

## Use Of Fifth Amendment For Refusal To Answer Must Be Backed By Reason

By JAMES MARLOW

WASHINGTON—(AP)—In 1857 congress passed a law, still standing, which says: "No testimony given by a witness before a congressional committee shall be used as evidence in any criminal proceedings against him in court."

But this is no perfect protection. For example: suppose you admitted to a congressional committee you had violated a federal law.

True, what you said to the committee could never be used against you in court. And you couldn't be charged with a crime on the basis of what you told the committee.

But the FBI could use what you said as a lead, go out, dig up evidence on its own. Then you could be charged and the FBI evidence, not your congressional testimony, would be used at your trial.

What "out" then does a man have if he's called before a congressional committee since he can be jailed for contempt if he refuses to answer a committee question?

There is only one "out." That's the Fifth amendment to the constitution. It says no man can be forced to testify or give any evidence against himself.

So if you hide behind that Fifth amendment you can refuse to answer on the grounds that "What I say may tend to incriminate me (that is, lead to my arrest, trial and imprisonment)."

Must Have Reason  
But you can't even use that "out" unless you really have some reason for fearing your answer might incriminate you. You just can't use it as a trick for refusing to answer.

And if you use it, and congress doesn't think you have a good reason for it, you can be cited for contempt and tried. Then it's up to a jury to decide whether you really might have been incriminated by answering.

It used to be that when a congressman asked a witness if he was a Communist, he could not refuse to answer. Using the Fifth amendment, on the grounds he might incriminate himself. There was no law affecting the Communist party or making it a crime to belong.

But in 1940 congress passed a law called the Smith act. It said nothing about the party or that there was any crime in belonging to it. The law said:

Convicted Top Reds  
It's a crime to teach or advocate forceful overthrow of the government, to help organize any group which teaches it, or to be a member of such a group, known to its purpose.

Finally the government tried and convicted 11 top Communists on a charge of violating the Smith act by teaching overthrow of the government. Whether they were justly convicted will now be decided by the supreme court.

But, because of the Smith act and the conviction of the 11 lead-



**THIS IS FLIGHT IN KOREA**—North Korean woman (left), fleeing Pyongyang, carries child tied to back and bundle on head as she wades across the river. A young Korean, center, strips to waist as he follows horse across the river. Old man at right is loaded down as he carries wife piggy-back as the clutches bundle of belongings. These scenes were repeated untold times as the exodus from the North Korean capital began. (AP Wirephoto)



**THE OFFICE** of the Douglas county Tuberculosis & Health Assn. 205 Pacific Bldg., is the scene of much activity these days. Pictured are Mrs. Stanley Morris opening seal sale return letters, while Mrs. William J. Thompson and Mrs. E. D. Yow assist with routine procedure. Mrs. L. G. Twoby, chairman of the Christmas Seal booth stationed in the U.S. National bank and conducted by the Order of Amaranth, Douglas Court 18, presents her day's receipts to Mrs. Ralph Church, county seal sale chairman. Mrs. W. F. Amiot, executive secretary, is recording cash receipts on the card index.

## Wage And Price Controls Urged By N.W. Solons

WASHINGTON—(AP)—Two Pacific Northwest house members have called for President Truman to put complete wage and price controls into effect at once.

Rep. Mitchell (D-Wash.) said such controls are vital to the orderly development of the defense program while Rep. Stockman (R-Ore.) said wages and prices should be rolled back to June 25 levels.

Stockman said that step should

have been taken the day the President announced "the little polio action in Korea."

He added the President should have inaugurated complete controls last August, when given that authority by Congress. Limited controls, he said, are of no value.

"The Pacific Northwest industrial potential is vastly important to the nation's defense program," Mitchell said.

"That program must be based

on increased production of both military and civilian items. This potential can only be realized if the present uncertainties caused by rising prices and by material scarcity are resolved.

"It now appears certain that these problems cannot be resolved short of all out controls which will assure reasonable prices and prompt delivery of materials needed for vital construction."

Mitchell said delays being encountered by Seattle City Light in its program for producing additional hydro-electric power are an example of what happens where there are no government controls.

The situation faced by Seattle and Tacoma was discussed Tuesday. Seattle City Councilman Ben Jones told Washington congressmen that lack of steel and copper was preventing the two cities from producing more power with their present hydro facilities.

## Nina Warren Chosen College Sweetheart

BOSTON—(AP)—The daughter of the governor of California has been named sweetheart of the 1951 class of Boston university's college of business administration.

Nina "Honeybear" Warren, 17, daughter of Gov. Earl Warren, was elected Wednesday. The class likes the spirit of the girl who is convalescing from an attack of polio.

Along with Christmas gifts, the class sent a letter to Nina saying: "We thought our humble offer of making you our 'sweetheart' would bring a little more joy to you. We hope that these little gifts will help speed your recovery."

## Egg Prices Drop, Beef And Coffee Swing Upward

By The Associated Press

Egg prices took a humpty-bumpy spill in many cities this week, but changes in other food were mostly upward.

Beef, some cuts of pork, canned coffee and several fresh vegetables were higher.

The drop in retail egg prices was very irregular across the country. In some cities like New York, Philadelphia and Pittsburgh, the reduction ranged as much as 16 cents a dozen. But in others the declines were much smaller, and in some, top grade eggs at mid-week were still being quoted a few cents above last Friday's levels.

At Los Angeles, a spokesman for a large store chain said "eggs are still in very tight supply here, but prices may go down 5 to 8 cents a dozen by the end of the week." One veteran dealer said prices in the area reached an all-time high this week.

Several factors confused the egg price and supply situation. Sharp price gains last week were blamed on storms which delayed shipments of eggs to terminal markets, heavy military buying in the midwest, depletion of cold storage stocks, and not of all, brisk consumer demand.

Several beef items advanced two to six cents a pound in many stores this week, while pork was generally higher, and lamb, veal and poultry unchanged to four cents a pound held about steady.

Unfavorably cold weather which reduced receipts of fresh vegetables was blamed for most of the price boosts this week in the produce departments.

The Agriculture department forecast a 6 percent increase in output of citrus fruits for the 1950-51 season, with the crop estimated at around 172,310,000 boxes compared with 156,665,000 last season and the 1939-48 average of 163,477,000.

## Mojave Desert Community Secure After Lime Blast

DAGGETT, Calif.—(AP)—This Mojave desert town's residents breathed more easily today, 13 more ways than one.

The danger was over, and the air was cleared of potentially deadly gas that mushroomed into the sky in great pink clouds after an explosion of hundreds of tons of chlorinated lime at a marine corps supply base near here Wednesday.

Five hundred persons left their homes briefly after the blast, believed caused by a spark from a bulldozer traveling over a lime supply dump.

Two infants were hospitalized at neighboring Barstow and several firefighters were treated for eye and lung irritation.

## Marshall Urges Haste In War Plants' Build-Up

WASHINGTON—(AP)—A rapid build-up of the nation's war plants is essential to meet the serious threat of a global conflict, Secretary of Defense Marshall has told Congress.

Whether an all-out shooting war might erupt within the next few months was described by Marshall as "very hard to answer."

He said this country is doing all it can to avoid full-scale hostilities, but, he added, "we realize that an all-out war can be initiated by a single word from the other side."

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PLAN FOR MANY VISITS OF ST. NICHOLAS

Don't tell anyone, but this genial Santa is really Tom Moore of Mutual's weekday "Ladies Fair" programs and if he doesn't represent the true spirit of Christmas, it would be hard to say who does, for on his good casts he is encouraging the hand-making of toys for distribution to underprivileged children through the Salvation Army. Veterans organizations are aiding in the plan which netted over 280,000 gifts in 1949.