

# LEWIS CONVICTION SUSTAINED

## The Herald and News

**WEATHER**  
 Max. (Mar. 5) — 48 Min. — 18  
 Precipitation last 24 hours — .00  
 Stream year to date — .00  
 Last year — 16.28 Normal — 2.55  
 Forecast: Clear today, tonight and tomorrow. Warner today.

## Union Fine Figure Cut

By FRANK JENKINS  
 THERE are big headlines today.

The U. S. supreme court upholds the conviction of John L. Lewis and his United Mine Workers for refusing to obey a court order INTENDED to head off the 17-day soft coal strike last November.

THE majority opinion of the court (two justices dissented in whole, two in part) was written by Chief Justice Vinson. He says:

"The gains, social and economic, which the miners and other citizens have realized in the past are ultimately due to the fact they enjoy the rights of free men under our system of government. Upon the maintenance of that system depends all future progress to which they may justly aspire."

He adds:  
 "In our complex society there is a great variety of LIMITED loyalties, but the over-riding loyalty of all is to our COUNTRY and to the institutions under which a particular interest may be pursued."

THAT is to say, in a situation such as a strike involving the basic economy of the nation, the interests of the greater number must prevail over the interests of the lesser number. Otherwise there can be no progress.

IT is sound doctrine. We long ago accepted it so far as business is concerned.

If the owners of all the coal mines, for example, had got together and said to the government of the United States: "Give us a sharp increase in the price of our coal or we will shut down our mines, producing no fuel to heat the people's homes or to move the trains or to keep the factories operating until we GET WHAT WE DEMAND," we wouldn't have hesitated for an instant. We would have seized the mines and TAKEN THE COAL FOR THE GREATEST GOOD OF THE GREATEST NUMBER."

We have hesitated to apply this doctrine to labor because labor has long been weak. For that reason, we were concerned for a long, long time with providing PROTECTION for labor. But now labor has become STRONG. In many respects, it is stronger than business. Generally speaking, its position before the law is an advantageous position.

The supreme court of the United States, in the opinion just delivered by Chief Justice Vinson, recognizes that labor now has (at least) equal power with business before the law and therefore shares with business EQUAL RESPONSIBILITY for the maintenance of our system of government.

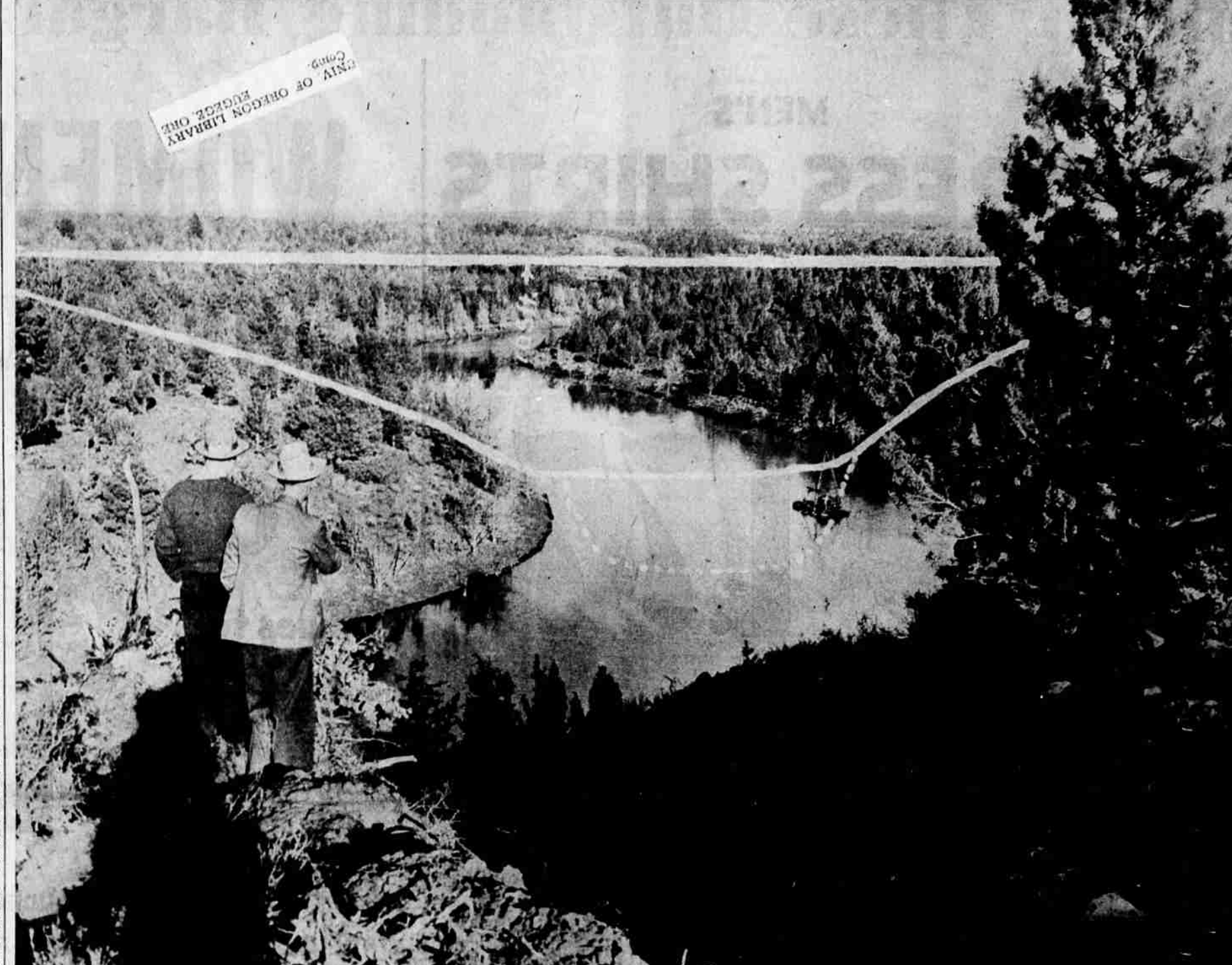
IT is an epochal decision. It ought to make easier the task of finding a solution of our growing problems of labor and management relations. With labor and management now definitely and clearly recognized by the supreme court as EQUALS IN RESPONSIBILITY for the maintenance of our system of government, it ought to be possible to get somewhere in the direction of the co-operation we must have if our system is to go on working.

As long as one side or the other is struggling for possession of TOO MUCH POWER, there can be little co-operation for the general good.

But EQUALS can WORK TOGETHER.

### Controversy Grows Over Answer To "30" Question

By KELLY ROBERTS  
 Since we requested the answer to the question, "What is the origin of the term '30' used at the end of telegraph and newspaper copy to denote an ending?" we have received about 30 different answers. An old-time telegrapher phoned last night to say that he knew that the term originated in the old hand-set printing days and that the telegraphers had only adopted the term from the printers. The next call clarified his statement. This informant used to be a hand-set printer by trade, and he related that back in the old days printers would measure the amount of type set in "stickfiles," each stick being the amount of type which could be held in one composing stick (this was about two column inches according to one of The Herald and News' typesetters). When a typesetter had set 30 sticks of type, he considered his day done, according to our informant, and signified that he was through by setting "30" at the end of his last stick. The foreman always recognized this right, and even if the man was through several hours early, he was paid for the entire day. Later we received several other calls confirming the above story, and wrote a little piece about it, considering the incident closed.



### Astoria Likes 'Em Tough!

ASTORIA, March 6 (AP)—Loggers and fishermen down this way pride themselves on ruggedness, but the children are even more so. Six-year-old Bryan Brown was caught by a fire truck fender and tossed off the street, his leg broken and his body bruised. The next morning he was clamoring crossly to leave the hospital. Then Jimmie Nichols, 2-year-old who wasn't even a native but a visitor from Portland, plummeted from a car onto the Sunset highway. He bounced three times on the pavement, was grazed by two cars — and wasn't hurt.

### February Warm Month

Last month was one of the warmest Februaries on record, according to the figures of the bureau of reclamation. Since 1907, there have been only four years when the mean monthly temperature for February reached more than last month's 40 degrees. The last month that the mean monthly temperature hit 40 was in 1941. The normal for the month is 33.2 degrees. The maximum temperature for February was registered on the 23rd and 24th when the mercury reached 62 degrees. The minimum was marked on the 28th with 23 degrees. There were 21 days when the minimum was below 32 degrees. The total precipitation for the month was 0.64 of an inch which is the least since 1933, when the total was only 0.62. The normal precipitation is 1.48 inches. The greatest amount of rainfall in any observational day during the month was 0.37 on the 12th. There were 13 clear days reported, six partly cloudy and nine cloudy days during the month. Available storage in the bureau of reclamation reservoirs on March 1, 1946 and March 1, 1947 is shown below:

Reservoir	1946	1947
Upper Klamath Lake	347,020	205,020
Crocker Lake	344,100	211,200
Gerber	23,170	36,940
Total	614,290	513,140

### Site Of Proposed Dam on Lost River

This striking picture shows the site of proposed boundary dam on upper Lost river at the California-Oregon state line. The white lines indicate the approximate outline of the proposed dam. The picture looks toward the south into California, and the state line crosses the river at about the center of the picture. The raft at center, right, is used in drilling operations in connection with a geological investigation of the dam site.

### Engineers Investigate Dam Site On Upper Lost River

Investigations are proceeding on the feasibility of construction of a dam, 105 feet high, on upper Lost river at the state boundary, as a flood control and water conservation measure. The dam, and a number of alternative suggestions, are being studied as a means of assuring protection to the irrigated Klamath valley against flood conditions in seasons of maximum run-off, and making safe the opening of the Coppeck bay area on Tulelake for permanent homesteads. Boundary dam site is at the head of Langell valley, 10 miles below Clear lake dam, and would be an auxiliary to Clear lake reservoir. As proposed, the dam would be of earth construction, with rock facing, fitted with spillways and outlet works. There are 135 square miles of watershed between Boundary dam site and Clear lake, and the new dam would store about 85,000 acre feet—60,000 for flood control and 25,000 for irrigation water conservation. The dam would be about 2000 feet across the crest. No final figure has been arrived at on the cost of the dam, but preliminary estimates run around \$3,650,000 to \$4,000,000. Geological investigations are now under way at the dam site, with diamond drills boring deep into the earth to determine the foundation conditions. Another method suggested for providing insurance against flood in the lower valley is raising the Tulelake main dikes to increase the storage capacity of the sump. Increasing the storage capacity of Gerber dam in the upper country is also being considered. Still another suggestion is the construction of another tunnel between Tule lake and Lower Klamath lake, to make it possible to pump a larger volume of water out of the Tule lake basin in case of flood conditions.

### Wagner Case Heard Today

A court hearing on a motion to quash the indictment against Verne L. Wagner, city police officer, is being conducted in circuit court this afternoon by Judge Charles H. Combs, and Wagner's attorney, Herbert P. Welch, this morning filed an additional motion to dismiss the indictment. Wagner was indicted last December for assault, armed with a dangerous weapon, as a result of a probe of allegations of police brutality made by the county grand jury. Today's move to have the indictment thrown out is based on a charge that Judge David R. Vandenberg, who touched off the probe investigation in his instructions to the grand jury, appeared as a witness before the jury while Wagner was being investigated, and that his name (Continued on Page 3, Column 3)

### Influenza Hits Basin

Klamath citizens were paying through the nose for two weeks of false spring with a mild form of influenza and an acute upper respiratory infection which kept 16 per cent of the city's school children at home today. The Klamath county public health office observed that folks threw away their coats and mittens, revealed in the sun and even in the rain, defying the elements and finally paying with their health as March swooped down with sub-freezing temperatures. The health officer urged parents to put their children to bed and keep them there, watching carefully for high fevers and coughs. Klamath Union high school, with 225 absences, was the hardest hit of any of the schools from a percentage basis. Absences in other city schools was given as: Fremont, 63; Roosevelt, 40; Riverside, 16; Mills, 80; Conger, 8; Fairview, 44; Pelican, 29; total, 280; KUHS, 225; total, 505.

### Economic War Warning Given

WACO, Tex., March 6 (AP)—President Truman warned the nation today that the alternative to lowering of international trade barriers is "economic war." The president spoke after a parade through Waco a few minutes following his arrival from Mexico. A cold rain mixed with sleet was falling as the president arrived in his big C-54, called the "Sacred Cow." Speaking at Baylor university upon his return from a "good neighbor" visit to Mexico, the president appealed for full congressional support of the reciprocal trade agreements program and the forthcoming Geneva negotiations.

### Fight Starts To Save Cable Cars

SAN FRANCISCO, March 6 (AP)—Take it from the ladies of the CCSCC—"There'll always be cable cars in San Francisco." Delegates of 27 women's clubs organized the Citizens' Committee to Save the Cable Cars to fight municipal economy advocates who have recommended scrapping the hill-climbing dinky cars. "They are costing money," said Mrs. Hans Klussman, president of the Arts federation, "but they are worth their weight in gold as an advertising medium."

### Red Forces Said Fleeting

NANKING, March 6 (AP)—The government rushed large quantities of heavy arms by sea today to its forces aiming new blows at retreating communist troops in Manchuria, Chinese press dispatches said. Nationalists established a bridgehead on the northern side of the Sungari river for a drive on Harbin, 75 miles to the north, these reports said. Harbin is one of the big Manchurian cities still held by communists. Gen. Tu Li-ming, government commander in Manchuria, asserted yesterday that his troops could capture Harbin within 10 days if given the go-ahead.

### CONCERT OK, NO TOMATOES

MIAMI, Fla., March 6 (AP)—Jose Iturbi, the pianist, gave his recital here last night—but without a tomato accompaniment. A barrage of tomatoes—"good and rotten"—had been promised the noted concert player by Mrs. Harmon Spencer Auguste, New York socialite who expressed annoyance at Iturbi's failure to attend a dinner in his honor Tuesday night at Miami Beach. Illness, Iturbi said, kept him from the dinner, at which Mrs. Auguste was to have been one of the hostesses. Mrs. Auguste, wife of a New York banker, told the pianist's sister, Maparo Iturbi, that if they sought to stage the concert, she would "bust it up." The concert, however, went off peacefully. Mrs. Auguste, who said she bought a ticket to a seat in the third row, danced and dined instead at a night club several miles away. Asked if she thought she would have hit Iturbi with a tomato if she had attended the recital, Mrs. Auguste said: "I'm from Texas."

### Crash Victim Dies Today

Klamath county's fifth traffic fatality was chalked up at 5:38 a. m. today with the death of Smith Cox, 52-year-old Lapine logger, injured early Sunday morning in a car-truck sideswipe north of Chemult. Cox died at Hill 1947 Auto side hospital without fatality gaining consciousness. The injured man, picked up in answer to a call by the Klamath Ambulance Service, was strapped to the ambulance stretcher when the big machine overturned on the return run to Klamath Falls. Driver of the ambulance, Harold Fly, was slightly injured and his 18-year-old assistant, Jimmy McFarland, received three broken ribs and a leg injury in the crash. Cox's condition was not believed to have been aggravated by the fact that the ambulance carrying him to the hospital, overturned while he was a passenger. Dr. George H. Adler, Klamath county coroner, said this morning that no inquest is to be held unless further evidence appears which would justify such action. Cox was the driver of a car which sideswiped a truck driven by Robert Winston Kilpatrick of Alameda, Calif., at 2 a. m., Sunday, one mile north of Chemult. Cox was northbound and Kilpatrick southbound at the time. Cox was thrown from the car to the pavement. State police exonerated Kilpatrick following investigation of the crash. After Cox was placed in the ambulance, the machine traveling south overturned when Fly said he felt the left rear wheel of the car grab. The logger was a native of Snyder, Tex., was unmarried and employed at the Larson Logging company's mill at Lapine. He is survived by a brother, Gordon Smith, and a sister, Lucille Perkins, both of Medford, as well as four other sisters in the south. Both Medford residents were at Cox's bedside when he died. Ward's will announce final rites.

### High School Has Tourney Tickets

Wayne Scott of the Klamath Union high school staff announced today that he has received a number of reserve seat tickets for the state basketball tournament at Eugene. Anyone desiring tickets or information regarding them must contact Scott at the high school Friday. The tickets must be returned to Eugene Friday night.