch, until moving to Ft. Klamath where he and family are living on their ranch.

Mr. and Mrs. Roy Ashpole returned home Aug. 7 from a trip to Yellowstone park. They reported hot weather in each state they were in including Montana, Idaho, Utah, Nevada and California. Also that they had seen no place comparable to Oregon.

Mr. and Mrs. O. D. Gosnell, Mr. and Mrs. Dee Coons and Mr. and Mrs. "Pres" Preston of Roseburg were guests of Mr. and Mrs. Orvil Henderson, the week end of July 29, to attend Mr.

and Mrs. Henderson's silver anniversary observance on Sunday, July 31, when friends dropped in throughout the afternoon to congratulate and wish them many more happy years together. The couple also received many beautiful gifts along with the good wishes.

Mrs. James Hannaford is recovering at home from a fractured hip she sustained about three weeks ago, when she fell.

GRANGE

The Gold Hill Grange held its regular meeting Thursday, Aug. 4, with Master Herman Kamping in the chair, with 28 members and 6 visitors present, including the McKays from Shady Cove, the Denmore of Gold Hill and an out of state visitor from Idaho. Mrs. Blanche Edgerton and children.

The pictures shown at the lecture hour, were enjoyed by all. The report on the rummage sale was that every thing was in order, and the sale would be held at a very early date.

The Grange picnic will be held Aug. 28 at Roxy Ann.

The Grange closed with the retiring drill.

The next serving committee will be the Jinks, Lenox, and Bichels.

Administration Opposed To State Veto Over Government Projects

By A. ROBERT SMITH
Mau Tribune Correspondent

Washington—The Eisenhower administration is opposed to legislation introduced in Congress that would give states the power to veto federal approval of dams on intrastate rivers, such as the Pelton project on the Deschutes river in Oregon and the Cowlitz river dams in Washington.

Portland General Electric Co. has been given the green light by the Supreme Court to build the Pelton dam, despite objections to it by the state of Oregon; and Tacoma City Light has been given lower court approval of its two dam plan for the Cowlitz, which the state fought.

In both instances, the courts ruled that the approval of the Federal Power Commission, granting the utilities 50-year licenses, was sufficient to permit construction of these controversial projects which had been long opposed by fishing groups.

Since the Pelton ruling of the high court in June, it has been suggested in some quarters that Congress amend the federal power act so as to give states the right to decide, in addition to the FPC decision, whether the projected dam on an intrastate river was in the public interest.

But the Interior Department, the FPC and the Budget Bureau have all come out against such a bill, which is pending in the House. Sponsored by Rep. Byrnes (R-Wis.), the measure provides that if a dam is to be built "entirely within the boundaries of one state, and if the state requires that a permit or license be obtained for the construction and operation of such dam, no license shall be issued by the (Federal Power) Commission for the construction of the dam unless the applicant has first received from the state a permit or license for its construction."

In a report sent to Congress but never made public, the Interior Department came out against the bill on these grounds: "1. It would jeopardize the principle of unity in river-basin development.

2. It would put two agencies, one federal, the other state, in a position to veto each other's actions and thus would thwart or impede the full development which is so badly needed.

3. It's very terms, with respect to licenses and conditions, though they are (we believe) properly to be read as not permitting the states to condition their grant or refusal of a license on terms contrary to those re-

quired or authorized by the federal power act, could be provocative of litigation to resolve this question."

Interior's report was signed by Assistant Secretary Fred G. Aandahl.

The FPC objected because "the bill proposes abandonment of comprehensive water-development policies first enacted by Congress in 1920 after years of debate and proposes a return to narrow concepts of such development completely controlled by state authorities."

"Instances in which state laws conflict with a federal license," the FPC went on, "would unquestionably be resolved in favor of the state under the amendment proposed in this bill. To subordinate federal control to state regulation in this fashion is undesirable and inconsistent with the plan for the most effective regulation in the public interest of water-power development as it was originally conceived by the Congress and provided for in the federal power act."

The Budget Bureau, which clears administration policy on legislation, said it "concurs in the views of the Department of the Interior and the FPC and recommends that the bill not be enacted."

The House Interstate Commerce Committee, to which the bill was referred, took no action on it and made no plans for later action when Congress reconvenes.

With no change in the laws apparently in prospect soon, another such state vs. federal case is brewing in Oregon with the

announcement by the Coos-Curry Electric Co-op that it plans going ahead with its proposed dam on the Illigou river. The state hydroelectric commission has turned down its application, but the FPC has granted it a preliminary permit for the project.

Bonn, Germany — (U.P.) — Author Thomas Mann was elected to the German Cultural Order Tuesday in recognition of his contributions to German literature. The German - born novelist now is a U.S. citizen and lives in Switzerland.

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County's Evacuee Quota 33,000

Jackson county would be called upon to handle about 33,000 evacuees from Portland in the event of an atomic attack on that city, according to figures released this week by the Oregon Civil Defense agency.

Mobile teams from Jackson county would report to the staging area at Aurora. Types of mobile support teams which would make use of staging areas include emergency welfare, rescue, first aid, medical hospital, public health, fire and police.

Following an enemy attack on Portland all mobile support teams from throughout the state would report to staging area before receiving specific assignments. Staging areas are located at Aurora, Forest Grove and Sandy.

COW HAS QUADS

Hollister, Calif. — (U.P.) — Farmer Sven Petersen's cow gave birth to quadruplets Tuesday, an 844, 736-to-1 rarity. The cow, a Holstein-Guernsey cross breed, and the four shaky legged offspring were reported doing nicely.



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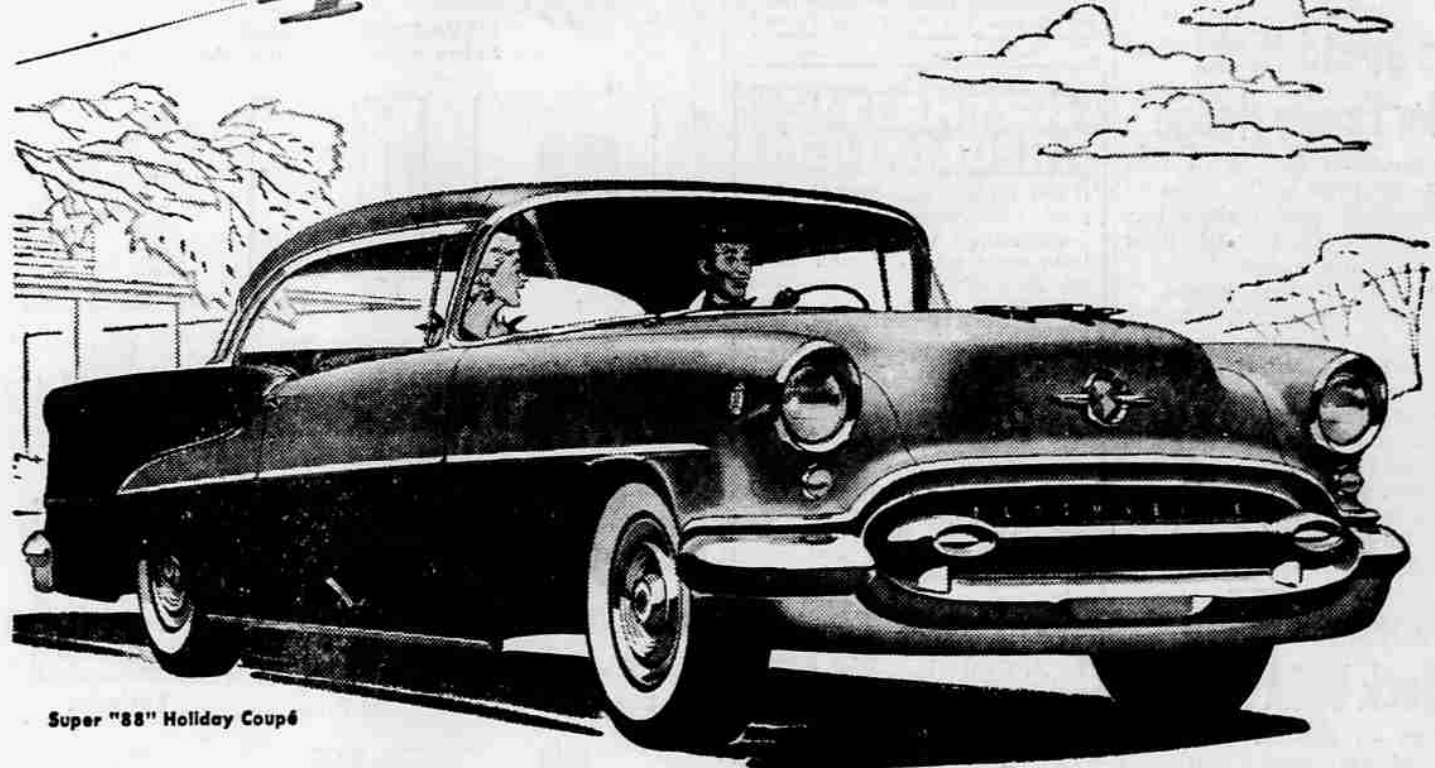
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