

THE BIG YEAR
The year 1935 will be an epochal year in national, and perhaps local, affairs. Keep in touch with the daily happenings through The Reporter-Telegram.

THE REPORTER-TELEGRAM

THE DAILY REPORTER (Consolidated March 10, 1929) THE DAILY TELEGRAM
MIDLAND, TEXAS, TUESDAY, JAN. 8, 1935

THE FORECAST
WEST TEXAS: Fair, somewhat warmer in the west tonight; Wednesday partly cloudy, warmer in southeast.

VOL. VI Number 260

HAUPTMANN - MURDER IDENTIFIED

Man Arrested After Threat on Allred's Life Reported

DRUNKENNESS IS CHARGED; DOUBT INTENT TO KILL
Arrest Occurs Near The University of Texas Today

AUSTIN, Jan. 8. (AP)—A man reported to have made threats to kill Governor-elect James V. Allred was arrested by city officers here today on a street near the University of Texas.

He was booked on a charge of drunkenness. Officers were inclined to discredit the report that he intended to harm Allred.

Yates Field Suit Basis of Ruling By Supreme Court

Editor's Note: This is the second installment of a ruling by the state supreme court, signed December 31, affecting title to oil properties, based on two cases, Geo. W. Sheffield, tax collector, and the state of Texas, intervener, vs. W. C. Hogg et al (Brazoria county); and the Federal Royalty, vs. the State of Texas (Pecos county). The ruling was furnished through courtesy of Judge J. M. Caldwell.

In other words, the one-eighth royalty herein provided shall be divided equally between the said Leo Hager and the said Ira G. Yates and words "Lessors" as used herein, relative to the one-eighth royalty, shall refer to both said Yates and said Hager.

The brief and argument states, at page 14:

"The real question in this case is whether a royalty interest under an ordinary oil and gas lease, is a taxable interest in real estate. And by the expression 'ordinary oil and gas lease' is meant any one of the several forms of contract which gives to the lessee the exclusive dominion and control over the oil and gas in place in the ground and provides for the delivery of a fractional part of the oil, after it is produced, to the lessor."

At the outset, it must be regarded as finally settled in this States, as stated in Waggoner's Estate v. Siger, 118 Tex. 517, that the ordinary oil lease operates to invest the lessee with the dominion and control over the oil and gas in place, through which they claim in each of the cases now before us? Despite differences in their phrasing and terms, we have concluded, after careful consultation and deliberation, that the lessor's interest, sought to be taxed in each instance in these cases, is that of his assign, was an interest in land, subject to taxation as such in the counties in which the respective tracts of land are situated.

Let us consider the contracts in the order we have referred to them. The fifth clause of the Hogg-Hamman contract states that as consideration therefor the lessors "shall have" a certain royalty, being 1/8 of the oil produced and 1/8 of the gas produced on the lands, the oil to be delivered to the lessee while for the gas the lessors "shall have" one-eighth interest in all money realized from gas marketed from said land, and for the sulphur the lessors "shall have" one-eighth interest in the oil produced and saved from the land, under quarterly cash settlements.

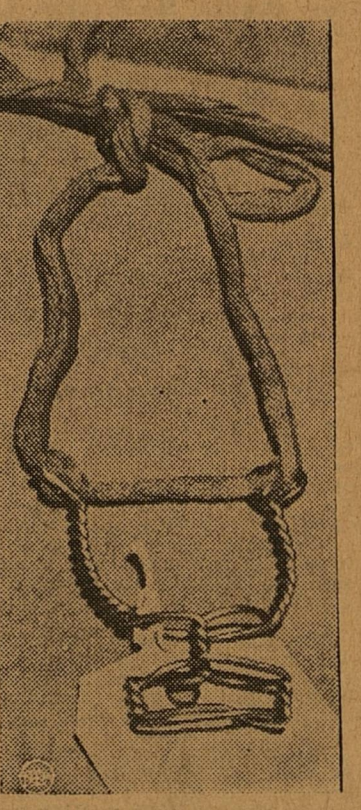
Endeavoring to reach the true purpose and intent of the parties we can draw no substantial differences, so far as taxation is concerned, between an agreement excepting from a grant of a lease to the production of minerals, or an agreement reserving the same portion, or an agreement that the lessor shall yield or shall deliver to the lessor exactly the same portion. In either instance, the title to the specified mineral portion is intended to remain or vest, and does actually remain or vest in the lessor. It logically can make no difference, as may have been intimated in this justice's and in other far greater jurists' reasoning, whether the oil is retained by the lessor as oil and gas, readily convertible into cash on the market, or whether the lessee is given a power to sell all of the oil and gas, always according to the fixed royalty portion to the lessor. Sound principle, supported by the highest authority, goes further and compels us to observe to the proposition that dealing with oil and gas or dealing with solids in place, like sulphur, lignite, salt, coal, or lime, the lessor owns, or rather she simply title to the land, and his assigns, who have been careful to secure to themselves, their heirs or assigns, by exception or reservation or by contract for "having" or yielding or paying, or for delivery, or by what-not similar contractual devices, the rights to a portion of the proceeds or profits derived from the lessee's or his assigns' authorized sale of the minerals, throughout which may be perpetual, have and own a fee simple interest in land, or at least have a right belonging or appertaining to the hereditament.

(See COURT RULING, page 4)

'Jafsie' Aide Torn Off Babe



A former heavyweight prize fighter, Al Reich, above, who was prominent in events leading up to the \$50,000 Lindbergh ransom payment, likely will be an important witness in the Hauptmann trial. Reich was bodyguard for "Jafsie" during the latter's efforts to contact the kidnapers.



This wire and tape thumbguard was yanked from the wrist of Charles A. Lindbergh, Jr., as the child's slayer fled and was found about 100 yards from the Lindbergh home on the kidnaping night by Nursemaid Betty Gow. It was identified by the mother at the Hauptmann trial.

LAVAL DENIES A REARMAMENT FOR GERMANY AGREED

Franco-Italian Pact Protects Austrian Independence

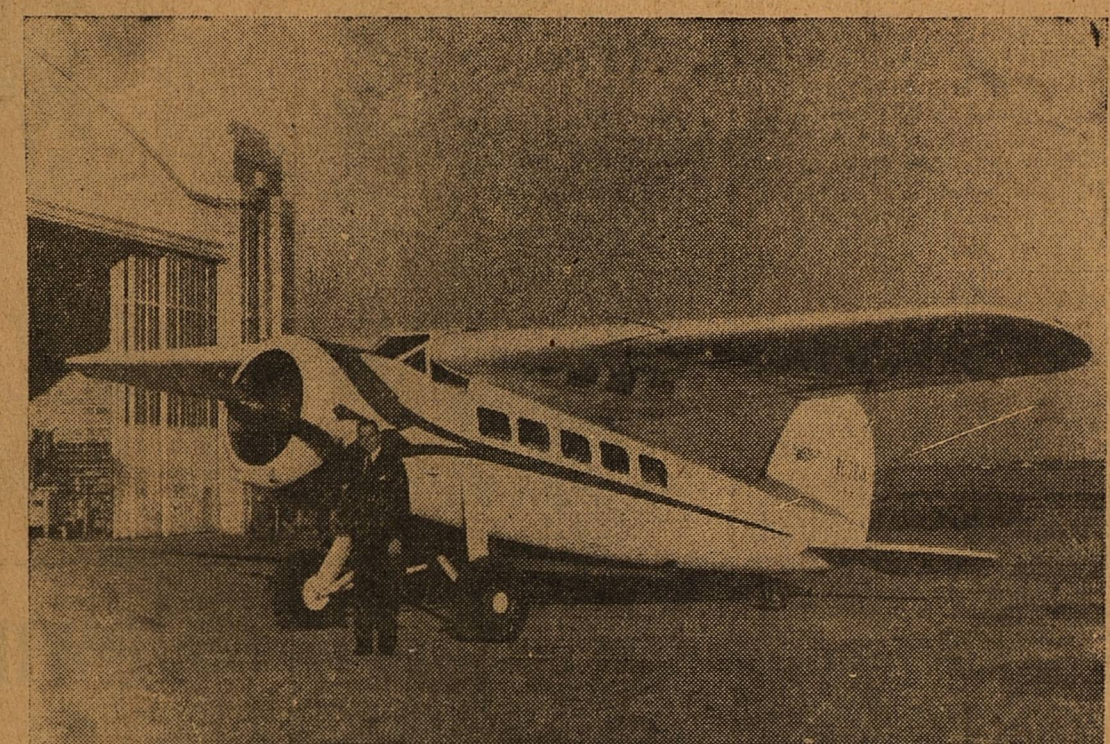
ROME, Jan. 8. (AP)—With the agreement signed by Premier Mussolini in his possession, Pierre Laval, French foreign minister, returned to France today.

The agreements included a pact of consultation by which France and Italy are to consult each other regarding action they are to take whenever Austrian independence is menaced.

They reached a non-intervention pact to be signed by Austria and her neighboring states. If Germany signs, the pact will embrace six powers, including the Little Entente. Otherwise it will include five.

Minister Laval denied that he and Premier Mussolini had agreed to rearmament for Germany if the latter entered the non-intervention pact and returned to the League of Nations.

Plane Used For Permian Basin Mapping



Use of aerial photography in mapping topographic features of Permian Basin has become more popular among geologists for some time. Pictures taken from the air and matched together to make a mosaic map are found to show features of geologic significance not easily discovered in work on the ground proper.

Above is shown a Lockheed Vega ship piloted by John E. Grimmett, which is at the local airport for a few days taking flights over West Texas and New Mexico to afford Ed Owen, geologist for

L. H. Wentz of San Antonio, to see and photograph parts of this territory from the clouds. Pictures are taken with either a hand camera or moving picture hand machine.

AGED MAN STATES SAW HIM MARCH 1 LINDBERGH LANE

"Dirty Green" Car Connected With Defendant

FLEMINGTON, Jan. 8. (AP)—Bruno Richard Hauptmann was identified in court today, in his trial for murder of Charles Lindbergh Jr., as the man seen at Hopewell N. J., on the night of March 1, 1932, when the baby was stolen from his crib and murdered.

Reich was bodyguard for "Jafsie" during the latter's efforts to contact the kidnapers.

Hauptmann shook his head negatively. Trembling violently, the old man stated that he saw "dirty green" car swing into the Lindbergh lane near his home at Hopewell on the night of the kidnaping and stop briefly.

He said he saw the automobile in which he was alleged to have seen Hauptmann because he thought it might be Col. Lindbergh passing. No questions in Edward J. Reilly's cross-examination could shake the old man's positiveness.

Prior to Hauptmann's startling testimony the defense launched an attack upon the efficiency of New Jersey police after two officers testified that they found no finger prints in the Lindbergh baby's nursery nor on the ladder down which the state contends the baby was carried to his death.

Betty Gow, part Scotch nurse from whose care the Lindbergh baby was stolen and slain, faced a three-hour fire of defense questions late Monday and later collapsed, tearful and shaken, in the courtroom where Bruno Richard Hauptmann is on trial for his life.

On the witness stand, her voice was calm and even as she answered the searching queries of Edward J. Reilly. She kept her composure throughout the trial. Again she saw and touched the flannel shirt she had sewn to protect his chest against the cold. Again she touched the thin blanket she put on him.

But in the end the ordeal of direct and cross-examination was too great.

Her eyes red from weeping, her slim figure quivering with emotion, she was forced to leave the courtroom. In an anteroom she collapsed.

Later the ladder, down which the state contends Hauptmann carried the stolen baby from his nursery, was brought into the courtroom. It provoked a storm of defense protests and was not immediately admitted as evidence.

Hauptmann, the cold-eyed carpenter, listened in vain as witnesses described the sectioned ladder. As he left the court he turned to a guard and remarked: "If I had that ladder, I'd be a second-rate carpenter."

McCRAW SWORN IN AS ATTY. GENERAL

AUSTIN, Jan. 8. (AP)—William McCraw of Dallas was sworn in as attorney general of Texas today, succeeding James V. Allred who on January 15 will be inaugurated as governor.

FLAPPER FANNY SAYS: Husbands need to look out when wives look in store windows.



GROWTH REFLECTED IN ENROLLMENT AT SCHOOLS; ATTENDANCE IS GOOD

Reports for the fourth month of the current session of the Midland public schools, ending Friday, January 4, show that 135 more pupils have been enrolled this year than were enrolled by the same date last year, and that 51 new pupils were enrolled during the month.

The same reports show that 151 visitations to the various schools and class rooms were made by the superintendent during the month, 103 such visits were made by the various principals, and 369 by patrons. This does not include the attendance of more than 1,000 patrons at the Christmas programs just before the holidays.

The following rooms ranked highest in per cent of perfect attendance during the month:

Miss Cartwright's room	99.50 per cent.
Mr. Barnes' room	98.54 per cent.
Miss Hefner's room	98.47 per cent.
Mrs. Philippus's room	98.45 per cent.
Mr. Henderson's room	98.29 per cent.
Mrs. Scrogg's room	98.26 per cent.
Mrs. Williams' room	98.16 per cent.
Miss Weister's room	98.06 per cent.
Mr. Bearden's room	98.00 per cent.
Miss Cartwright's boys averaged	100.00 per cent.
Of the rooms averaging below 98 per cent, five rooms averaged 97 per cent, six rooms averaged 96 per cent, five rooms averaged 95 per cent, four rooms averaged 94 per cent, six rooms averaged 90 to 93 per cent, and only three rooms fell below 90 per cent.	

GUN BATTLE IN MEXICAN STATE FATAL TO SEVEN

MEXICO, D. F., Jan. 8. (AP)—Seven persons were shot to death and four were wounded in a battle between federal troops and alleged plotters against the government at Lapedad, Michoacan state, dispatches said today.

Soldiers trapped four suspected enemies of the regime in a house and killed them after a brisk night-fight. A soldier, a policeman and a passerby were killed by fire from the house.

The war department announced that a number of rebels and several federal troops were slain in a recent fight on the boundary of the states of Durango and Sinaloa which adjoins Michoacan.

Panhandle Gets a Badly Needed Rain

AMARILLO, Jan. 8. (AP)—Snow-falling rains on the Panhandle-Plains area Monday supplemented moisture that came to the greater part of the section Sunday night. Amarillo received eight-tenths of an inch Sunday night and this afternoon. Dalhart, Channing, and Texline, North Plains points badly in need of moisture each reported an inch. The rainfall was equally as heavy west toward Tucuman, N. M.

South of Amarillo the precipitation averaged about a half inch. Winter wheat was greatly benefited.

OIL CODE RULING HITS PRORATION, HOT OIL CONTROL

BY PAUL OSBORNE
Government control of the oil industry was cut short yesterday with a decision of the United States Supreme court holding that section 9-C of the Recovery Act, was invalid.

Aside from being the first decision on New Deal legislation the ruling holds particular significance to Texas as oil men, especially inasmuch as it allows the opening of East Texas field wells without government restriction.

Section 9-C of the Code gave authority to the President to prohibit the interstate transportation of all oil produced or withdrawn in excess of the amount allowed by the state through its duly authorized agency and contained enforcement teeth in fine and imprisonment clauses.

Two companies in East Texas, the Panama Refining Company and the Amazon Petroleum Corporation, challenged the validity of the act and were upheld by the Federal District Court for East Texas. The next higher court, the Fifth Circuit Court, reversed this decision but was in turn reversed by the Supreme Court yesterday.

Chief Justice Hughes handed down the decision in the important case, and stated in his decision that the act as passed by Congress did not violate the interstate commerce clause and hence was invalid. Only one to dissent was Justice Cordozo, who did not explain his holding in open court.

What Section 9-C means to operators were not restricted by Federal legislation as regarded amount produced, but were prohibited from shipping oil across state lines unless they were able to show that the shipped oil had been produced within the demands of state proration.

However, as the situation now stands, producers are in no way hindered or inhibited in shipping oil and so can transport only legally produced oil interstate, sending all "hot oil"—that produced above the 18,000 tons for the state—to some neighboring state.

State legislation contains the authority to limit production, but particularly as applies to East Texas, the authority alone does not serve to control the amount actually produced, since it is virtually impossible for the small state enforcement forces to closely watch the 18,000 tons.

Reports indicate that immediately after the Supreme Court announcement yesterday afternoon, oil was being loaded into tank cars and held out of state in anticipation for such a decision, and since no federal tender was required it was expected that hot oil transportation would start today.

In Washington it was said that oil regulatory officials were redrafting a clause acceptable to the Supreme Court ruling to repeal Section 9-C, preparatory to sending it immediately to Congress with the request that it be enacted as an emergency measure to prevent collapse until new legislation can be established.

East Texas oil men consider that removal of the governmental regulations will bring forth a flood of petroleum from the field, flushing the wells beyond the 7,000 to 8,000 barrel per acre recovery to date, and possibly cause a price collapse.

AUSTIN, Jan. 8. (AP)—C. V. Terrell, member of the Texas railroad commission, said Monday night there was no need for alarm over the decision of the United States supreme court holding invalid that part of the national recovery act under which the federal government has been curtailing oil production.

His opinion was echoed by F. W. Fischer of Tyler, counsel for the Panama Refining company, who said the decision would be a great victory for the people and all business, "left the state with ample powers to prevent the movement of illegal crude oil or its products." (See OIL CODE, page 4)

STEVENSON IS ELECTED SPEAKER

USE OF XMAS SEAL FUNDS DISCUSSED AT BOARD MEETING

Ken Regan President Pro Tem of the Senate

AUSTIN, Jan. 8. (AP)—Coke Stevenson, Junction, was elected speaker, his forty-fourth legislature, this afternoon, eighty to sixty-eight, over Bob Calvert, Hillsboro.

AUSTIN, Jan. 8. (AP)—Ken M. Regan of Pecos was elected president pro tem of the senate as the legislature opened its forty-fourth session at 12:10 o'clock today. W. W. Heath, secretary of state, presided in the house and Lieut. Governor Edgar E. Witt in the senate, upon opening.

Observers estimated the audience in the house galleries to be the largest ever assembled at the opening session.

The spotlight centered on the speakership, with both Coke Stevenson of Junction and R. W. Calvert of Hillsboro issuing last minute statements expressing confidence.

Stevenson's supporters wore red carnations and white ribbons. Calvert, at his old desk, was surrounded by friends.

BOTH DELEGATIONS CLAIM SPEAKERSHIP

AUSTIN, Jan. 8. (AP)—Beset by some of the most momentous problems in the history of the state, the forty-fourth legislature convened at noon.

With Secretary of State W. W. Heath presiding temporarily in the house and Lieutenant Governor Edgar E. Witt officiating similarly in the senate, the legislature embarked on a grueling session which will end in the late spring.

While legislators swarmed in hotel lobbies and the capitol, many bearing pet bills, to all outward appearances their thoughts concentrated not on prospective legislation, but on the bitter contest for the speakership of the house between the veteran Coke Stevenson of Junction and the youthful Bob Calvert of Hillsboro.

Veteran observers said the struggle for the leadership was the most strenuous in many years, and some foresaw lasting scars which would find imprint on legislation.

Need Dozen Calves For Orphans' Car

More than a dozen calves are needed here to complete the car built by the Orphan's Home, it was announced today by Percy J. Mims and H. J. Neblett, committeemen.

Of the nine in the stock pens, R. W. Smith, at Odessa, had two dozen in his horse pasture, having started during the holidays to gather them. The committee sought to be shipped Thursday to the home.

Those desiring to give cash instead of calves were asked to communicate with Mims or Neblett here or with Smith at Odessa.

Centennial Coins Are Distributed

AUSTIN. (AP)—Records at the close of the first ten days of distribution of the Texas Centennial silver 50-cent pieces show that more than 250 Texas banks are cooperating in the campaign. Orders have been received at headquarters of the American Legion Texas Centennial Committee, A. Garland Adair, chairman, states, from citizens in England, Panama, Hawaii, Canada and all states of the union except Idaho.

SLIGHT CHANGES IN BANK ROSTER ARE ANNOUNCED

Elliott F. Cowden was elected vice president of the First National bank at its annual stockholders meeting today and Frank Cowden and E. B. Dickenson were added to the board of directors.

Other officers and directors remained the same, with Clarence Scharbauer, president; John Scharbauer, vice president; and M. C. Ulmer, cashier. Other directors elected included E. P. Cowden, J. L. Crump and A. B. Connell.

John P. Butler and E. D. Richardson were re-elected assistant cashiers.

Conservative optimism was voiced by the institution, although it was generally conceded that the welfare of the ranchman and farmer depends upon rainfall. Expressions of satisfaction were voiced over increases in deposits and over the growing oil development of this section.

FIND UPPER HALF OF INFANT'S BODY

TACT, Tex., Jan. 8. (AP)—The upper portion of an infant's body, presumably a few days old, was found on the doorstep of his home here late Monday by Louis Long, Tact business man.

Officers and physicians hastily summoned to the scene could not ascertain the sex or race of the infant. Dan Malone, undertaker, guessed the child to be a few days old.

The body had been cleanly severed slightly below the waist. The spinal cord had been cut through, apparently by a knife or cleaver, officers said. First theories that the child had been ravaged by a dog were discarded when closer examination revealed an almost perfect severance.

Sheriff Frank Hunt of San Patricio county was summoned and aided by Constable O. J. Moody started an investigation. The other half of the child's body could not be found after an exhaustive search of surrounding territory.

The upper half of the body was cremated after a thorough examination by physicians and officers.

DATE IN ERROR
Error was made in the statement of this paper yesterday that the time for paying delinquent city and school taxes without being assessed penalty and interest would be from February 9 to March 1. The final date is March 15 instead of March 1.

LEGION REPORTS MEMBERS
AUSTIN. (AP)—Adjutant Fred E. Young of the American Legion, department of Texas states that the new year opened with a paid up membership of approximately 14,000.

DIRECT RURAL WORK
LAS CRUCES, N. M.—Harry Bortner has been appointed agent for rural rehabilitation work in Dona Ana county.

THE REPORTER-TELEGRAM

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Any erroneous reflection upon the character, standing or reputation of any persons, firm or corporation which may occur in the columns of The Reporter-Telegram will be gladly corrected upon being brought to the attention of the firm.

ENGLAND TAKES A HAND

The sensations incident to the Senate's munitions investigation seem to have had their effect on the far side of the Atlantic. England is preparing to name a royal commission to investigate the arms traffic in Great Britain.

It is noteworthy that this step was forced upon a reluctant government by public opinion. When the American investigation started to make headlines, British officialdom intimated that such scandalous methods were all very well for Yankees, but that England could get along quite nicely without copying them.

Before long, however, the subject was raised in the House of Commons, and the debate there indicated that the masses of people in England had the same sort of healthy curiosity about the arms traffic as the masses of Americans did.

So now England, like America, is going to look into the doings of the merchants of death. If the investigation is half as fruitful as the one in Washington, the world will be a good deal wiser when it is finished.

NEW START FOR AGRICULTURE

The farmer is a good deal better off economically than he was a year ago. Agriculture Department figures show that farm income last year rose by fully \$1,000,000,000, with farm purchasing power rising to 80 per cent of the pre-war level, as compared with 52 per cent in 1933. Benefit payments by the AAA ran to a little more than \$370,000,000 for the year.

This indicates that the cumbersome and occasionally irritating AAA scheme worked out rather better than some of us expected. In fact, it leads one to suspect that this program has done about all that it can do, and that further advances for the farmer must come from a revival of industrial activity and a recovery of our foreign markets.

Agriculture, in other words, has been abundantly stimulated; it must take its pace, now, from the national revival as a whole.

A BRIGHT OUTLOOK FOR A DAY

The perennial and thorny subject of crime news, and what a newspaper editor should do about it, has been given a distinctive approach by J. H. Wolpers, publisher of the Poplar Bluff (Mo.) American Republican.

On the day before Christmas, this newspaper made it a point to keep all "unsavory and unpleasant news" off the front page. This is in line with a Christmas policy which Mr. Wolpers adopted five years ago, and it seems to be an exceedingly sensible idea.

No newspaper can ignore "unsavory and unpleasant news" all the time. It would be false to its trust if it did. Such news is part of the great record of human activities, and the editor who refused to recognize its existence would not last long.

But to submerge such news on one day out of the year—to fall in line with the Christmas spirit by giving the world, for the moment, a brighter face than it really possesses—that is something else again.

Senator Vandenberg is fighting for the separation of politics from the postal service, if only to give Republicans a chance for a few jobs.

To a great many children whose parents frequent the five-and-tens, Santa Claus must have been Japanese.

Mrs. Elizabeth Dilling again lists Mrs. Roosevelt among 1300 "Reds," and the country still doesn't know who Mrs. Dilling is.

A New York doctor has invented an instrument that detects the sound of people's nerves. That wouldn't be needed in the case of many people whose nerve we know.

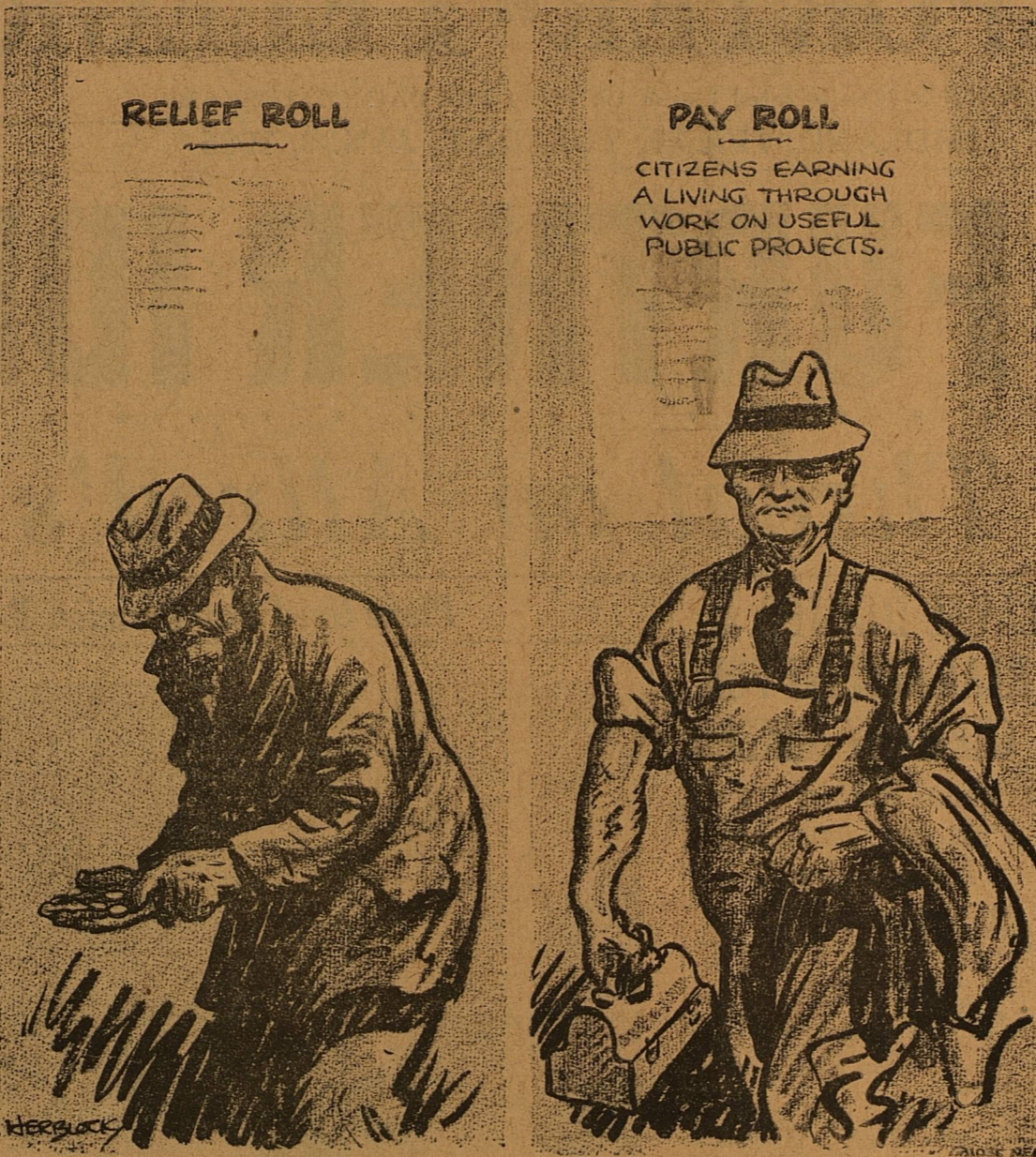
Wouldn't the Republican Party like to have a shot of that mysterious chemical which a scientist says can prolong life at least two years!

Side Glances by Clark



"I kept kicking your ankle, but you just wouldn't understand that I wanted you to lead your highest spade."

The Difference

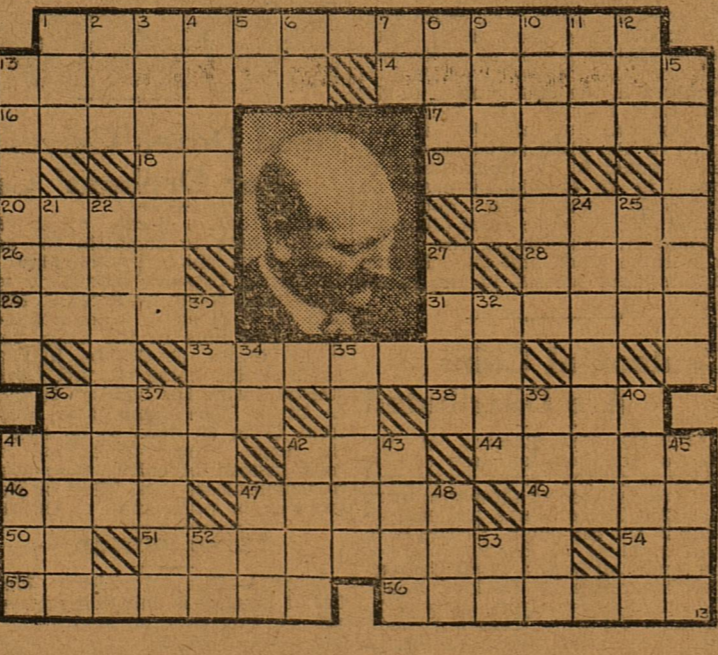


The Town Quack

(Reserves the right to "quack" about everything with taking a stand on anything.)
The Scotchman who lost a purse that contained a dollar bill? "No."
"Did you never will."
A bill collector: "People are most hospitable and friendly to me. Nearly all of them ask me to call again."

Aviator Statesman

HORIZONTAL
1 French statesman who recently came into power, Etienne
13 Girl (Irish), Dimmed, as eyes.
16 Was sick.
17 Decorous.
18 Myself.
19 Queer.
20 Small Islands.
21 Serf.
22 Gaseous element.
23 To prepare for publication.
24 Egresses.
25 To pretend.
26 Petulant.
27 High terraces.
28 Pertaining to a bean eye.
29 Refers to something repeatedly.
30 Anything steeped.
31 God of war.
32 Mesh of lace.
33 His first task was to select.
34 Expunged.
35 Gender.
36 Lags.
37 To flatter in a servile way.
38 Vigor.
39 Reckless.
40 Mineral springs.
41 Leg bone.
42 Corpse.
43 Straggled instrument.
44 Gold house.
45 Paroxysm.
46 One who laces.
47 Wireless.
48 Skein of yarn.
49 Bustle.
50 Footway.
51 For fear that.
52 Common verb proceedings.
53 Note in scale.
54 Railroad.



Foods Classes Serve Light Luncheons As First of Series

On Friday, Jan. 4, the Foods I classes planned, prepared, and served the first of a series of luncheons to be served during the remainder of this semester. The third period class served the following menu: Ham Sandwiches, Fruit Salad, Grape Punch.

Announcements

Wednesday
The Wednesday club will meet with Mrs. Paul Ryan, 911 W Wall street, Wednesday afternoon at 3 o'clock.
Installation of officers of the YWA will be held Wednesday evening at the Baptist church following prayer meeting.
Thursday
The Friendly Builders class of the Methodist church will meet at the home of Mrs. C. E. Powder, 735 W Louisiana, Thursday afternoon at 3 o'clock for a business and social meeting.
The Lois class will hold a business meeting at the Baptist church at 3 o'clock Thursday afternoon. Members will begin the work of the year.

Snake Puzzles Police

EL PASO.—Police were seeking a reason today for the out-of-season appearance of a small king snake near the Franklin canal yesterday. The reptile, about two feet long, bit Juan Varela, 14, 1305 E. St. Antonio St., on the shin. The bite of the king snake is not poisonous. The boy was bitten while hunting gophers along the canal bank.

Survey Bill Pushed

WASHINGTON.—An appropriation of \$80,000 to survey the proposed canalization of the Rio Grande below the Caballo Dam site in New Mexico to the American border is asked in a bill introduced by Rev. Dempsey (D., N. M.).

Madame Marie Curie

Madame Marie Curie was the first person to receive the Nobel prize twice; she received it in 1903, with her husband, for physics, and again in 1911 for chemistry.

SOCIETY

With the Church Groups

Business was the order of the day in meetings of the different missionary societies of the town Monday, varied by the installation of new officers at the Methodist meeting, and a message given the First Christian church society by the newly-arrived pastor, the Rev. J. E. Pickering and Mrs. Pickering.

FEMININE FANCIES

More concerning the styles in household linens: "Bath towels, which last year were mainly white, have suddenly caught the color urge, and it is the conservative householder indeed who sticks to white after she gets a look at the dark blues with light blue monograms; the dark browns with tan or two-tone tan and brown initialing, and the green in riotous and ravishing profusion of shades."
Bath towels are larger than ever, the salesmen tell me, to the demands of the man of the house.

Blankets—the cut pile effect is new—bound in satin-silk ribbon guaranteed to stand the wear and tear of even the most destructive household for five years, come in many colors, but one who has sold them for years declares that the most particular housekeepers still prefer white—which isn't as extravagant as it sounds, since all the new blanket tubs as easily as sheets—and come out of the laundry looking even handsomer than when they went in. Incidentally, blankets are chiefly sold in singles, not pairs, these days.

Midland People See Performance of "Green Pastures"

According to reports, Midland was well represented at the performance of "Green Pastures" given at the municipal Auditorium at Big Spring Monday night. "I enjoyed it a lot. It was deliciously done. The voices were lovely," was the summary of one who heard it.

BRAN SAVED MAN

HOLT, Mo.—A sack of bran carried on the shoulders of W. H. Harris saved him from serious injury when he was struck by a train recently. The engine hit the sack of bran. Harris received a few cuts and bruises when he hit the ground, but otherwise was uninjured.

Billiards have been played since the time of Homer in ancient Greece.

Two BTU's Hold "Scavenger" Party Saturday Night

The Perfect Pushers BTU and the Calibre 45 BTU gave a joint party at the Baptist annex Saturday night. Miss Margaret Woods was in charge of arrangements, assisted by Miss Josephine Ray and Miss Peggy Jo Howze. A "Scavenger hunt" was the occupation of the evening. Glenn Shepherd and his partner receiving the prize for first completing the list. At the close of the evening, refreshments were served to 52.

Music Study Club To Present Program

Members of the Music Study club of the Watson school of music will present a program at the Methodist church this evening. "It will be a program of unusual interest," Miss Lydia G. Watson said. "It will begin promptly at 7:30 and will last about an hour. The public is invited to attend."

Storks regarded as a sanitary asset in Holland, are decreasing in number, due, it is said, to their eating poisoned grasshoppers while wintering in South Africa.

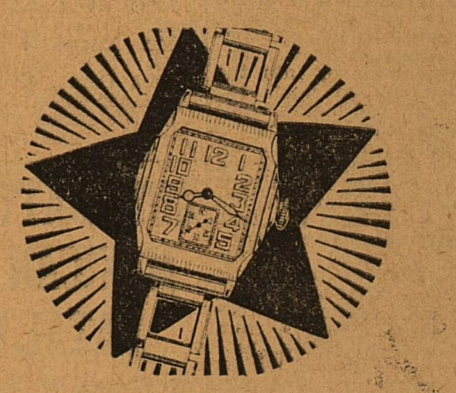
VICKS COUGH DROP
Real Throat relief!
Medicated with ingredients of Vicks VapoRub
OVERCOMES BAD BREATH

STOP
ARE YOU INSURED

An ounce of prevention is worth a pound of cure. A small-premium automobile insurance policy is worth life and your car. Don't wait—be protected BEFORE anything happens.

SPARKS & BARRON GENERAL INSURANCE AND ABSTRACTS

Be Kind TO YOUR WATCH



Have It CLEANED and OILED Regularly

All Repair Work Guaranteed

King's Jewelry Scharbauer Hotel Bldg.

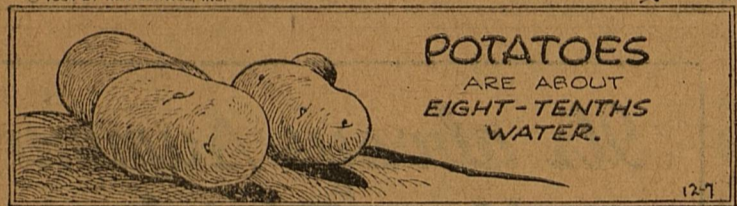
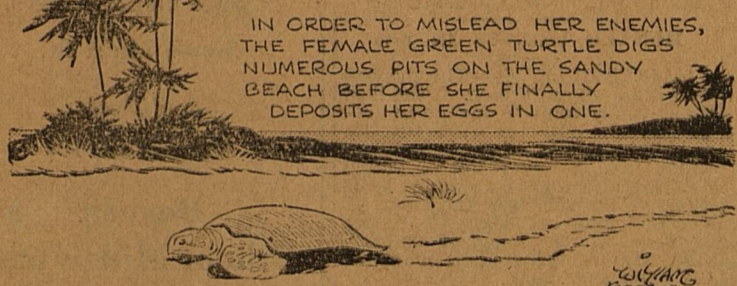
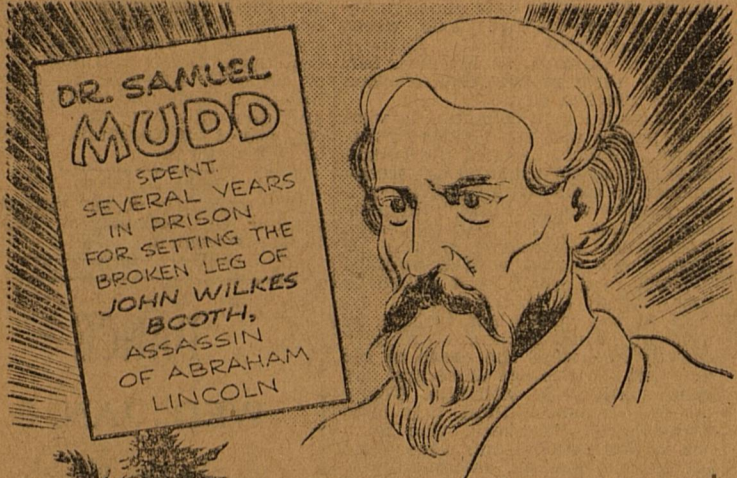
If....

It's Across the Street Across the Tracks Across the State Across the Nation

LET ME MOVE YOU!

J. B. (ROCKY) FORD Bonded & Insured Steel Vans Midland 400 PHONES Odessa 124

THIS CURIOUS WORLD By William Ferguson



BOOTS AND HER BUDDIES

Cora's Version of It!

By MARTIN

Comic strip 'Boots and Her Buddies' by Martin. Panels show Boots talking to her friends about a man named Mona. Boots says: 'WHAT'S THE MATTER, BOOTS? YOU SEEM SO... I DON'T KNOW, BUT SINCE YOU'VE BEEN HOME, YOU SEEM RATHER CHANGED... SO SERIOUS! EVERYONE HAS REMARKED ABOUT IT.' Boots' friend replies: 'OH... I KNOW! BUT, IT ISN'T ONLY THAT, CORA! WHEN I SAW HOW THOSE PEOPLE LIVED, IT WAS SO DISGUSTING... IT MADE ME DISSATISFIED WITH MYSELF! GEE, I DON'T WANNA BE LIKE THEM!' Boots says: 'SILLY! HOW PERFECTLY SILLY!' Another friend says: 'NO T'ISN'T, WHEN Y'COME RIGHT DOWN TO IT... WHAT DO I DO THAT REALLY AMOUNTS TO ANYTHING?' Boots replies: 'WELL, DEAR... YOU SPEND ALL YOUR TIME BEING THOUGHTFUL AND KIND TO OTHERS... DOING THINGS TO MAKE THEM HAPPY! AND THAT AMOUNTS TO... MORE THAN YOU REALIZE.'

WASH TUBBS

Wash Has His Turn!

By CRANE

Comic strip 'Wash Tubbs' by Crane. Panels show Wash Tubbs being rescued by a woman. Wash says: 'BUMMER! YOU'LL GET DER FIRING SQUAD FOR DIS. VAIT UND SEE.' The woman says: 'JUST AS WASH AND EASY ARE PREPARING TO ESCAPE, ALONG COMES A COLONEL OF DRAGOONS, AND EASY IS CAUGHT IN THE ACT.' The woman says: 'BUT WASH COMES TO THE RESCUE.' Wash says: 'GOOD OLD TUBBSY! PODNER, I'M PROUD O' YOU.' The woman replies: 'WHEE! NOW WE GOT A COLONEL'S UNIFORM TO WEAR.'

ALLEY OOP

Tunk Adds Insult to Injury!

By HAMLIN

Comic strip 'Alley Oop' by Hamlin. Panels show a cavewoman talking to a cavewoman named Tunk. Cavewoman says: 'SO-THIS PRISONER IS YOUR DAUGHTER, TH' PRINCESS WOOTIEFOOT, HUH?' Tunk replies: 'YEAH, TUNK OL' SOX! I THOUGHT YOU WERE TH' ONE WHO RUN OFF WITH HER-AN' THAS WHY I WAS COMIN' OVER T'LEM T' LICK YA!' Cavewoman says: 'I SEE, NOW, THAT I'VE MADE A BIG MISTAKE! I GUESS I'LL KINDA HAFTA ASK YER PARDON!' Tunk replies: 'UH, HUH-YOU MADE A MISTAKE, ALL RIGHT; SEVERAL OF 'EM, IN FACT! BUT, GUZ, I MADE A MISTAKE, TOO!' Cavewoman says: 'WELL-ER-AH-S'NICE OF YOU T'SAY THAT- BUT, JUST WHAT WAS YOUR MISTAKE?' Tunk replies: 'WELL, I'LL TELL YA! IF I'DA KNOWN THAT RUNNIN' OFF WITH YER DAUGHTER'D A GOTCHA ALL BOILED UP, I'DA DONE IT A LONG TIME AGO!' Cavewoman says: 'WHY, YOU LOWDOWN *P* *P* *P*?' Tunk replies: 'HOLD 'IM, BOYS!'

SALESMAN SAM

It's Sam's Hobby!

By SMALL

Comic strip 'Salesman Sam' by Small. Panels show Sam talking to a customer. Sam says: 'FER TH' LOVA LOU! ONE MIN-UTE YU'RE IN REGULAR CLOTHES AN' TH' NEXT YU'RE IN A RIDIN' OUTFIT! WHAT'S THE IDEA?' Customer replies: 'OH, I BROUGHT THESE CLOTHES IN WITH ME- GONNA USE MY LUNCH HOUR TO GET SOME EXERCISE.' Sam says: 'BIGOLLY, I COULD STAND SOME, MYSELF! AND HORSEBACK RIDIN' IS MY MEAT! I'LL JOIN YA!' Customer says: 'SWELLO, LET'S GET GOIN'!' Sam says: 'HEY, THIS IS A GYM! YA CAN'T RIDE IN HERE!' Customer replies: 'WHOS GONNA STOP ME? COME ON IN!' Sam says: 'MUSSELMANERS GYM UPSTAIRS'.

FRECKLES AND HIS FRIENDS

Substantiated!

By BLOSSER

Comic strip 'Freckles and His Friends' by Blosser. Panels show Freckles talking to his friends. Freckles says: 'TOM, I'M AFRAID I'LL HAVE TO PUT SOMEONE ELSE ON YOUR JOB, UNLESS YOU CAN SHOW US SOMETHING MORE THAN JUST FANTASTIC CLUES!' Friend replies: 'THE IDEA OF YOUR HAVING ACCEPTED THE THEORIES OF A MERE LAD IS PREPOSTEROUS!!' Freckles says: 'BUT FRECKLES IS A SMART BOY! I FIRMLY BELIEVE THAT THE SHOOTING WAS DONE AS HE DESCRIBED IT!!' Friend replies: 'RUBBISH! I CAN'T BELIEVE THAT ANYONE WOULD GO TO THE TROUBLE OF PLACING CARTRIDGES IN THE FIREBOX OF A LOCOMOTIVE! THE SHOOTING MUST HAVE BEEN DONE SOME OTHER WAY!' Freckles says: 'EXCUSE ME, MR RANDALL!!' Friend replies: 'WELL, WHAT DO YOU WANT, SPICER?' Freckles replies: 'I THOUGHT YOU MIGHT BE INTERESTED IN SOMETHING, MR. RANDALL!!' Friend says: 'ONE OF OUR MEN FOUND THESE CARTRIDGES IN THE COAL ON NUMBER SIX!!'

OUT OUR WAY

By WILLIAMS

OUR BOARDING HOUSE

By AHERN

Comic strip 'Our Boarding House' by Ahern. Panels show a man sitting on a bed talking to two men. Man says: 'GOOD GAWSH! I BUSTID TH' STRIP THET KEP' MY SOCK DOWN - NOW I'LL BE MISERABLE ALL DAY, WITH IT UP MY LAIG!' One man says: 'GO AHEAD! SIT THERE ALL NIGHT, IF YOU WANT TO. BUT I'M CLEARING OFF THE TABLE. EVERYONE ELSE HAS BEEN THROUGH FOR HALF AN HOUR. THAT HORSE OF YOURS HAS GIVEN YOU BAD HABITS. IT'S JUST A QUESTION OF WHICH ONE OF YOU EATS THE MOST!' The other man says: 'EGAD, MARTHA, M'DEAR! HOW CAN ONE RESIST THE FOOD YOU PREPARE? FOOD FIT FOR A KING - THAT WHETS AN APETITE FIT FOR THE FOOD! ER-AH - IF YOU DON'T MIND, ANOTHER POT OF TEA, PLEASE!' The man on the bed says: 'A DINNER TABLE MARATHON.'

CLASSIFIED ADVERTISING

RATES AND INFORMATION: CASH must accompany all orders for classified ads... CLASSIFIEDS will be accepted until 12 noon on week days and 6 p. m., Saturday for Sunday issues... POLITICAL ANNOUNCEMENTS: Subject to the action of the City election April 2, 1935. For City Marshal: W. P. (BUD) ESTES, LEE HAYNES (Second Term), PERRY WYRICK.

2-For Sale-Trade

HAVE 16,000 acre ranch, tax title and fee simple land; eight sets of buildings; over 40 artesian wells; enough fence for entire tract; 160 acres ready for alfalfa. All taxes paid to date. Will sell in one body, or sub-divide for four or five families. Cheap for cash, or can be handled for half cash and balance over 5 year period. Improvements and wells worth three fourths of price asked. Write at once, must soil. Redemption taxes many times greater than purchase price. Calvin H. Cass, Victoria Hotel, Alamosa, Colo. 258-2

15-Miscellaneous: MATTRESS RENOVATING: One-day service; also, new mattresses. Phone 451. FURNITURE HOSPITAL. Political Announcements: GRADE "A" Milk From 100% TUBERCULIN TESTED COWS. PHONE 9000. SCRUGGS DAIRY.

LLANO BEAUTY SHOP: Phone 273.

RIBBLE'S FLOWERS: For All Occasions. Phone 1083. 1200A West Wall. O. M. Pulliam, Mgr. January Specials: Permanent Waves \$1.95, Others \$2.50 up to \$6.50. Our Beauty Shop Phone 822.

Oil Code--

(Continued from page 1)

Terrell declared the commission, state oil regulatory agency, "has the power to stop the shipment of hot oil interstate as well as intrastate."

SUPREME COURT HITS "HOT OIL" CONTROL

WASHINGTON, Jan. 8. (AP)—In its first decision of federal New Deal legislation the Supreme Court Monday held invalid the clause of the National Industrial Recovery Act under which the Government is attempting to curtail oil production.

Lawyers said this decision would not affect the remainder of the Recovery Act. The decision was delivered by Chief Justice Hughes.

He said a wide range of delegation of legislative authority can not be approved without limitation. Nothing had occurred to warrant Congress in assuming it had constitutional authority to make unlimited delegation of legislative power, he added.

The cases challenging the validity of the Recovery Act were brought by the Panama Refining Company and the Amazon Petroleum Corporation, both of East Texas.

The Federal District Court for East Texas ruled against the Government, but the Fifth Circuit Court of Appeals took the opposite view. Section 9-C of the Recovery Act,

the one under attack, follows:

"The President is authorized to prohibit the transportation in interstate and foreign commerce of petroleum and the products thereof produced or withdrawn from storage in excess of the amount permitted to be produced or withdrawn from storage by any state law or valid regulation or order prescribed thereunder, by any board, commission, officer or other duly authorized agency of a State."

"Any violation of any order of the President issued under the provisions of this subsection shall be punishable by fine of not to exceed \$1,000, or imprisonment for not to exceed six months or both."

The decision means that the code-making authority of the President was declared an invalid delegation of legislative authority by Congress. Federal regulations to control the production and interstate shipment of hot oil suffered the same fate. "Hot oil" is that illegally produced in excess of state quotas.

Orders issued by the Secretary of the Interior for publicity of oil production, keeping of records, etc., also were declared unconstitutional.

The court pointed out that in all previous delegations of authority to the President, legislative in character, Congress had been careful to prescribe limitations which it thought the executive should observe.

The decisions of the Circuit Court of Appeals in the two cases were reversed and the cases sent back for further proceedings in compliance with the Supreme Court ruling.

Only One Dissent was by Justice Cordozo, who did not explain in open court the grounds for his action.

Government lawyers gave the private opinion that the decision applied only to the oil code and that it did not affect other code provisions of the Recovery Act.

Whether the ruling applies to other recovery codes can only be decided by the trial of other cases, it was said.

Mr. and Mrs. H. N. Phillips have returned from spending the Christmas holidays in Washington, D. C.

Mrs. J. E. Moffett of Stanton was here yesterday.

Mrs. G. R. Brumley of New Mexico is visiting here with Mr. and Mrs. J. V. Hobbs.

Miss Marguerite Mims has returned from holiday trip to Dallas and Houston.

Mrs. J. E. Kelly of Stanton and daughter, Mrs. Josephine Moore, were in Midland yesterday.

Mr. and Mrs. J. V. Hobbs had as their guest last night, Mr. Moore of Abilene.

C. V. Harvey of Lubbock, salesman for hospital supplies, is in town.

Court Ruling--

(Continued from page 1)

zontal strata of the land in which the minerals are embedded. Fidelity-Mexia Co. vs. Gammon, 113 Tex. 247, 254 S. W. 296; Freepport Sulphur Co. vs. American Sulphur Royalty Co., 107 Tex. 458, 6 S. W. (2d), 1039. We therefore hold that all the property interests of ascertainable value, secured to the lessors or their assigns under the Hogg-Hammann leases, are subject to taxation as real estate in the county wherein the land lies, as adjudged by the District Court.

"The oil industry in Texas is largely dependent for development, growth, or prosperity, on the doctrine that the interests we are considering—such as the lessor's and the lessor's estates under contracts which are in customary use in Texas—are interests in land, and hence not subject to parcel sale, but have the protection of the statute of frauds, the statutes regulating conveyances and mortgages of real estate, and the statutes requiring the record of instruments affecting title to or liens on land, so that purchasers can rely on deed and lien records and can execute and receive transfers and conveyances in reliance on true abstracts of title and lawyers' correct opinions thereon. Were the stability furnished by those rules withdrawn and the fundamental contracts, on which the oil business so largely rests, be adjudged by the Supreme Court to create mere rights in personality at some uncertain date in the future, the structure of the business would be seriously, if not fatally, jeopardized.

At least in so far as we are dealing with leases under which the lessors are entitled to have, or to require, the delivery of a fraction of the oil itself, as does a lease involved in these two cases, our conclusion is the same as was reached in Hager v. Stakes, Tax Collector, 117 Tex. 597, 398, which is a paragraph of that opinion reads:

"Assuming, as does the certificate of the Honorable Court of Civil

Appeal, that the lessor in each of these leases owned each tract of land leased, or an undivided interest therein, at the time each lease was executed, and bearing in mind that the minerals or any portion thereof could be severed and separately owned, and that the minerals or a fraction of same could be conveyed, in place, only as part of the realty, there is no escape from the conclusion that the portion of the oil and other minerals not conveyed but required to be delivered to the lessor, and continued to be ready.

Another paragraph of the opinion, considering questions arising where the lease was made "subject to the royalties hereinafter reserved," reads:

"We think a dominant purpose of the parties was to make impossible any other disposition of 1/8th of 17 bones of this petroleum than its delivery to the lessor, or his assigns, as the property of the lessor or his assigns. Hence, no matter how poorly expressed, the words disclosing such purpose, there is excepted from the grant the one-eighth part of the seventeen-eightieths of the petroleum. It is obvious that the instrument negates the view that the obligation to deliver a portion of the oil was intended to be a mere personal covenant of the lessor or his assigns. Likewise, the obligation was not meant to enure to the personal benefit of the lessor. It was meant to bind the lessor or his assigns in the land and to permanently run with the land."

At page 470 of the opinion in Hager v. Stakes, Tax Collector, supra, we expressly approved a former opinion of the Court which is decisive as to the nature of the title to a fraction of oil which the lessor under such a lease is to reserve under consideration may require the lessee to deliver. For we said:

"The court in its opinion of Chief Justice Phillips stated the legal effect on a lease to be to vest in the grantee with the right to sever one-eighth of the oil if found. That lease contained language less clear than that now before us to except from the grant or to reserve to the lessor one-eighth of the minerals. For that lease recited that the grantors, in consideration of \$29.20 paid by the grantee, the receipt being acknowledged, had granted, sold, unto the grantee all of the oil and gas coal and other minerals in and under the land described with the exclusive right to drill, mine and operate thereon for producing oil, gas, coal and other minerals to be held by the grantee for the term of ten years from the date of the instrument and as much longer as oil, gas or other minerals were produced in paying quantities yielding to the grantor the 1/8th part of all oil produced and saved from the premises. Corsicana Petroleum Company v. Owens, 110 Tex. 570, 571, 22 S. W. 145, 155."

Nevertheless we are cognizant that language was used in Hager v. Stakes, supra, and in Ehlinger v. Clark, 117 Tex. 597, 398, which is or may seem repugnant to some holdings we now make. Some of this language was doubtless unnecessary to reach the adjudication made. Our attention has also been called by counsel to frequent other declarations by Texas appellate judges, which cannot be reconciled with our present holdings. We cannot discuss them in detail, and no very good result would follow therefrom.

Most such declarations appear to have been made in earnest attempts to follow some principle appearing in a Supreme Court Commission opinion, which at times has been cited to say that declarations contrary to what is necessarily decided in this opinion are disapproved.

In the case of Hager v. Stakes, 276 S. W. 699, 670, held that the lessor, after making a lease of oil, reserving a royalty of one-eighth, conveyed such royalty by his deed to the land. No such reservation was made had been made had the royalty been regarded as personally or a chose in action. It passed by deed to the land only because it was land or some interest belonging or appertaining thereto. The opinion of Presiding Judge Powell in that case was not only expressly approved, but he states in its context, that the opinion followed full and free consultation with the justices of the Supreme Court. The opinion further states that it is supported by the "great weight of authority" after its author had "reviewed all the authoritative most carefully."

After such review, the opinion expressly sanctioned by the Court, says:

"Japhet unquestionably bought the realty in the 10 acres. He bought one-eighth of the oil in and under the land. ... If the lessee had made any effort to take it away from him, Japhet would have been entitled to sue him as for the conversion of his property." 276 S. W. 671.

Commenting on the rule laid down in Japhet v. McCrae, supra, Mr. H. W. Walker, Jr., of the faculty of the University of Texas, says:

"The only way to justify the passage of unaccrued royalties by the sale of the surface estate when they are unmentioned in the conveyance is because they are interests in land, and this is true whether they are regarded as passing because incidental to the surface es-

tate or, as the writer contends, because included within the description in the deed (admitting the description to be sufficient for this purpose). But if they are interests in land the assignment thereof comes within the provision of the statutes requiring conveyances of interests in land to be recorded in order to be valid as to subsequent bona fide purchasers and creditors. All of the foregoing problems and complications and the resulting confusion of land titles can be avoided by a holding that all royalties and delay rentals, regardless of the method of payment, are interests in land within the meaning of the registration statutes." Vol. VII, No. 1, Texas Law Review, Dec., 1923, p. 49.

The Japhet case is followed in Bibb v. Nolan, 6 S. W. (2d), 157, W. of E. ref., Humble Oil & Ref. Co. v. Davis (Tex. Comm. App.), 236 S. W. 287.

Reynolds v. McMan Oil & Gas Company, 11 S. W. (2d), 780, was decided under an opinion of the Commission by Judge Spicer, approved by the Supreme Court at page 787, wherein it is said that the cases of Waggoner v. Wichita County, 273 U. S. 113, 117, S. Ct., 271 U. S. 598, and Hager v. Stakes, supra, do affirmatively decide that the extent of the estate granted in such instruments as were before the courts in those cases is the oil and gas, less the exception contained in the royalty clause, which exception is real estate and remains the property of the lessor.

In the case of Jackson v. United Producers' Pipe Line Company, 33 S. W. (2d), 541, the Court, per Mr. Justice Dunklin, said:

"On April 16, 1917, J. W. Langford and wife, Letha Langford, executed to J. W. Lynch an oil and gas lease on 125 acres of land in Eastland County, Texas, which conveyed a royalty interest of one-eighth of the oil to be produced was reserved by the grantors. The interest so reserved by the lessors was an interest in realty, and the same is true of the leasehold interest conveyed to Lynch, as is well settled by the decisions of the Supreme Court of this state, as shown in Hager v. Stakes, Tax Collector, 117 Tex. 597, 398, and numerous decisions there cited. The legal effect of the conveyance was to vest in Lynch and his assigns seven-eighths of the oil to be produced from the land and to reserve to the lessors one-eighth of the oil."

To like effect see Taylor v. Higgins Oil & Fuel Co., 2 S. W. (2d), 288.

Our decision is in accord with opinions, carefully prepared, of the U. S. Supreme Court, and of the Circuit Court of Appeals for the Fifth District, such as the valuable opinion of Judge Atwell, 298 Fed. 61.

Waggoner's Estate v. Wichita County, 273 U. S. 113, is the last case from the Supreme Court of the United States in point, to which the Texas courts have been cited on each side argue it supports their respective contentions. The leases before the Court obligated the lessee to deliver to the lessor, free of charge, in the pipe line to which said lease may be connected, the equal one-eighth part of all the oil produced in paying quantities from the premises, settlement to be made not later than the 15th day of December, 1934.

STOCK LAW ELECTION NOTICE

In compliance with law and pursuant to an order of the Commissioners' Court of Midland County, Texas, dated the 10th day of December, 1934.

NOTICE is hereby given that an Election will be held on the 22nd day of January, 1935, in Precinct No. One at Court House in Midland County, Texas, for the purpose of determining whether horses, mules, jacks, jennets, hogs and cats shall be permitted to run at large within the following described territorial limits, viz:

Begin at a point where the block line between blocks No. 27 and 38 intersects the North boundary line of Midland County, Thence South on Block line between blocks 37 and 38 to Township line between Township 2-South and Township 3-South at the SE corner of Section 31, Block 38, Tsp. 2-South. Thence west along Township line between Township 2-South and Township 3-South to the center of Block 40. Thence North through the center of Block 40 on the section lines to the North Boundary line of said Midland County. Thence east one-half North Boundary line of Midland County to the place of beginning, the same being Commissioners' Precinct No. 1, Midland County.

By Order of County Judge of Midland County, Texas, this 18th day of December, A. D. 1934.

E. H. BARRON, County Judge, Midland County, Texas.

Dec. 18-26 Jan. 2-8

Healing Heat with an ELECTRIC Heating Pad



Controlled heat, properly applied, plays a mighty important part in the continuous battle against discomforts of winter ailments. Electric heating pads were designed to provide the right amount of heat exactly where it is needed to do the most good.

\$2.95 55c Down—80c a Month

TEXAS ELECTRIC SERVICE COMPANY

At The Yucca



One of the most villainous looking of all film players, Ricardo Cortez is really a swell guy off the screen. He is appearing at the Yucca theatre Wednesday and Thursday.

her service has been almost continuous, extending into five states. In addition to her church work Miss Kinney's life is full of varied interests, including the compilation of a family history in the interest of which she has traveled extensively and still carries on a voluminous correspondence. The Kinney genealogy includes the second pastor of the first Independent Church in London and John Howland, a bona fide Mayflower passenger. The famous John Elliott came to America as tutor for Kinney ancestors. More than twenty years of school

teaching, beginning with \$12 and boarding round" in Minnesota in 1866, extending into Wisconsin, Iowa and Illinois and terminated by devoting herself to the care of her father and mother have added many amusing experiences. Two weeks after the great fire the Kinneys moved to Chicago. As a builder Mr. Kinney aided in the reconstruction of the wrecked city.

Although long a columnist in western papers and the author of numerous published stories and poems, Miss Kinney turned from her bread-making to scout the idea of her own story being worth telling. "Remember Josiah Allen's query when Samantha suggested writing a book?" she asked with a twinkle. "Who'll read it? I can't afford to pay anybody to do it."

At 81 she voiced her feelings in a poem, "Shall I Be Cast Aside?" Shortly afterward the death of his wife left her brother alone and she came south to be with him. Today no one is busier than this tiny, white-haired "Yankee," who loves the southern people and takes "time off" from cooking, sweeping and dusting to study, write and revel in the "glorious out-of-doors."

HUNTED WOLVES IN 1865

GAINESVILLE, (AP)—The modern wolf hunt which farmers of the Red River valley country engage in frequently not only for the sport but to rid the section of the marauders which take a heavy toll of young livestock and poultry annually, lacks many of the thrills of the chase of 60 years ago, according to Justice of Peace C. N. Jones of Gainesville, who participated in many of the early day hunts.

"The present-day wolf is in reality a coyote," Judge Jones says,

"and is no such animal as the lobo, of the early days which is practically extinct in this section." The lobo, Judge Jones explains, when hard pressed by the hunters and their dogs followed a straight line out of the section of the country where it was jumped, whereas the coyote circles and doubles back on its trail. Likewise the coyote is heavier of body and shorter of limb and does not have the endurance or speed of the "streamlined" wolves of pioneer days.

Approximately 60 per cent of the visitors to Yellowstone National Park are women.

DANCE WED., JAN. 9 In the old Hymie Caplan Bldg. South Main St. 8 o'Clock Admission 49¢ Benefit School Milk Fund

Bookkeeping Equipment Loose-leaf equipment, bound books, Ledgers, cash books, day books, columnar books, order books. WEST TEXAS OFFICE SUPPLY Phone 95

YUCCA 10-25-35¢ LAST DAY

Sylvia Sidney BEHOLD MY WIFE! X & P SCHUBERT presents A Paramount Picture

TOMORROW & THURS.

10 GREAT STARS! THE FIREBIRD VERREE TEASDALE - RICARDO CORTEZ

RITZ LAST DAY 10-15-25¢

Zane Greys "HOME ON THE RANGE"

With Randolph Scott—Evelyn Brent—Jackie Coogan.

WED. & THURS.

Pat Paterson and Nils Asther in "LOVE TIME"

Go By Rail for SPEED • SAFETY • COMFORT ECONOMY

Fares as Low as 1 4/5¢ A MILE

Good in Coaches and Chair Cars

Every day is bargain day when you travel by train. Enjoy the safety and comfort of "T & P" Service for as little as 1-4/5¢ a mile. Investigate the daily low fares and liberal return limits now available.

Consult Ticket Agent TEXAS AND PACIFIC RAILWAY

SEE YOUR RADIO DEALER

TEXAS ELECTRIC SERVICE COMPANY

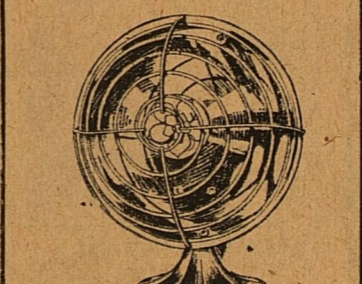
RADIO CITY... In Your Living Room!

Radio City may be a long way from where you live, but by radio you can bring any part of it right into your living room. If you haven't a radio, go to your nearest radio dealer and ask to see the new models. If you have one, it may be that a second in the kitchen, study or some other room will be the thing—at any rate, look at the new radios. They are better than ever.

TEXAS ELECTRIC SERVICE COMPANY

TEXAS ELECTRIC SERVICE COMPANY R. L. MILLER, Manager

When you want WARMTH in a hurry...



Every family has had to drag chairs around or move the davenport to get within reach of the only available source of heat in the room. Here's where portable electric heaters come in the picture—you can take the heat source to the place to be heated.

\$5.95 and up Convenient Terms

TEXAS ELECTRIC SERVICE COMPANY

TEACHERS FOR 62 YEARS

RUSK, (AP)—The roster of 85-year-old Sunday school teachers is short but it includes Miss Mabel Kinney, who drives five miles each Sunday to teach the Women's Bible Class of the First Baptist Church at Alto. Miss Kinney, a native Vermont, began her career as Sunday school teacher in 1873. Since then

THIS BOY IS GOING TO BE near-sighted

...IF HE KEEPS ON READING WITHOUT PROPER LIGHT



If this boy, or your boy, continues to read and study in insufficient, improperly-arranged light, he is bound to be near-sighted, or to be afflicted with some other eye trouble. Human eyes were not designed to be subjected to strain and unusual wear and tear without breaking down and failing to perform as normal eyes. We pass this advice on to parents, school teachers and others who have to do with conditions affecting eyes and eye-sight—don't let anyone read, sew or do close work without being sure that the lighting is properly arranged for such work. Just a few minutes a day of exacting sight work under dim or poorly-arranged lights will ruin the finest pair of eyes ever known. Look your own lighting over—you can without doubt find many places where improvement will be beneficial for all concerned.

READING--STUDY LAMPS For the study table, desk or end table, these lamps are the finest creation of lighting engineers yet presented to users of light. They are high enough to allow ample illumination to reach from edge to edge of the working surface of the table or desk and so designed that glare is absolutely eliminated. Your dealer has them—if not, we have. Prices from \$6.95 up.



TEXAS ELECTRIC SERVICE COMPANY

TEXAS ELECTRIC SERVICE COMPANY R. L. MILLER, Manager