

CONTEMPT OF CIVIL COURT RULING MADE

WASHINGTON, April 15 (AP) The supreme court ruled Monday that a person can be punished for civil contempt of court only if the acts alleged to have obstructed justice occurred within the physical proximity of the tribunal.

This ruling reversed a famous 1918 decision which upheld the conviction of a Toledo, O., newspaper for criticizing court proceedings concerning street railway affairs.

Justice Douglas delivered the opinion in a comparatively minor case. Chief Justice Hughes and Justices Stone and Roberts dissented.

The majority opinion reversed the contempt of court conviction of R. H. Nye and L. C. Mayers of Luberton, N. C., in connection with their alleged attempts to persuade W. H. Elmore of Conway, S. C., to drop a \$30,000 damage suit against the B. C. Remedy company after the death of Elmore's son.

Justice Douglas said that under a section of the federal judicial code "the fact that in purpose and effect there was an obstruction in the administration of justice did not bring the condemned conduct within the vicinity of the court in any normal meaning of the term."

"It is not misbehavior in the vicinity of the court disrupting to quiet and order or actually interrupting the court in the conduct of its business."

Douglas added that if the defendants could be punished for their misconduct it must be under the criminal code "where they will be afforded the normal safeguards surrounding criminal prosecutions."

Douglas said that "we may concede that there was an obstruction in the administration of justice, as evidenced by the long delay and large expense which the reprehensible conduct of petitioners entailed."

He added that the opinion in the Toledo newspaper case holding that a "reasonable tendency" to obstruct justice constituted civil contempt would have supported the conviction of the North Carolina defendants.

But, Douglas said, "that decision must be overruled."

"The question of whether a 'reasonable tendency' to obstruct justice is sufficient to uphold a contempt conviction, or whether there must be a 'clear and present danger,' is at issue in cases pending before the high tribunal involving the conviction of the Los Angeles Times and of Harry Bridges, west coast labor leader.

In those cases the California supreme court ruled that a contempt-of-court conviction might be upheld if there were a "reasonable tendency" toward impeding the work of the court.

Today's case hinged on a 110-year-old law giving federal courts power to punish summarily for contempt and providing that this power "shall not be construed to extend to any cases except the misbehavior of any person or persons in the presence of the said courts or so near thereto as to obstruct the administration of justice."

The dissenting opinion by Justice Stone said that the majority assumed that the phrase "so near thereto" could "only refer to geographical position" and that it ignored "the entire history of the judicial interpretation of the statute."

"Near" may connote proximity in causal relationships as well as proximity in space," Stone said.

Among other actions today, the court agreed to review litigation growing out of the justice department's anti-trust suits directed at automobile financing.

The justices consented to pass on action by the federal district court at South Bend, Ind., which continued for 12 months until January 1, 1942, a consent decree restraining the Chrysler corporation from making loans to or acquiring securities of any automobile finance company.

The tribunal also affirmed by an evenly divided four-to-four vote, the decisions of lower courts in three cases involving private litigation. This brought to eight the number of controversies disposed of in that manner in recent weeks.

Such divisions were made possible by the court vacancy created by the retirement of Justice James C. McReynolds.

STARTLING ENOUGH SAN FRANCISCO, April 15 (AP)—To stop speeders without frightening them with a siren blast, traffic officers have been ordered to pull up alongside the offending auto and tap on a window.

Motorcycle Officer L. J. Garvin tried it.

His rap so startled the driver and her woman companion both screamed.

Tennis Star Scores in Love Match



Donald Budge, one of the world's greatest tennis stars, and his fiancée, Dierde Conzelman, Stanford student, much devoted at lunch in San Francisco.

War Brings Fur Depletion, Says Tulelake Refuge Man

(Editor's Note: This is the second of two articles on national wildlife week appearing in the form of an interview with G. C. Fairchild, Tulelake biological survey game refuge manager.)

Not all phases of wildlife conservation can be viewed optimistically, according to G. C. Fairchild, Tulelake refuge manager. He pointed particularly to the status of fur animals.

"Unless action is taken promptly, the fur resources of the United States will suffer a marked depletion that may lead to extirpation of some of the valuable species," he asserted.

"The war abroad has created a serious situation. Furs of wild animals cannot be imported, as formerly, and we are now making inroads on our own fur animal supply."

The difficulty, he explained, is that we lack adequate knowledge concerning the status of fur animals in the states.

"It has been said again and again, but cannot be repeated too often that more fur animals are being taken than are being produced," Fairchild said. "But whether we are producing 10,000,000 and taking 15,000,000 or producing 20,000,000 and taking 30,000,000, we don't know."

He was certain the take exceeded the annual production. Now is the time to take precautionary measures, he warned; otherwise, it may be too late.

To aid the fur industry, fur trappers, fur farmers, and the rabbit industry, the service maintains the U. S. rabbit experiment station in Fontana, Calif.; the fur animal experiment station near Saratoga Springs, N. Y.; and research stations at the Patuxent refuge near Bowie, Md., and the Blackwater National Wildlife refuge near Cambridge, Md.

Diseases The fur question reminded Fairchild that controlling diseases of fur animals and other wildlife is another important task of the fish and wildlife service. Constant study is necessary in dealing with disease in wild animals, he said. Each section of the country is covered by wildlife disease specialists.

Oregon has the services of Dr. F. D. McKenney who has headquarters at Pullman, Wash. Not only is the service concerned with the national aspects of conservation, but it is interested in helping the states solve their wildlife problems. "After all, conservation is the important thing," Fairchild said.

That's where the federal aid program comes in, he continued. Each year congress appropriates money to be used to help the states in their conservation programs. The federal aid in wildlife restoration act, or the Pittman-Robertson act, as it is also called, is administered by Secretary of the Interior Harold L. Ickes through the service.

Each state is allotted a portion of the total appropriation on the

basis of the number of licensed hunters and the acreage of the state. The federal funds are used to pay 75 per cent of the cost of projects planned and proposed by the states, approved by the fish and wildlife service, and carried on by the states.

This year Oregon was allotted \$79,380.15 for federal aid projects to benefit the state wildlife. Projects now underway are to restore and manage beavers, to develop water supplies and habitat for sage grouse, and to establish seed-stock refuges for small game in the Willamette valley.

Nation-Wide Many states are setting up wildlife refuges with federal aid money, Fairchild said. Most of these areas are primarily for resident, or nonmigratory, species of wildlife. That fits well into the general conservation program, he pointed out, since the state refuges supplement the service's continental system of national wildlife refuges.

"There are 263 national wildlife refuges now," he explained, "stretching from Puerto Rico to Alaska and Maine to Hawaii."

These refuges are set aside to meet the needs of various forms of wildlife, but in general it may be said that the sanctuaries serve one or more of three functions, providing nesting or breeding grounds, resting grounds, or wintering grounds for the species of animals using the areas.

There are 11 national wildlife refuges in Oregon; upper Klamath refuge, lower Klamath refuge, Tule Lake national wildlife refuge, all near Klamath Falls, and others.

While all refuges protect all forms of wildlife found on the areas, development work on each sanctuary is aimed at improving the habitat primarily for certain species. Of the 263 national wildlife refuges already established, 176 have been set

Nothing Fishy Here

Asked how the service refuge managers could develop the larger refuges with small staffs, Fairchild said that "you can give the civilian conservation corps credit for a lot of this good work." Much of the work on recently-established refuges is done with the aid of CCC enrollees, he explained. Last year there were 36 CCC camps in operation on 41 refuges in 26 states.

The camps at Tule lake and Malheur national wildlife refuges have done excellent work on construction projects and in improving the wildlife habitat in Oregon, he said.

The WPA also received praise for the work it has done on 45 refuges in 16 states. Last year more than 13,600 man-months of employment were provided on national wildlife refuges throughout the country.

Work included constructing bridges, dams and buildings; planting cover shrubs and other vegetation; and building fences and marking refuge boundaries.

"Marking boundaries helps reduce the number of game-law violations on the refuges," Fairchild said, "and reducing the number of violations is, of course, important." He added, referring to game-law enforcement in general, that last year the service's 70 game-management agents and deputy agents singly or in cooperation with state officers and deputy game wardens, obtained evidence in 2339 cases of game-law violations.

"These cases were prosecuted in state and federal courts, with result that 2773 convictions were obtained," the service official declared. "That's almost 95 per cent convictions."

Cecil G. Kocher is the U. S. game management agent for Oregon. In his annual report to the director of the fish and wildlife service, Kocher praised the

Nothing Fishy Here



Elizabeth Dinsmore never thought up a lovelier picture than Evelyn Dinsmore above, and her Long Beach Cal. catch of barracuda. Unusually warm ocean currents brought summer catches to many Southern anglers.

cooperation received from the Oregon state game commission. Without the cooperation of state, county and local officials and private organizations, the service would be unable to conduct its conservation program effectively, Fairchild asserted.

"Not only does this apply to law-enforcement, federal aid, and other projects, but it is equally true of the predatory-animal and rodent control work," he said.

"Incidentally, it is an established service policy that preda-

RED BLUFF SET FOR ROUND-UP FESTIVITY

The city of Red Bluff is all set to undergo its annual transformation from a modern community to a frontier town on Saturday night, April 19, when the free street dance and city-wide open house will be held in connection with the Red Bluff Round-up.

The annual Round-up party has become widely known throughout the years as an important part of the Round-up, and civic organizations are cooperating to make this year's affair another outstanding celebration. Citizens of northern California are invited to participate in the free dancing and special entertainment that will begin at 9 p. m. and continue far into the night.

Special music has been engaged and an entire city block will be roped off to provide a dance floor for the thousands of merry-makers. In addition, many fraternal organizations, clubs and individuals are planning Round-up parties.

The streets of Red Bluff have been decorated with gaily colored flags and bunting, and citizens are sporting ten gallon hats and violently colored shirts. The old-time western spirit will live again on Saturday night, and preparations have been made to accommodate a record crowd.

Economic agreements likely to be broken.—Otto T. Mallory to the American Academy of Political and Social Science.

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