

THE KLAMATH NEWS

KLAMATH NEWS PUBLISHING CO., Publishers

FRANK JENKINS Editor
JALCOLM EPLEY Managing Editor

Published every morning except Monday by The Klamath News Publishing Company at Esplanade and Pine streets, Klamath Falls, Oregon.

Official paper of City of Klamath Falls and Klamath County.

SUBSCRIPTION RATES
Delivered by carrier, month \$.55
Delivered by carrier, year \$ 6.50
Delivered by mail, year, county \$ 5.00
Delivered by mail, outside county, year \$ 6.00
Subscriptions payable in advance.

Entered as second class matter at the post office at Klamath Falls, Oregon, November 13, 1923, under act of March 3, 1879.

Represented nationally by
WEST-HOLLIDAY-MOGENSON CO., Inc., San Francisco, New York, Detroit, Seattle, Los Angeles, St. Louis, Portland, Chicago, Vancouver, B. C.

Copies of The News and Herald, together with complete information about the Klamath Falls market, may be obtained for the asking at any of these offices.

Member Audit Bureau Circulation.

Telephone 1900

More Effective Than Noise

A SUBSTANTIAL reduction in electric rates has been obtained for California Oregon Power company consumers, according to announcement by N. G. Wallace, utilities commissioner. Some time ago another reduction was made under Utilities Commissioner Frank McColloch, Wallace's immediate predecessor in office under appointment by Governor Martin.

It is noteworthy that both rate cuts were accomplished without expensive litigation or political "grandstanding"—the methods used ineffectively but noisily before McColloch and Wallace took over the utilities commissioner's office.

These reductions came through negotiation. There was no advance fanfare of publicity, and none of the so-called "high pressure" methods which have as their purpose not so much the winning of advantages for the people as the winning of votes and political prestige for some self-seeker.

What has happened in the Copco rate matter is a demonstration that the noisy, boastful, breast-beating tactics of certain common types of politicians are less effective than the sober, businesslike methods of men who know what it's all about and seek first to benefit the public rather than their personal political ambitions. If the people are wise, they will rate sincerity and ability above loud talking when they fill public offices, and that will take care of the ambitions of men who are sincere and able.

Yamsay Mountain Case

IN RESPONSE to considerable inquiry as to what the Yamsay mountain case is all about, we will try to give a brief history of this affair which has brought the Klamath Indians a judgment by the U. S. court of claims of more than \$5,000,000. The Indians are plaintiffs in a suit against the government which resulted in this judgment.

It all started in 1864. In that year, the Klamath reservation was set aside for the Indians, under a treaty. In the same year, congress granted the state of Oregon a large tract of land to aid the state in the construction of a military road from Eugene to the eastern boundary of the state. The state in turn assigned its grant to the Oregon Central Military Road company. The idea was to give the land to the road company as an inducement for the building of the road.

Included within the grant from the government by mistake were 111,385 acres of land within the reservation upon which allotments to individual Indians had been granted. When the error was discovered, the government attempted to recover the 111,385 acres for the Indians, but the courts decided adversely to the government and in favor of the land companies. Finally, the government hit upon a scheme of exchanging the land in question for 87,000 acres within the reservation and not allotted to individual members of the tribe.

The land company agreed, and thus obtained the richly-timbered Yamsay mountain tract. It in turn sold the tract to the Long Bell Lumber company for \$3,700,000. In 1908 congress appropriated \$108,750 to be paid the Indians for the 87,000 acres, the Indians accepting with a release that precluded them from recovering any additional sum. In 1920, however, congress passed a jurisdictional act permitting the Indians to make claims for additional sums for the 87,000 acres. The Indians, of course, claimed that the original payment was extremely inadequate in comparison with the value of the land.

The court has upheld that claim, and given the Indians judgment against the United States for the original value of the land, plus interest since 1907, minus offsets for the amount already paid for the 87,000 acres and for certain other Indian benefits. The exact amount is \$5,313,347.32.

Incidentally, the wagon road for which the grants were originally made and which started the expensive argument, was never completed.

Ten Years Ago

DEFINITE determination of location of terminals for the Great Northern and S. P. will be reached in a few days, officials said today, and work will be carried on concurrently with construction of the Oregon Trunk extension from Bend.

One more major building project—the construction of the main

exhibit building at the fairgrounds—was under way today.

With an estimated daily cut of more than 500,000 feet at mills in and near Klamath Falls, the lumber industry has reached its seasonal stride. Approximately 3000 men are employed in these operations.

Denver.—Spider Haines became king of the pole-sitters Tuesday when he passed the 300-hour record set by Ship Wreck Kelley.

American railways now have 8078 air-conditioned cars in operation on their lines.

NOW PLAYING V25X THROUGH THURSDAY

"FIRE OVER ENGLAND"

2 BIG FEATURES

"JIM HANVEY, DETECTIVE"

Behind the Scenes in Washington

By RODNEY BUTCHER

WASHINGTON, July 7.—A nice, soft cushion is being prepared for Mr. Roosevelt by some of the milder opponents of the court plan and some of its milder friends. It's for use when and if F. D. R. decides to abandon attempts to get a court-packing bill through congress, the idea being to soften the blow for all concerned.

But the cushion—and you can chalk this up for future reference—wasn't stuffed by the White House.

This group of court reform opponents who would just as soon have the court plan dropped, is spreading the word around that Roosevelt never expected or intended to have his court bill passed, but was only trying to scare the conservative justices as they wouldn't dare kill any more new deal legislation. The yarn is either told or hinted with a merry ha ha and an admission that the alleged trick worked perfectly, considering the way the court subsequently okayed new deal laws as fast as they came up.

No matter how much credence this story may receive, it just isn't true. Roosevelt supposed the court bill would pass long ago, virtually as written. He did believe that as soon as it passed at least three justices, and possibly five, would resign and that he probably wouldn't be called upon to appoint six and make a 15-man court.

THERE WAS SUCH A PLAN

What makes the April Fool version of the president's court plan rather interesting, if not plausible, is the fact that last January Roosevelt and some of his advisers very definitely did cook up a plan to scare the court by threatening to pack it and otherwise curb the conservative majority.

It was also hoped that enough hollering and threatening might lead two or three of the older justices to resign and that in any event, popular sentiment might be roused.

New dealers had been talking about packing the court from the start, and as early as May, 1936, it was evident to insiders that action was likely. But the idea of curbing the situation by making a specter of the idea was cooked up at a meeting of the American Political Science Association at Chicago late last December, when nearly 300 leading professors of political science and government gathered to chew over current problems.

Prof. Arthur N. Holcombe of Harvard was president. (One vice president was Under Secretary of the Interior Charles West, former congressman, former professor of government at Harvard and now chief liaison man between the White House and congress.)

There was a round table conference on the subject of judicial review at which Holcombe, West, Prof. W. Y. Elliott of Harvard and Dr. Charles Merriam of Chicago were especially active and vocal. All four are relatively close to Roosevelt. They agreed that the way to deal with the court was not necessarily to have an act of congress or constitutional amendment but to make definite moves to show that the court had gone beyond its proper sphere of jurisdiction by using legislative power and that this was widely resented.

Specifically, it was agreed that the administration and members of congress should use the court-packing plan as a definite threat in order, as one professor said, "to scare the hell out of 'em."

At the same meeting Donald Richberg, who had frequently discussed the court problem with Roosevelt, cited words of William Howard Taft that judges should be "made to pause and deliberate by hostile public criticism" in order that they might be kept "alive to the reasonable demands of those they serve."

West and Richberg rode back to Washington on the train together, discussing the problem. West promptly reported to Roosevelt and the campaign to "scare the court" was soon evolved.

POINT IS: HE MEANT IT

Roosevelt definitely had decided to try to do something about the court when the justices, on December 15, had sent the Duke power case back to lower courts.

SIDE GLANCES

—by George Clark



"If you had only been here a little earlier! She was saying, 'Welcome, Mr. and Mrs. Mayhew,' just as plain as that."

The Family Doctor

By DR. MORRIS FISHER, Editor, Journal of the American Medical Association, and of Hygiene, the Health Magazine

Most of the diseases of the kidney are insidious in their beginning. The inflammation which may eventually destroy life comes so gradually that the person affected may be unconscious of the fact that anything is wrong.

However, even in the very earliest stages, the disease may be detected by a simple examination of the urine that is part of every examination of any applicant for life insurance.

Diseases of the kidney rank high among the causes of death simply because we live longer now than human beings used to live. Therefore, our vital organs gradually break down under the duration and strain of living.

Among these organs the kidneys are of great importance. Fortunately we have two kidneys. One or even a portion of one may keep the human being in good health for a considerable period of time.

An examination of students entering one of the great universities showed that 5 per cent of them already had signs in the urine of changes which indicated the beginning of disturbances of the kidney.

Chief among the signs of a beginning disturbance is the presence of protein substance called albumin. Sometimes there may be albumin in the urine without any definite inflammation in the kidney. However, it is not well to gamble on the fact that the presence of albumin is just a matter of chance.

It is much better to have an immediate examination as to the nature of the change that has taken place. If any. This will lead to a decision as to what can be done.

Your body is a closely linked system of organs and tissues.

without ruling on validity of about \$30,000,000 of PWA loans for public power developments. Secretary Ickes told him the effect was further to delay about 50 projects.

The point at which Roosevelt decided to try to pack the court instead of threatening to pack it or taking other measures, apparently came late in January after the General Motors' strike had made validation of the Wagner act a new deal necessity, and after receiving reports that Wall Street opponents were prepared to raise a slush fund to block any constitutional amendment in the states.

Attorney General Cummings, close friend of Richberg, had more to do with helping him reach his decision than anyone else. Roosevelt's fondness for dining, spectacular moves did the rest. The point is that he meant it and don't let anyone tell you different.

NOW PLAYING

MUST END SATURDAY

AMERICA'S GRAND NEW LOVE TEAM!



Robert TAYLOR
Barbara STANWYCK
IN
"This is my Affair"
with VICTOR McLAGLEN
A Twentieth Century Fox Picture

FEATURETTES!

COLOR CARTOON—"The Stork Takes a Holiday"
UP-TO-MINUTE NEWS FLASHES

PINE TREE

TODAY

CHAN'S BACK TO THE WALL... A MADMAN'S KNIFE AT HIS THROAT!



WARNER OLAND
VS.
BORIS KARLOFF

CHARLIE CHAN
AT THE OPERA

MUSICAL • CARTOON • ACT

RAINBOW

South-End News

MERRILL • MALIN • TULELAKE

ENLOE AWARDED WELL CONTRACT

Sharon visited Crater lake on Sunday.
Mrs. H. N. Whiteline and daughter Mary of Klamath Falls were business visitors in Hildebrand on Tuesday.
Those who visited on Sunday with Mr. and Mrs. T. P. Michael were Mr. and Mrs. W. L. Welch, Mr. and Mrs. Glen Chandler and children Melba, Myrtle and Maurice of Dairy; Mr. and Mrs. James Good and son Tommy of Altamont, Mr. and Mrs. D. Hoefler and children, Floyd, Ray and Gloria of Dairy.

C. A. Carlson was transacting business in Klamath Falls on Thursday.
Mrs. Red Gaskill and daughter Della of Burns, Ore., visited for several days the past week with her parents, Mr. and Mrs. T. P. Michael.

Mr. and Mrs. Joe Vietra of Sprague River spent the weekend with their parents, Mrs. Rosa Vietra and Mr. and Mrs. E. P. Pool.
Mrs. J. C. Marin, Mrs. Claude Holsten and Mrs. Albert McCumber and daughter Sharon visited on Friday at the Bob Adams ranch at Merrill with Miss Jean Marin, Adam Weidman was business visitor at the Michael ranch on Saturday.

Court House Records

Divorce Suit Filed
Irene E. Baldwin versus Thomas M. Baldwin. Charge, conviction of a felony. Couple married July 7, 1934, in Burley, Idaho. Plaintiff asks that maiden name, Irene E. McIntosh, be restored. J. C. O'Neill, attorney for plaintiff.

Complaint Filed
Klamath Valley hospital versus LeRoy Monroe Adams, also known as Roy M. Adams and R. M. Adams, and Katie Adams and R. E. Spencer. Plaintiff seeks judgment on sum of \$50.25 alleged owing for services, together with interest. D. E. Van Vactor, attorney for plaintiff.

Marriage Applications
DICKINSON—SHARP—Cecil Dickinson, 29, laborer, native of Colfax, Wash., resident of Tulelake, Ill. Sharp, 26, housewife, native of Prineville, Ore., resident of Klamath Falls.

MOORE-MYERS—Charlie Henry Moore, 35, mill worker, native of Georgia, resident of Klamath Falls, Vivia M. Myers, 25, housewife, native of Arkansas, resident of Decab, Mo. Three-day requirement waived.

Justice Court
Mrs. Phil H. Dunn, violation basic traffic rule, paid \$5.45 costs.
Jack Morcan, failure to stop at scene of accident, fined \$10.
B. W. Hensen, no operator's license, paid \$5.45 costs.
Charles Clayton, drunken driving, fined \$100.

FOUR SENTENCED AT SPRAGUE RIVER

Four men were committed to the county jail from the Sprague River justice court Wednesday on disorderly conduct charges.
The four were Gilbert Copperfield, sentenced to serve out a \$10 fine, Jack Morris, same, Joe Holwig, sentenced to serve out a \$15 fine, and Arthur Jackson, \$10 fine. Copperfield paid his fine at the jail and was released.

In such a world as that in which we are living we cannot take the position that the use of force is never justifiable.—Bishop Manning, New York.

TODAY AND FRIDAY

SHOWS DAILY 2 P. M., 7 P. M., 9 P. M.
DOORS OPEN 1:30 P. M. AND 6:45 P. M.

THE CHILLINGEST...THRILLINGEST...LAUGHINGEST
CLUE HUNT THAT EVER BAFFLED YOU!
After all...who would shoot a dead man?!

The white-masked surgeon whose eyes burned with a fiery zeal?!

The hate-crazed interne who had threatened revenge?!

The handsome young Doctor...or the girl he loved?!

The eccentric patient whose groans rang false?!

The hard-boiled head nurse who was almost too calm?!

The scatter-brained night nurse whose flounder-footed blunders turn mystery into hysteria?!

THE GREAT HOSPITAL MYSTERY

with JANE DARWELL
SIG RUMANN
SALLY BLANE
THOMAS BECK
JOAN DAVIS
Directed by James Tinling
Associate Producer John Stone
Based on a story by Mignon Eberhart

NEWS, PICTORIAL ACT AND COMEDY