

# COUNCIL FINDS MUSKRATS NOT CITY NUISANCE

Following an opinion of the city attorney that the law does not give the city basis for action in the matter, the South Riverside muskrat controversy was dismissed from further consideration by the common council last night.

City Attorney D. E. Van Vactor, asked last week to give the council an opinion, said that the facts as given to him show that the muskrats are not now a nuisance, and "you can't abate something that doesn't exist." He said that it had been urged the muskrats are a potential nuisance, but before action could be taken there would have to be facts taken from experience with the rats which would prove the animals would eventually become a nuisance.

**Petition**

The council a few weeks ago received a petition signed by 83 people of the South Riverside district, protesting that Oscar Peyton has leased the swamp in that area and is trapping and planting muskrats there.

Several South Riversides were at the meeting last night, with Harry Richardson and Garrett Van Riper as spokesmen. They argued that the muskrats would become a menace when their value drops and trapping is for that reason discontinued. Damages done by muskrats to dikes and irrigation structures in this area were cited by the protestants. They said they wanted to know, particularly, who would be responsible if at a later time the rats became troublesome.

Peyton was at the meeting and stated only about 15 acres of his leased swamp is inside the city. "I will trap that section ruthlessly to keep down the rats and prevent any nuisance there," he said. He added that there was some swamp land there, close to other property, that does not come within his lease.

"The council will have to stand on the law as shown by the city attorney's opinion," said Mayor John Houston. "If we have no basis for action, we cannot act."

Attorney Van Vactor pointed out that there is no city ordinance to prohibit the muskrat operation, and the council turned to other things.

**Fishing**

Fishing from the Fremont bridge may be stopped. Councilman Cantrill asked that the council look into the matter, inasmuch as it is felt fishermen on the bridge may be a traffic accident hazard. No immediate action was taken.

Frank Snyder reported to the council that the Pelican baseball team is showing much promise. He said that the baseball group expects to keep careful control of crowds and traffic at the Recreation park, so that there will be no nuisance for property holders there.

Recreation Officer David Bridge said that the Mills school grounds is to be used for parking of cars by baseball and softball fans, and that they are not to use Adams and Owens streets. The construction of sanitary facilities at the park is now underway, he stated.

**No Oil Money**

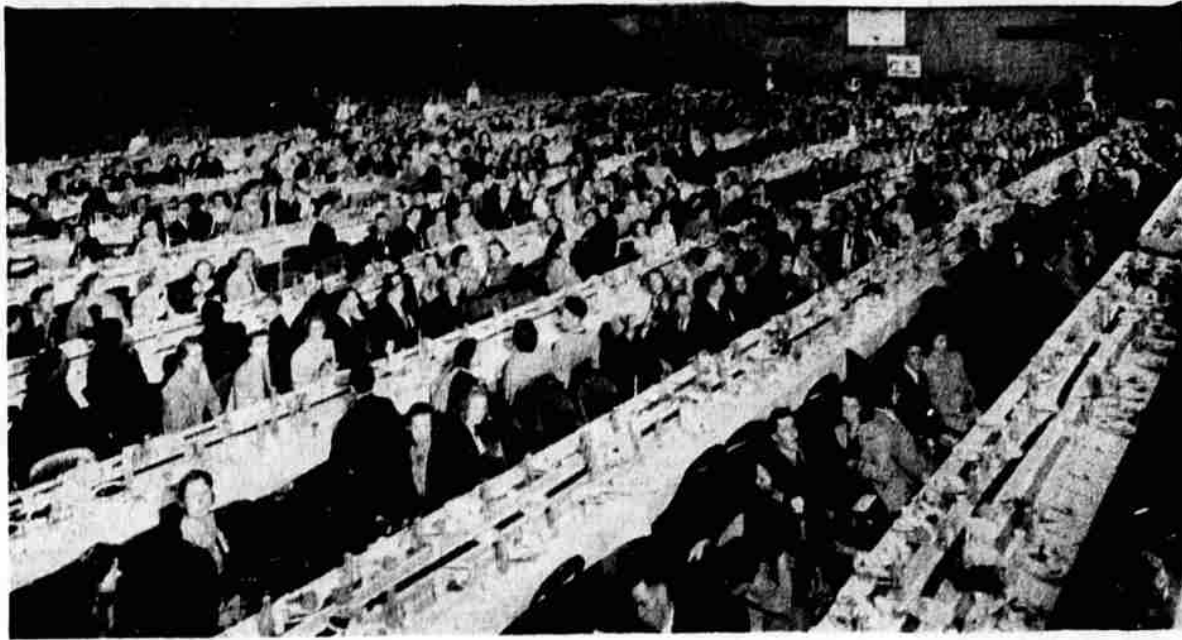
The council refused a request that it help pay for oiling a street in the Oregon avenue district, pointing out there is no money available for that purpose.

"I hope we can get some money eventually to do work of this kind," said Mayor Houston. "It should come through giving the city a fair share of the state gas tax."

The council granted a two-day license for showing a live gorilla here.

A car wrecking permit was given Art Lundgren and Sons for a South Sixth street establishment with the understanding they will construct fences to close off unsightly spots in accordance with city ordinances.

Because of the coming airport



A local record was believed set Saturday night when 800 sat down to the state Christian Endeavor convention banquet in the gymnasium at Klamath Union high school. Above is a general view from the balcony.

## Biggest Banquet

## FIGURES ON LIFE INSURANCE GIVEN

SALEM, April 29 (AP)—Life insurance in force in Oregon on December 31, 1940, totaled \$756,087,530 in 494,027 policies, a report of the state insurance commissioner revealed Monday.

Life insurance premiums paid during the year 1940 totaled \$22,306,929 and claims paid amounted to \$12,192,409.

The report showed \$8,517,579 was received in premiums on all classes of insurance in 1940 by stock fire insurance companies, which paid out \$3,821,051 in losses. Fire insurance premiums were \$3,927,588 with \$1,041,484 in losses paid. Motor vehicle insurance premiums were \$3,323,638 with losses of \$1,517,390 paid.

Premiums of \$3,238 were received for earthquake insurance. No losses were paid.

Mutual fire insurance companies received \$1,440,062 in premiums and paid \$776,976 in losses.

Premiums received by casualty and disability insurance companies aggregated \$9,152,079 and losses paid totaled \$3,382,312. They included:

Accident and health, premiums \$2,119,373, losses, \$1,182,202; burglary and theft, premiums \$196,551, losses \$63,298; auto fire and theft, premiums \$159,079, losses \$47,458; auto liability, premiums, \$2,433,870, losses, \$1,071,534; auto property damage premiums, \$794,216, losses, \$353,083; auto collision, premiums, \$467,324, losses, \$202,773.

## Crater Lodge to Reopen June 14

Crater Lake lodge will open this year on Saturday, June 14, it was announced Monday by A. R. Delamater, lodge caretaker.

A story in The Herald and News on April 24 and 25 stated the hotel would open its doors on May 10 or 15. This was in error.

## NOSE FOR NEWS

INDIANAPOLIS (AP)—When a dog bit Dogcatcher Marion Woods, his nose was news.

He showed up at police headquarters with the nose in bandages and explained: "I bent down to look at a dog in front of 337 West Fourteenth, and he reached up and bit me."

## ENDS TODAY 'Down Argentine Way'

**TOMORROW**

In each other's arms they found the strength to build for a better future. The great democracy that is ours today!

**CARY GRANT**  
**MARTHA SCOTT**

**THE HOWARDS OF VIRGINIA**

From "THE TREE OF LIFETIME" by Frances Hodgson Burnett. Screenplay by Frances Hodgson Burnett. Directed by Frank Lloyd.

## Negroes May Ride In Same Cars as Whites, Court Says

WASHINGTON, April 29 (AP)—The supreme court held today that negroes traveling from one state to another are entitled to railroad accommodations equal to those furnished white persons.

Chief Justice Hughes delivered the decision on a test case brought by Representative Arthur W. Mitchell (D-Ill.), the only negro member of congress. No dissent was announced.

Mitchell contended that he had been "forcibly ejected" from a pullman in Arkansas, while traveling from Chicago to Hot Springs in 1937, and had been compelled to complete the journey "in a jim crow car with second class accommodations."

"This," Hughes asserted, "was manifestly a discrimination against him in the course of his interstate journey and admitted that discrimination was based solely upon the fact that he was a negro."

"The question whether this was a discrimination forbidden by the interstate commerce act is not a question of segregation but one of equality of treatment. The denial to appellant Mitchell of equality of accommodations because of his race would be an invasion of a fundamental individual right which is guaranteed against state action by the 14th amendment, and in view of our constitutional policy it cannot be maintained that the discrimination as it was alleged was not essentially unjust."

## Oregon's Traffic Death Thermometer

By The Associated Press

Fatalities so far this year—93.

Fatalities during similar period last year—98.

Fatalities during first 27 days of April—30.

Fatalities during first 27 days of April last year—19.

# REDUCTION OF POULTRY, EGG PRICES EYED

WASHINGTON, April 29 (AP)—Reduced poultry and egg prices are the goal of a survey of the nation's leading markets being made by the bureau of agricultural economics in cooperation with the surplus marketing administration and the agricultural marketing service.

Cities whose markets are being studied by experts under the direction of W. C. Crow, bureau of agricultural economics specialists, include Portland, Ore.

The egg and poultry survey was modeled after a similar study made recently in 40 leading fruit and vegetable markets. This survey, Crow said, resulted in economies in the costs of distribution which have been passed on to consumers.

"We know that something is wrong with present methods of marketing poultry and eggs," Crow said, "but opinions vary widely as to the exact trouble. There is even a lack of agreement within the industry itself on this point. Through a nationwide survey we hope to uncover the problems that are common to producers, distributors and consumers. Then we will be ready to make our recommendations."

Individual markets in each of the 29 cities being surveyed will be mapped and their facilities listed. The listing of facilities will include information on when the market was established, important alterations that have been made, ownership and control, rents, physical appearance, a description of handling methods, movement through the market, and the efficiency of the various facilities.

A study of market operations included classification of dealers and services, service agencies in the market, market practices, grading and inspection, health laws and regulations affecting eggs and poultry, selling hours, and market statistics.

Cities whose markets have

been listed for study include Atlanta, Baltimore, Birmingham, Boston, Buffalo, Chicago, Cincinnati, Cleveland, Dallas, Denver, Detroit, Indianapolis, Jacksonville, Kansas City, Mo., Kansas City, Kas., Los Angeles, Louisville, Memphis, Minneapolis, New Orleans, New York, Philadelphia, Pittsburgh, Portland, Ore., St. Louis, St. Paul, San Francisco, Seattle and Washington, D. C.

## RENO LICENSES

RENO, Nev., April 29 (AP)—Marriage licenses issued here included: James E. Baldock, 28, and Florence Klengenberg, 18, both Reno, Ore.; Dan Doody, 43, Plush, Ore., and Ruth Taylor, 42, Lakeview, Ore.; Ralph Thompson, 27, and Ethylene Robin, 26, Klamath Falls, Ore.; Cleo C. Epps, 28, and Wilma Epps, 23, both Klamath Falls, Ore.; Earl Durfee, 28, Klamath Falls, Ore., and Lucille Napier, 21, Portland, Ore.

## McKenzie Highway To Open Wednesday

BEND, April 29 (AP)—The McKenzie highway, mile-high pass between Eugene and Sisters, will be opened at 8 a. m., Wednesday, W. E. Chandler, highway engineer, said today.

Snow has been removed from the summit and the roadbed is drying out rapidly. So far approaches have been barricaded to prevent travel.

The route was closed on January 5 by drifting snow. Record early spring opening was that of 1934, March 21.

Chandler said there was comparatively little snow at the summit this spring and rotary plows had no difficulty breaking through the drifts.

The only description I ask is to be known as an Englishman. The only work I ask is to serve England.—Noel Coward, British playwright.

LAST DAY! "THE GREAT LIE" BETTE DAVIS  
DAY! "GEORGE BRENT"

**Tomorrow!**

AND THURSDAY

CONTINUING OUR PARADE OF GRAND STAGE ATTRACTIONS!

**FIVE BANG-UP ACTS OF**

**MAUDEVILLE**

FEATURING

**MAUD HILTON**

FAMOUS MUSICAL COMEDY STAR

COMING TO KLAMATH FALLS DIRECTLY FROM THE CARMEN MIRANDA UNIT WHICH JUST CLOSED A VERY SUCCESSFUL SEASON. HER "GAB FEST" IS A LAFF RIOT!

**Lewis & Van**  
INTERNATIONAL DANCE STARS  
DIRECTLY FROM BROADWAY

**Bonger and Andrilleta**  
HODGE PODE OF MUSICAL CAPERS

**Meyers & Carlotta**  
OUTSTANDING EDUCATED BIRD ACT

**Osaki & Taki**  
BAFFLING ORIENTAL MAGIC - NOVEL AND DIFFERENT

And on the Screen!

Exciting pursuit of much-wanted murder witness aboard a speed-express train

**SLEEPERS WEST**

with **LYNN BARI** - **MARY BETH HUGHES**

EVENINGS 55c - 75c - 10c MATINEE 40c - 55c - 10c

**PELICAN**

ONE OF YOUR HOME CONTROLLED, HOME OPERATED THEATRES

LAST DAY! **WALLACE BEERY** in "THE BAD MAN"

**Starts Tomorrow**

THERE'S THE **Devil** TO PAY—

WHEN MISS JONES STARTS RAISING... CAIN!

IT'S A MESS of LAUGHTER!

Jean's practically an angel—when she's not raising the devil—in this madcap romance loaded with laughter!

**Jean ARTHUR** in "THE DEVIL AND MISS JONES"

with **ROBERT CUMMINGS** - **CHARLES COBURN**  
Edmund GWINN - Spring BYINGTON

Also CARTOON "PANTRY PIRATE" CINESCOPE "FEATHERS" COSMO COLOR NEWS FLASHES

By the Director of "KITTY FOYLE"

**THE GAYEST OF ALL HER GAY HITS!!**

**PINE TREE**

Today!

**BIG DOUBLE BILL!**

Rosalind RUSSELL  
Brian AHERNE  
**"HIRED WIFE"**

Henry Armetta  
**"Caught in the Act"**

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**RAINBOW**