

Vets' Reemployment Right Still Weighty Issue Despite Supreme Court's Decision

By BRACK CURRY

WASHINGTON—Many thorny legal questions involving veterans' reemployment rights still must be settled in the courts despite the Supreme Court's decision on the so-called superseniority question.

Searcy L. Johnson, chief of the Justice Department's Veterans Affairs Section, says the decision "does not determine all of the re-employment rights of veterans because all of the rights were not involved in the case."

The Justice Department represents veterans free of charge in re-employment cases. In the superseniority decision, the Supreme Court held that World War II veterans have no preferential seniority standing over non-veterans when there are contrary seniority provisions in a union contract.

The court did hold that veterans accumulated seniority during their period of service which must be added to seniority they held on entering service.

Some Problems Remain

What are the problems which still must be clarified? Johnson lists six examples:

1. To whom does the Selective Service statute, guaranteeing veterans' re-employment rights, apply?

2. What is a "temporary" position and what are the legal rights of a "seasonal" or "part-time" employee?

3. What is to be done when the veteran's old job has been abolished or changed?

4. What would be proper damages for a court to assess when a veteran is denied re-employment?

5. How must the veteran prove his qualification for his old duties?

6. If the employer has transferred or sold his business, what are the veteran's legal rights to his old job?

Some of these questions already are headed for the Supreme Court.

Johnson says Attorney General Tom Clark "takes the position as the veterans' lawyer that all reasonable doubts should be resolved in favor of veterans' rights. In this he follows the wording of the Selective Service statute."

"Likewise, the Supreme Court in the Fishgold (superseniority) case said the statute had to be liberally construed in favor of the veteran."

Cases in Point

Johnson cited a court case to illustrate problem No. 1 for me.

A doctor had been employed by an industrial firm before he entered service.

"Although a doctor is generally regarded as having an independent contractor relationship," Johnson explained, "this one had regular hours as the company doctor. When he sued for his old job, the court ruled that he was

an employee and entitled to re-employment."

What is a "temporary" position and what are the legal rights of a "seasonal" or "part-time employee"?

"Many companies," says Johnson, "are trying to get around rehiring veterans by contending their prewar jobs were temporary. . . ."

"All employment contracts are indefinite. The average employer in hiring a man just says something like 'you're on.' We contend that the employer had to make clear to the employee that the job would end within a specific time limit for the job to be considered temporary."

Johnson says the department feels that seasonal work is not temporary work "if there is a regular recurrent relationship between the employer and the employee."

"In a recent case," he told me, "a tobacco company refused to rehire an auctioneer who had worked once a year at an auction for \$10,000 before entering the service. The court held that he was not a seasonal worker and had to be re-employed."

When a veteran's job has been abolished, the Justice Department holds that "if a comparable position exists he must have it," Johnson says. "The act holds that he must receive his old job or one of like seniority and pay."

About Damages

Johnson says the department contends that:

"When a veteran applies for his old job and doesn't get it, he must be paid until the time he starts work—and then retained for a full year. A Kentucky court recently upheld this contention, forcing a company to pay damages to a veteran up to the time they put him on and then give him a year's job."

What test must the veteran meet?

"We hold that he must be given a fair opportunity to reacquire his old skill, even if a more skillful man is on his job."

What if the employer has transferred or sold his business?

"We hold," Johnson says, "that . . . the job continues to exist if the business continues. In a recent case in Ohio, a parent company took over a subsidiary company and refused to rehire a veteran. The court held that the business was being continued so the job was still there."

This case has been appealed to the Supreme Court.

Highest Award



(NEA Telephoto) Mrs. Caroline Krotiak sobs as she kisses Congressional Medal of Honor posthumously awarded her son at Chicago. Pvt. Krotiak died when he threw himself over exploding Jap grenade to save comrades of 37th Division on Luzon.

Millions for Baubles

WASHINGTON, Aug. 8—(AP)—Americans shelled out \$1,200,000,000 for jewels and baubles last year.

Coming up with this estimate, the Bureau of Mines said it was a record sum and topped the 1944 total by 12 percent.

Africa contains 40 per cent of the world's potential water power.

Diamond dust saved from cutting is used for fine polishing.

No part of England is more than 100 miles from the sea.

Ceilings Upped on Canned Vegetables, Work Shirts, Logs

WASHINGTON, Aug. 8—(AP)—OPA yesterday raised retail price ceilings one to two cents a can on corn, peas, tomatoes, and tomato products to offset cancellation of subsidy payments.

The increases are effective immediately, along with a price boost of one cent for 12-ounce packages of frozen corn and peas.

OPA also removed price controls on canned and frozen snap beans packed prior to last March 1.

Ceilings on these vegetables which were packed later were removed some time ago.

Shirt Prices Upped

OPA also authorized retail price increases of two to three cents for cotton flannel work shirts.

The increases, effective August 12, are being granted under terms of the old price control law. OPA has announced that further cotton clothing price hikes of six to eight percent, required under the new law, will go into effect soon.

In other actions today, also effective August 12, OPA granted:

A 13 1/2 percent increase in wholesale and retail ceilings on oilcloth.

A five percent retail increase for vegetable and fruit insecticide sprays.

OPA also authorized Wednesday an increase of \$3 a thousand feet in ceilings for most west coast logs.

The price hike meets a requirement that ceilings for soft wood logs be set at a level which will permit producers to recover current costs of production.

OPA said no increase is being granted for wood logs, "since such action would cause diversion from essential fuel wood production." The agency said wood and cull logs represent such a small percentage of total output that the minimum requirements of the new law "will be met even though their ceilings are not increased."

A Good Find

SEATTLE, Aug. 8—(AP)—After three hours of rowing Ralph

Korth started back across Lake Sammamish. He sighted a floating bill fold.

He picked it up and found it was his own—with \$80 in it. He didn't know he had lost it.

Vital Statistics

Marriage Licenses

HARGIS-WEBER — Eugene Donald Hargis and Wanda Lee Weber, both of Roseburg.

COOK-GRAHAM — Gordon Chester Cook and Ruth Nadine Graham, both of Grants Pass.

ZIMMERMAN-ASBELL — William Vernon Zimmerman, Roseburg, and Beatrice Wright Asbell, Hauser, Ore.

ROSEMEYER-HAVILAND — Wallace C. Rosemeyer and Vivian A. Haviland, both of Sutherlin.

BUELL-STEPHENS — Raymond Dysert Buell, Roseburg, and Beulah Lenora Stephens, Oakland.

Divorce Complaint
NEILSON — Hazel vs. Vernon L. Neilson; married at Reno, Nev., December 3, 1943.

Bookkeeping Job Taken
Leonard Nichols, formerly of Sacramento, Calif., started this week as bookkeeper for the Douglas County road department. Nichols, who spent three

years in the South, Central and Western Pacific with the Marines, married the former Miss Betty Steuer of Roseburg, in March, 1945. They have one son.

A diamond rubbed or laid in the sunlight for a while will glow in the dark.

Let Your Optometrist

Aid the Vision that Your Eyes Must Have

To Preserve Your Earning Power and Make Life Worth Living

EYES EXAMINED GLASSES FURNISHED

Dr. Dean Bubar

106 N. Jackson

Roseburg PHONE

214

CROFT LILIES

Have you investigated the possibilities of raising Croft Lily bulbs commercially? This new industry has wonderful possibilities. Others are now becoming independent. Why not you?

We still have a limited quantity of the finest quality CROFT planting stock for sale, acclimated to the Roseburg area. We will now accept orders for quality bulbs while they last, at standard prices. Get information and place your order with R. L. Whipple, U. S. National Bank Building, Roseburg, Oregon. 25% should accompany each order.

GARDEN HOMES INVESTMENT CO.

Room 3, U. S. Nat. Bank Bldg.

Roseburg, Oregon

Montgomery Ward



2475

Wester-diminishing belted suit of black, gray, red or kelly pure wool. Sizes 10 to 18.

Select now for Fall

SEE WARDS COMPLETE
NEW ADVANCE COAT
AND SUIT COLLECTIONS

ONLY \$1 DOWN
holds your coat or suit until October 5th.
So choose now, and let us store it for you, free of charge, while you complete the convenient payments. Then, in the Fall, your new outfit can be all paid for, just when you're ready to wear it!

2995

Cozy warm, easy-fitting military greatcoat in brown, red, blue, gray or green pure wool. Sizes 10 to 18.

SAW DUST
Prompt Delivery
16" MILL WOOD
DENN-GERRETSEN CO.
Phone 128 402 W. Oak St.

THE TIME to buy "Back-to-School" Clothes is NOW!

APRIL • MAY • JUNE • JULY • AUGUST • SEPT. • OCT. • NOV. • DEC.

Boys' Whipcord Pants 1.25 A long-wearing fabric—suspender style—blue color—sizes 2-8 yrs.	Boys' Knit Polo Shirts 89c Short sleeve, elastic knit polo shirts—attractively styled patterns, on tan or blue background—sizes 8-16 yrs.	Boys' Sweaters 1.98 Boys Coat Sweaters—novelty polo shirts—attractively styled patterns, on tan or blue background—sizes 26-30.	Boys' Ski Sweaters 4.98 Boys all wool sweaters, pull-over style—all-over designs in blue, green, maroon—sizes 6-12 yrs.
Denim Pants 1.98 Made of sturdy, long-wearing blue denim—two side pockets, two hip pockets—strong belt loops—sizes 6 to 14 yrs.	Boys' Cords 2.98 Boys corduroys in gray or green partridge mixture—suspender style—seams well reinforced—sizes 2-8 yrs.	Boys' Shoes 3.98 Moccasin-toe, full cord sole, genuine elk uppers—a shoe that will stand lots of hard wear—sizes 1 to 3.	Boys' Loafers 4.98 Full rubber "no-mark" sole and heel—stitched toe—brown color—the popular choice of many boys for comfortable wear—sizes 3 to 5.
Boys Overall Pants 2.36 Blue denim o'all pants, red stitching, roomy pockets—bar tack reinforcements at all points of strain—three-inch turnout at bottom—size 6 to 16 years.	Boys Cords 3.98 Boys long-wearing corduroy pants in plain colors or partridge mixture—well-made, roomy pockets—reinforced seams—sizes 6-12 years.	Boys Moccasins This popular brown retan moccasin, rubber sole, drawstring around top—a comfortable and practical shoe—sizes 2 1/2 to 6. \$2.50.	

Head-quarters for Loggers Clothing

Roseburg's Outdoor Store
"A Store Full of Things Men Like"
248 N. JACKSON

Remember We Cash Your Pay Check