

# The Herald and News

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## Lucky Us

By BILL JENKINS  
About every so often it does us good, I think, to sit down and count our blessings. Keeps our thinking straight and our spirits high. And, brother, up here in the high country we have so much to be thankful for that we shouldn't ever stop telling ourselves about it.

Pick up almost any magazine these days and nine times out of ten you'll run into an article concerning either the smog menace in the cities or the ever growing traffic problem. Neither one of which is a serious menace to us. Smog, particularly, is a persistent evil plaguing the metropolitan centers which may someday spell the end of cities as such. The move to decentralize industry came too late. Almost all are centered all over the world are bothered to some degree by this phenomenon, with Los Angeles high on the list. Up here in the High Desert we can still breathe all the good fresh air we have lung-room for. There are no gritty particles to irritate the eyes and lead eventually to respiratory and heart diseases.

And you can still drive your car to town and park within a short hike of the business district. There is no need to take a bus from your parking place to the office. Finding a place to park, even for a price, is a pretty difficult thing in the major cities and the long hours spent in fume-choked lanes of traffic getting to and from home and the downtown section are both trying and harmful, both to the nerves and your general physical condition.

Up here we are only a matter of hours away from a city if you want to visit one. Reno and its glittering playhouses is a hop skip and a jump away. We can reach the coast, in good weather, in less than six hours. If you're the outdoor type there is hunting, fishing, camping, hiking, outdoor recreation of almost every kind just beyond the outskirts of town.

We have a good solid business foundation and more and more growth is coming. All the signs point to a healthy economic outlook. We have a market for our products—despite the fact that prices aren't always what we'd like—to the south in rapidly growing California.

And, perhaps best of all, we have a way of life, a free and easy attitude that admits of pleasure and fun and companionship with our fellow citizens, that sets our high country apart from so many other areas. The Klamath Basin, only a short span of years from the sagebrush, has a young outlook on life.

I think we are all fortunate indeed to live in the Klamath Basin, and I, for one, am going to go right on giving thanks for all that we've got here, both right now and in sight for the future.

Speaking of smog, I wonder if it could be the reason for the booming popularity of skin diving? In some areas it's only under water that you can get away from the choking haze.

And speaking of California reminds us that they are trying out a new idea down there. Called Flavr-R-Straws. These new straws contain chocolate flavoring and the chocolate taste is obtained by dipping the straw in either cold or hot milk and drawing the liquid through. Does this mean the end of the soda jerk?

It could be, too, that this is the first step toward making plates that will serve as dessert when the meal is finished, thus eliminating dish washing. A move which I heartily favor, incidentally.

## Benjamin Franklin

By DER ADDISON  
"Will the paper have something on the 350th anniversary of Benjamin Franklin's birth?" It will be January 17th. In addition to being a printer he really was a great American. I've read his autobiography several times and each time get something new out of it. At the last reading I discovered that he was a prophet too; he prophesied the time when the world would achieve lasting peace through international understanding." This query was from Frank Ganong, a disciple of Ben's, in the mercantile business.

It must be remembered that Ben Franklin was past master of making an honest buck, and keeping it in addition to inventing electricity, bifocals, the Declaration of Independence, central heating and the platform rocker. . . . so brother Ganong is to be commended.

Ben did get in two years of schooling before setting out to make his fortune at the age of 10. He achieved that and retired at the age of 42, to devote the remaining half (43 years) of his life to public service.

That "international understanding" business sounds like he founded the Rotary Club, but that didn't come about until a couple of hundred years later, at the instigation of another disciple named Paul Harris out West in Chicago. Franklin's headquarters were in Philadelphia, though he did spend considerable time in the Old Country on behalf of his countrymen. He did one stretch of 18 years in London and succeeded in getting the Stamp Act repealed.

on any time but Saturday evening to this day.  
Chet Langset should be interested to know that Ben Franklin served as Postmaster General of the Colonies and was the first man to make the postal system self supporting (was he the last?) and started the Dead Letter Office.

Our Klamath Basin farmers should kalam in obeisance on January 17th because Ben was the man who started the use of fertilizer to grow better crops. He used lime.

Actually he didn't invent electricity but he did invent the lightning rod. It's fitting that this writer should recognize Franklin's 250th, not only because he was a printer but because he invented the manufacturing advertised and sold his inventions.

The saying, "an ounce of prevention is worth a pound of cure," was Franklin's advertising slogan to sell the rods. Another of his advertising slogans, concocted to sell the Declaration of Independence, was, "we must hang together, or assuredly we shall all hang separately."

Another good enough reason for observance is that, on the 249th anniversary of his birth, yours truly adopted one of his great inventions, bifocals, and on this 250th is getting the hang of them.

Though Franklin was the only man to sign not only the Declaration of Independence, but the Treaty of Alliance with France, the Treaty of Peace with England and the Constitution of the United States, and was more instrumental in raising the standard of living of the colonists and all following Americans than any other one man, he first and last was a printer.

His last will and testament started out, "I, Benjamin Franklin, For 25 years he wrote and published "Poor Richard's Almanac" every year. In many American homes there were only two books, the Bible and the Almanac. The wise and witty sayings of Poor Richard are an influence today in promoting thrifty habits and upright living.

The Poor Richard Club, founded 50 years ago by a group of advertising men, on this anniversary year is raising a fund for the restoration of the grave of its Patron Saint in Christ Church Burial Ground, Fifth and Arch Streets, Philadelphia.

Oh, yes, you can look for lasting world peace starting in the year 1983.

## Indian Treaty

By KEN McLEOD  
With the coming termination of the Klamath Indian Reservation there have been many references to the treaty signed between the government of the United States and the Klamath, Modoc and Yakoskin band of Shakes—usually spoken of as the treaty of October 14, 1864. This treaty is on record in Vol. 18, Statutes at Large; page 707. This treaty is one of a large number of agreements entered in by the government and the Indian people during a period in our history when several hundred treaty pacts were made with the various tribes.

Some of the other early Indian treaties made in Oregon were with the Rogue River Tribes on September 10, 1853 and on November 18, 1854. With the Umpqua, Cow Creek and September 19, 1853. With the Umpqua, Chasta (Chastacosta), and other tribes in the Umpqua region on November 18, 1854. With Umpqua and Kalapuya on November 29, 1854. Then on June 25, 1855 a treaty was signed with the Confederate Bands of Middle Oregon and a second treaty was drawn with the same group on November 15, 1865.

The Indians of the Northwest apparently fared much better under the American procedure than did the Indians of California who came under Spanish rule and Spain had an entirely different attitude toward tenure of land than did the Americans, hence there are no treaties apparently with any of the Indian Tribes of California that I have found a mention about.

The political status of the Indians residing within the territorial limits of the United States from the formation of the government down to March 3, 1871 was something unique in the history of the development of nations, for during this period the relations between the white man and the Indian were determined by treaties made with the Indian tribal authorities.

On March 3, 1871, Congress enacted legislation that set aside the legal fiction of recognizing the Indian tribes as independent nations with which the United States could enter into solemn treaties. The result of this new law was to bring under the immediate control of Congress the relations of the government with the Indians and to reduce to simple agreements what had before been accomplished by treaties as with a foreign power.

It is indeed interesting to note that for nearly a century the government of the United States, although claiming complete sovereignty over the territory and inhabitants within its domain, adopted the method of dealing with the Indians through treaties, which in the true legal sense of the word can only be entered into by independent sovereignties.

The first step of the government in determining its policy toward the Indians, whether expressed or implied, was to decide the nature of their territorial rights, this being the chief factor in the relation between the Indian and the white man. The United States Supreme

Court in a famous case known as Johnson and Graham's lessee vs. McIntosh made the statement: "It has never been contended that the Indian title amounted to nothing. Their right of possession has never been questioned. The claim of the government extends to the complete, ultimate title, charged with the right of possession, and to the exclusive power of acquiring this right." This statement of attitude has been confirmed by repeated decisions of the court. Since this action fixes the government's attitude toward ownership of the land the next step required the determination as to what branch of government would carry out the policy.

Under the ninth Article of Confederation it was declared that: "The United States in Congress assembled have the sole and exclusive right and power of regulating the trade and managing all affairs with the Indians not members of any of the states." It is clear, therefore, that while acting under the Articles of Confederation the rights of managing relations with the Indians was vested in Congress alone. In the formation of the constitution this is briefly expressed under the powers of the legislative department, as follows:

"To regulate commerce with foreign nations and among the several states, and with the Indian tribes."

It is apparent from the use of the term "tribes" that the framers of the constitution, had in contemplation the method of dealing with the Indians as tribes through treaties. This is clearly shown by the act of March 1, 1793, in which it was stated that no purchase or grant of lands shall be of any validity "unless the same be made by treaty or cession entered into pursuant to the constitution." This action of Congress necessarily placed the initiatory steps in dealing with the Indians under the jurisdiction of the President as the treaty-making power, subject to the confirmation of the Senate.

The colonies and also the mother country had treaties with the Indians as "nations" their chiefs or sachems often being designated as "kings," and this idea, being retained by the founders of our government, was ingrafted into their policy. Notwithstanding the evident anomaly of such a course, this implied equality was recognized in the dealings between the two until the act of March 3, 1871. Dating at this time Indian titles to lands were extinguished only under the treaty-making clause of the constitution; and these treaties, though the tribes may have been reduced to a simple band, were usually clothed in the same stately verbiage as the most important treaty with a great European power.

## The River Kid

By FRANK TRIPP  
More than a half century ago an 18-year-old showman came to a vaudeville theater where I was the press agent, hungry for press material. He concealed from me the best true press agent story of that day, yet now he says that a yarn which I invented made him famous.

He was Zen Zeno, a capable slack wire performer and contortionist, but he waited 50 years to tell me that he is the only person who ever crossed Niagara on a tight rope, without a balancing pole. Back then I would have given by eye-teeth for the story.

It happened in 1897. He was already known as "Zeno, the river kid," and was only 10 years old. I lately learned it from his memoirs, which he asked me to edit. Zeno was born in Niagara Falls, N.Y. An exhibitionist name Hardy had crossed Niagara with aid of a pole, amid bare and wild publicity. His half mile of rope still swung in place across the deep gorge.

Zen Zeno, a born daredevil, had done since every forbidden thing around the boiling, swirling river. That rope beckoned him. At 7 o'clock of a mid-September evening, Zeno climbed to the rope, on the Canadian side; no pole, no shoes, just pants, shirt and boy's nerve. Twenty minutes later he was in the air, and he was into the arms of astounded police who arrested him for illegal entry—a tight rope. Boy, what a press story!

Learning he was American born, with a sound lecture and deep admiration the cops let him go. So there is no police record in Niagara Falls of a noteworthy feat which perhaps some sojourning bridal couple may remember in the sunset days of a happy married life. If so, let me know.

The tight rope, the slack wire, the circus and vaudeville were Zeno's career for 24 years. There came the Army and injuries which changed the river kid back to his real name, and a new life.

Strangely he happened to locate in the city where I first met him in vaudeville. He lives there still, the proprietor of a successful business. I live there too.

Now for the phony press story, which could have been the real one that I have just told you. Today, when both of us are creaking at the joints, Zeno tells me: "I first met you in 1925. You gag about my name put me in Tony Pastor's and a long run at the New York Hippodrome. That was my first real money, my first big billing. Sure, I had a good act, but I needed a press boost, and you put me over." Words that make an old P. A. happy.

It had to be evidence like that to convince me that the overworked, staid business man who stood before me was that libe, nimble, flex-jointed Zen Zeno of 50 years ago. I bought it; he has proved it.

The story I would have written, had I known it, would have brought laurels to me. The one that I wrote brought success to Zeno, and I'm glad.

It was a simple yarn, born of expediency, yet it made every book-keeper conscious of Zen Zeno and got him work. Stories can do things like that.

It is old enough to be new again. As is so much that we hear on today's airwaves. When I interrupt a TV program to tell the vintage or origin of much that gets by for fresh cake. Fanny often says: "Oh, be still, let me enjoy it; everybody didn't come out of the Ark with you."

The press story that put Zeno over was a steal on a gag of that day, because his stage name fitted, and little circus went broke. A smart concessionaire took over and paid off the performers alphabetically. That was tough on Zeno. The money never got down to the Z's.

Next season, when Zeno showed up in his stockings, the agent greeted him: "Hi, Zeno." "Not on your life," piped Zeno. "I'm Ajax this season."

It was in days when little shows were forever going bust on the road. Somehow the yarn became Zeno's own story and made big shots remember him.

It also made me remember him when he dropped in the office one day to pay his advertising bill, and said: "I think it is about time that you and I renew an old acquaintance."

For the last 20 years, to me, he had been Elmira's Oliver Hilton, fashionable furrier.

So, this was close-mouthed "Zeno, the river kid," and we had been neighbors for two decades.

## Vets Mail Bag

Only eligible GI insurance policyholders who wish to change the method of payment for the regular annual 1956 dividend are requested to notify Veterans Administration of the payment method desired.

Veterans who want to receive their 1956 dividend in the same manner as in the past are not required to notify VA of that fact because their previous payment method will be applied automatically, VA announced.

For veterans who fail to state in writing how they want their regular dividends to be handled, VA is required by law to set up a dividend credit to their insurance account and to use this credit to pay premiums as they become due and are not otherwise timely paid.

Unused dividend credits will draw interest compounded annually until they are withdrawn by the policyholders or are paid out at the maturity of the policies in conformance with the policyholders' wishes.

All eligible policyholders also may request VA in writing to pay their regular dividends to them in cash or to apply the dividends in payment of future premiums.

Permanent plan policyholders have one more choice. They may request VA in writing to place their regular dividends on deposit in an interest compounded annually and subject to their control.

Eligible policyholders who want to change the method of paying their 1956 regular dividend should notify the VA office handling their insurance account in sufficient time before the payment date to enable VA to make the change.

Payments to eligible policyholders will be made shortly after the anniversary date of each policy, beginning in January and ending in December, 1956.

## They'll Do It Every Time

PYTHIAS PHYFE AND DAMON DRUMM WERE SUCH GOOD PAIS THEY DECIDED TO SHARE AN OFFICE TOGETHER....



## By Jimmy Hatlo

ONE WEEK LATER... CABIN FEVER SETS IN AND A BEAUTIFUL FRIENDSHIP GOES THAT-A-WAY!!



## Redding District Engineer Sees New Damage Total

J. W. Trask, district engineer of the Division of Highways at Redding, says it is now possible for engineers to visit various portions of the state highway in the Redding district, and it is estimated the total damages from flood waters will amount to approximately two and three-quarter million dollars.

This figure is divided into two categories. Emergency funds are for damage to roads which must be repaired in order to restore them to a usable condition. Reconstruction figures are in addition to those listed for emergency repairs and are for use in restoring the highway to its former condition.

Siskiyou County emergency repair costs amount to \$103,180. The figure for reconstruction will be \$485,750. The areas where major damage was sustained were in Scott Valley, and along the Klamath River.

In the valley, the bridge over the Scott River near Fort Jones was destroyed, and the bridge over Kidder Creek was washed out. The Patterson Creek Bridge had damage on the approaches.

Along the Klamath River, the bridge over the mouth of the Scott River was entirely washed away. The entire Klamath River Highway suffered from washouts on the side along the river which in some cases took out the entire roadbed. Damage extended throughout the whole road but the lower portion of the highway suffered the worst.

Trinity County had \$124,200 in emergency repairs and \$375,100 for reconstruction. The flood damaged the two miles of highway immediately above Douglas City where the Trinity River adjoins the highway location.

A section of the highway protected by heavy concrete rip-rap was washed out in its entirety and 170 feet of the Douglas City Bridge was destroyed.

Beyond Junction City, damage was more or less continuous. More water came down the river than could be contained in its channel, the result being that the outer edge of the highway was badly washed out and in some cases the entire roadbed was gone.

Shasta County and Tehama County, largely due to the protection afforded by Shasta Dam, received only nominal damages. Shasta County's \$14,600 emergency repair costs and \$6,500 reconstruction costs were for damages in the Sacramento Canyon above Shasta Dam. Tehama County's \$7,725 emergency repair costs and \$19,250 for reconstruction were incurred on the highway west of Red Bluff toward Peanut and scattered along the Red Bluff-Susanville highway.

Modoc County received the least damages in the district, \$1,600 for emergency repairs and \$1,907 for reconstruction will apparently take care of the results of the flood.

Lassen County will require \$21,500 for emergency repair work and \$72,450 for reconstruction. Practically all of the damage is located between Susanville and Hallelujah Junction on the road to Reno. A great deal of the repairs was for damage to the Long Valley Creek structures.

Plumas County was heavily damaged. Emergency repairs will cost \$266,245 and reconstruction \$464,535. The damage in this county was largely confined to the Feather River Canyon although some damage occurred along Indian Creek between Greenville and the Feather River.

## from the SKETCH PAD of BARBARA KENSLER

Painting workshops. At a recent meeting of the Klamath Art Association it was decided to open the Klamath Art Center one night a week for the purpose of having amateur painters gather and paint together for their own enjoyment. There will be no instructors at the workshops but a great deal can be learned by watching the work of others. There will be no requirements and each person is invited to paint or draw whatever they wish.

The art association will have a supply of still-life material and later if there is a demand we will have life models. At least two members of the art association will be at each session to help get set up. The workshops are to be held at the Klamath Art Center at the junction of South Sixth Street and East Main, every Thursday evening starting this week. The Art Center will be open from 7 to 9:30 p.m. A token fee of 25 cents will be charged to help cover the cost of lights and heat. Put on your painting clothes, grab your paints and come to the Art Center this Thursday to open the Klamath Art Association Painting Workshops.

For heavy reconstruction, Trask says plans will be prepared for the reconstruction and contracts will be called for as soon as the plans can be prepared. Trask pays a high compliment to the Maintenance Department of the Division of Highways, to the contractors, and to private individuals who have cooperated so effectively to the end that the State highways have been opened to traffic.

## OTI Announces New Group

Oregon Technical Institute has a new Department Advisory Committee for Engineering Associates, as announced yesterday by Director W. D. Purvine. Six committee members are from Portland and two are from Salem.

The committee, which was authorized by the State Board of Education, will give recommendations for improving the curricula and program for training engineering associates, engineering aides, surveyors, draftsmen, and similar technical assistants. The first meeting is scheduled for early February at Oretch, Oregon.

Members of the committee include H. Loren Thompson, of Stevenson Engineering, Engineering firm, a member of the State Board of Engineering Examiners; Bertram G. Dick, chief of inspection, Bonneville Power Administration, also a member of the state board; Edward J. Jaros, of John W. Cunningham and Associates, who has served on a committee on land surveying for the state board; Glenn V. Lavery, chief draftsman in the structural design section of the U.S. Corps of Engineers, Oregon office; James J. Bonner, surveyor with the Pettijohn Engineering Company; all of Portland.

Members from Salem are assistant state highway engineer G. S. Paxon, and Design Engineer Frank Hall, both of the State Highway Department.

Consultant from the State Board of Health Office in Portland is Assistant Chief Engineer Kenneth H. Spies. His recommendations will deal particularly with the activated course in sanitation and water technology at Oregon Technical Institute.

TRADE  
TOKYO — Japan will ship 300 automobiles to Spain soon as part of a trade of Japanese vehicles, trucks, iron and steel goods and textiles for Spanish rice.

TREE TOPPING  
Call LAKESHORE GARDENS NURSERY for tree topping, trimming and taking out trees, shearing overgrown and land-shaping. Fruit and flowering trees, shrubs and evergreens. Phone 1156.

People Read SPOT ADS —you are.

## Merrill VFW Aux Initiates

MERRILL — VFW Auxiliary initiated new members Jean Rogers, Dovie Hodges, Blanche Maxwell and Rosemarie Newham at the meeting in the recreation hall on January 4.

New officers for the year are Mary Lou Swisher, protom, Marion Knox, color bearer, Marge Hodges, patriotic instructor, Marge Waldrip, senior vice president, and Barbara McKeen, junior vice president.

At the business meeting Marion Knox, Ida Fleck, Barbara Schmidt and Grace Walker were appointed to the kitchen committee for the new hall being built.

A thank-you letter was received from the auxiliary's adopted veterans at Camp White for the gifts cards and letters sent them at Christmas.

Refreshments were served by Marge Hodges and Dorothy West to the 25 members present.

## Raid Breaks Up Party

A dawn raid on a house near Beatty by sheriff's deputies netted seven persons who were arrested to have staged a 48-hour wine party. All the celebrants were in the county jail Saturday.

The raid was staged by deputy sheriffs Woody Joe, Alvie Youngblood and George Foster. They said they found 49 empty wine jugs in the house.

The following persons arrested at the scene of the party were sentenced by Justice of the Peace Jack Grilton of Bly: Esther Parker, 37, driving while drunk, \$200 and 30 days; Delmar Dickens, 27, disorderly conduct, \$50 and 30 days; Emery Parker, 35, disorderly conduct, \$50 and 30 days; Eugene Parker, 37, disorderly conduct, \$50 and 30 days; Alvin Beal, 39, drunk in a public place, \$35 and 15 days; Edson Tupper, 50, creating and maintaining a nuisance, \$35 and 15 days; and Quincy Barker, creating and maintaining a nuisance, 30 days.

## Beesley Named To ABA Group

District Attorney Richard Beesley was notified Saturday by the American Bar Association that he has been named junior bar conference chairman to spearhead a drive for new members for the lawyer group in Klamath County.

Beesley, at the request of the ABA named deputy district attorney Robert Nichols and P. P. Puckett as members of the county campaign staff. The bar association is trying to enroll 50,000 new members throughout the United States.

## SHAKE-UP

Broadcasts cause removal of Polish Police officials  
MUNICH—A series of broadcasts by Radio Free Europe have caused great upheaval and embarrassment in Poland.

They were based on highly inflammatory information about corrupt Polish police operations obtained from Josef Swiatlo, Polish Security Ministry official who had defected to the West.

As a result of the broadcasts, the Reds were forced to dismiss four of Swiatlo's former chiefs and reorganize the ministry.

This is just a single example of the influence of Radio Free Europe's words of truth. Up to 20 hours of truth a day are broadcast to five key satellite countries—Poland, Czechoslovakia, Romania, Bulgaria and Hungary. And this truth is getting through, despite costly Red jamming attempts. Millions take the risk daily to listen. Millions more hear the truth from Radio Free Europe as it is passed cautiously from mouth to mouth.

Truth builds hope and continued resistance. Each dollar sponsors a minute of truth. Send your truth dollars to: CRUSADE FOR FREEDOM, c/o Local Postmaster.

## The One And Only NADINE

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