

LEGAL

NOTICE OF FINAL SETTLEMENT
NOTICE IS HEREBY GIVEN that Tuesday, the 26th day of July, 1955, at 10:00 o'clock a.m., in the Circuit Court of Oregon, in St. Joseph's School at 223 North Kane in Roseburg, Douglas County, Oregon, has been fixed as the time and place for hearing objections, if any there be, to the Final Account filed by the undersigned in the Circuit Court of the State of Oregon for Douglas County and for the settlement thereof.

NOTICE TO CREDITORS
All persons having claims against the estate of Arch Alford, deceased, now pending in the Probate Department of the Circuit Court of Douglas County, Oregon, are hereby notified to present the same, properly verified, to the undersigned at Camas Valley Road, Roseburg, Oregon, or to R. L. Whipple, Attorney at Law, U. S. National Bank Building, Roseburg, Oregon, within six months from the date of this notice which is June 25th, 1955.

Weekend Eases Washington Bus Drivers Strike

WASHINGTON (AP)—The weekend brought relief today to Washington's gigantic traffic crush headache caused by a public transit strike.

The strike started yesterday, and all signs pointed to no breaks until Tuesday at the earliest, after the fourth of July holiday.

Federal mediators, however, were meeting again today with representatives of the Capital Transit Co. and of AFL Streetcar and Bus workers who want wage increases and some fringe benefits.

Congress planned hearings next week on the problem.

The strike took away bus and streetcar service for an estimated 400,000 customers. As a result, what police said was Washington's worst traffic crush in history clogged the city in the morning.

Cars inched bumper to bumper along downtown streets. One driver was working a crossword puzzle as he edged along. Police stood at every downtown section.

Sweet Home Car Plunge Kills Three Motorists
(Continued from Page One)

nearby, went to investigate the sound of a persistent automobile horn. He found a swath cut through ferns and saplings and the car with its horn jammed, resting at the edge of the South Santiam River.

It was more than 2 1/2 hours before state police, aided by two wreckers were able to free the bodies from the twisted wreckage.

Mrs. Tidwell, however, was in a hospital less than an hour after the accident.

Earlier Friday, David E. White, 56, of Vancouver, B.C., was fatally injured when hit by a truck as he walked across a street at Halsey.

Another pedestrian, Frederick William Ford, 17, of Seaside, was killed when hit by a car as he walked to work Friday morning.

Friday brought two other non-highway fatal accidents. In one, David Lee Wilson, 11, of Wilsonville, died of injuries suffered in a fall at a rock burner near his home. In the other, Lawrence O. Mason, 32, a Sandy lawyer, was killed by a falling tree near Cherryville.

Allen Morris, Sweet Home man killed in a traffic accident Friday night, was a former resident of Glendale, according to News-Review Correspondent Mrs. G. B. Fox. He was employed at the Robert Dollar Planning Mill before moving to Sweet Home, she said.

MEMBER OF UNIT
Cpl. Richard D. PanKey, 22, son of Mr. and Mrs. L. H. PanKey, Azalea, is a member of the 2nd Infantry Division at Fort Lewis Wash.

Corp. PanKey is a squad leader in Company C of the division's 35th Regiment. He received basic training at Ft. Lewis. PanKey is a 1951 graduate of Glendale High School.

Supreme Court Decision Settles Long Pending Case Involving Woman's Estate

An Oregon Supreme Court opinion this week affirming a decree by Circuit Judge Carl E. Wimberly in a suit to quiet title on property probably brings to a close a long and interesting case.

The case, George and Gladys Putnam vs. Harry Jenkins, et al, was filed in December 1949. The plaintiffs sought confirmation of their claim to 150 acres of timberland near the Lane County border in northeastern Douglas County.

In the final outcome, the heirs of Katherine A. Pettinelli benefited most. Mrs. Pettinelli, who died Nov. 25, 1952, just a month before Judge Wimberly's decree, was a sister of Lilla Putnam who had owned the land. The plaintiffs are stepchildren of Mrs. Putnam. They appealed the decree which dismissed their suit.

As noted in a 31-page opinion by Chief Justice C. J. Warner, the "crux of the controversy" was in a portion of a will left by Mrs. Putnam.

Harry Jenkins and others are other relatives benefitting from the will of Mrs. Putnam. Mrs. Pettinelli was not mentioned in the original complaint, but intervened in the suit at a later date.

Mrs. Putnam died in 1933, but her will was not probated until 1947, a year after her husband died. Her will stipulated that the property, then of little value, was to be sold, with Mrs. Pettinelli receiving anything over and above

\$400 owed to Mrs. Putnam by her sister, Mrs. Pettinelli, who was living at Newberg, did not know of the will until after the plaintiffs began trying to quiet the title on the property so they could sell the timber from it. When the matter went to court here, it was estimated the timber land was worth \$30,000.

The primary contention of the plaintiffs was that the will did not describe what property was involved. Omitted in the description was the meridian, the state and county.

But it was brought out that Mrs. Putnam owned no other land at the time of her death, that extrinsic evidence showed the true intent of the will.

Many other factors entered into the decision affirming the lower court's decree which dismissed the suit of the plaintiffs and called for disposition of Mrs. Putnam's property in line with provisions of the will, which was not probated for 14 years.

William Carden Dies Friday In Canyonville
William Levi Carden, 76, died Friday at his home in Canyonville, following a heart attack. Funeral services will be held Monday at 10 a.m. at O'Hair's Funeral Chapel in Klamath Falls.

Carden was a recognized authority in practical mineralogy. He and his wife had lived in Canyonville and Klamath Falls for the past 30 years.

He was born Sept. 4, 1877, in Knoxville, Tenn. On Nov. 10, 1906, he was married to Hattie Elizabeth Tate in Louisville, Ky.

After moving to Canyonville, he operated a butcher shop for some time.

Survivors include his wife; three daughters: Mrs. Helen Bales Tine, Klamath Falls; Mrs. Berniece Klemm, Seattle; Mrs. Elaine Eaker, Canyonville; one brother, T. F. Carden, Olympia; three sisters: Mrs. Creed Rymer, Cleveland, Tenn.; Mrs. J. Wilson and Mrs. Florence Gillenwaters, both of Knoxville, Tenn.; eight grandchildren; and two great-grandchildren.

He was a longtime member of the Baptist Church and was a former member of the Masonic Lodge in Canyonville.

Services Monday will be conducted by the Rev. Galen H. Onstead of St. Paul's Episcopal Church in Klamath Falls. Local arrangements were in care of Gan Morzuary, Myrtle Creek.

Boy Survives 60-Foot Fall Into Icy Well
CRYSTAL LAKE, Ill. (AP)—A 3-year-old boy was recovering Saturday from the ordeal of plunging 60 feet into the icy waters of a well and floating there, face up and unconscious, for 45 minutes.

Little Kenneth Stoerps' body temperature dropped far below normal but was back up to 92 degrees last night—24 hours after his rescue.

Frederick Stoerps, a farmer in Crystal Lake, 30 miles northwest of Chicago, missed Kenneth at bedtime Thursday night. He found the cover off a well, 100 feet from the Stoerps home, and peering down, saw Kenneth floating face up.

CLARKSDALE, Miss. (AP)—A truck driver charged with attempted murder in the booby trap maiming of a city bus driver was under questioning Saturday.

J. B. Boling, 46, of nearby Lambert, was arrested Friday at a relative's home in Memphis, Tenn., and returned after waiving extradition.

Boling told officers he had nothing to do with the dynamite blast which blew away C. F. Campbell's right arm and leg when he stepped on the starter of his bus early last Wednesday.

Campbell, 45, remained in critical condition in a hospital. Boling was ordered picked up because of previous trouble between the two men which police said involved Campbell's wife.

Tacoma Logger Thomas Swims Across Passage
CAMPBELL RIVER, B.C. (AP)—Bert Thomas, logger from Tacoma, Wash., with four unsuccessful tries at Juan de Fuca Strait to his credit, Friday swam treacherous Discovery Passage.

He swam the four miles through swirling, life-torn waters in 58 minutes, 50 seconds from Cape Mudge on Quadra Island to Campbell River Post Office on Vancouver Island.

After the swim, he announced plans for his fifth try at the Juan de Fuca stretch next week, swimming north this time instead of south as on his previous attempts.

WILL IN PROBATE
The will of B. W. Manning, who died Nov. 30, 1953, at the age of 67, has been admitted to probate, county clerk's records show. The widow, Bessie Manning of Glide, has been appointed executrix and Harry Bruffy, Oral Jackson and Ben Jackson will serve as appraisers.

Green Woman's Father Succumbs

Byce Aaron Ferguson, 72, died at the home of his daughter, Mrs. E. A. (Corra) Johnson, at Green Friday.

He had come from Bremerton, Wash., a month ago to make his home here.

He was born July 14, 1882, in Michigan and had lived many years in Bremerton. He was preceded in death by his wife, Bertha, in 1950.

Surviving are his daughter; a son, James A. with the U. S. Navy at Guam; five brothers, Clyde of Bremerton, Frank of Van Nuys, Calif., Fred of Oak Harbor, Wash., Jess of Colton, Calif., and Dale of Bremerton; a sister, Mrs. Cora Brechbill of Rialto, Calif.; and three grandchildren.

The body has been removed to the Chapel of the Roses, Roseburg Funeral Home. It will be taken to Bremerton for funeral services and interment.

Commission Adds Another Million Highway Contracts

PORTLAND (AP)—Nearly one million dollars worth of highway contracts were approved for award Friday, raising the total for the two-day meeting of the State Highway Commission meeting here to three million dollars for highway construction and repair.

All contracts were approved for award to firms reported Friday as low bidders with these exceptions: Benton County—Grade and surface 2.56 miles of Martins Lake Road near Monroe, to C. E. Elson Portland, \$56,850.

Grant County—Construct dwelling and sand shed at Austin all bids rejected as too high.

Klamath and other counties—Seal 52.46 miles of pavement on Columbia River, Central Oregon and The Dalles-California highways, to J. C. Compton, McMinnville, \$61,264.

The commission explained its new ruling permitting logging trucks on highways Saturday afternoon during the summer tourist season came because log supplies are low this year and it was advisable to allow mills to build up a supply for next winter's use.

BIRTHS
Mercy Hospital
STACK — To Mr. and Mrs. Henry L. Stack, Box 452, Myrtle Creek, June 29, a daughter, Kelly Anne; weight 5 pounds 8 ounces.

BRATTON — To Mr. and Mrs. Robert H. Bratton, Sutherlin, June 30, a son Douglas Clay; weight, 7 pounds 9 ounces.

RANDALL — To Mr. and Mrs. Edward M. Randall, Sutherlin, June 29, a son, Stanley Marq; weight 7 pounds 5 ounces.

CAMPBELL — To Mr. and Mrs. Thurman D. Campbell, 849 Miller, Roseburg, June 29, a son, James Andrew; weight 5 pounds 13 ounces.

HELMS — To Mr. and Mrs. Bobby Joe Helms, Winston, June 27, a son, Bobby Alan; weight 8 pounds 8 ounces.

FIPPS — To Mr. and Mrs. Luther E. Fipps, Camas Valley Box 568, June 27 a daughter; weight 7 pounds 11 ounces.

Forest Glen Hospital
McDOWELL — To Mr. and Mrs. Maurice McDowell, Glendale, June 27, a daughter, Martha Avis; weight 9 pounds 4 ounces.

LANE — To Mr. and Mrs. LeRoy Lane, Canyonville, June 21 a daughter, Diana Rae; weight 7 pounds 3 ounces.

McDONALD — To Mr. and Mrs. Marvin McDonald, Canyonville, June 22, a daughter, Angela Susan; weight 8 pounds 14 ounces.

HARPEL — To Mr. and Mrs. Ralph Harpel, Canyonville, June 22, a daughter, Vickie Lynn; weight 8 pounds 1 ounce.

FENDERSON — To Mr. and Mrs. John Fenderson, Canyonville, June 23, a son, Donald Ray; weight 6 pounds 7 ounces.

CLARKSON — To Mr. and Mrs. Eugene Clarkson, Myrtle Creek, June 23, a son, Mark Christopher; weight 8 pounds 8 ounces.

PALMER — To Mr. and Mrs. James Palmer, Canyonville, June 23, a son, Jimmie Lee; weight 7 pounds 13 ounces.

ZIMMERMAN — To Mr. and Mrs. Alvin Zimmerman, Myrtle Creek, June 24, a son, Rickie Alan; weight 5 pounds 11 ounces.

HANDLY — To Mr. and Mrs. Arthur Handly, Glendale, June 24, a son, John Loring; weight 8 pounds 3/4 ounces.

PAROZ — To Mr. and Mrs. George Paroz, Jr., Myrtle Creek, June 25, a son, Kim Eugene; weight 6 pounds 4 ounces.

Punchy Bailey's Case Closed By Judge's Order

(Continued from Page One)

took the contempt matter before Reid last February, with Douglas County Dist. Atty. Robert M. Stuits on hand to represent the officials.

Stuits Friday received copies of Judge Reid's order and an accompanying opinion, in which he says the warden and the sheriff "were not acting arbitrarily and unreasonably in placing the prisoner in the Douglas County jail; that in so doing the defendant was not denied due process of law and that he was not being subjected to cruel and unusual punishment."

Judge Reid also said "it is the opinion of the court that after sentence the court loses jurisdiction of the defendant Bailey and it was the sole responsibility of the warden to maintain discipline and security in the penitentiary."

Bailey's sentence, on April 27, 1948, in Multnomah County, was for a 25-year term for assault and battery, armed with a dangerous weapon.

Bailey, often called the "boss" convict of the penitentiary, has "a long criminal record," it was noted. Reid quoted from an affidavit by Gladden that "on July 10, 1953, the proper maintenance of discipline of the Oregon State Penitentiary was seriously jeopardized by the outbreak of a prison riot" and that one of the emergency measures was to place Bailey in the Douglas County jail because it is indicated "that said Donald E. Bailey was one of the leaders or one of the main instigators of the trouble back of the said riot."

The July 1953 date mentioned by the warden refers to the time when Bailey was first taken from the penitentiary to Rocky Butte jail in Portland. Later, Bailey was secretly transferred here.

Judge Reid also took note that there is "nothing in the file, which is quite voluminous, to indicate in any way that Bailey has retained attorney Charles O. Porter to represent him in the matter."

Woodruff said Rotary, Kiwanis, Lions, West Side Lions and the Chamber of Commerce have co-operated in putting on the display. Though no admission would be charged to the grant and, a collection to help pay for the fireworks will be asked. The Lions will conduct the food concession.

Deming Bronson, Calkins Road, a World War I Congressional Medal of Honor winner, will be guest of honor at the show. Bronson was presented the medal by ex-President Hoover for bravery in France during an Army action.

Woodruff said more powerful explosives have been obtained for this year's fireworks demonstration.

At Glendale, a fireworks show will follow a baseball game between Glendale and Riddle which is scheduled for Monday at 8 p.m. It will be the first time the new lights will be used on the high school athletic field.

A parade is slated there at 10 a.m. Prizes are being offered for entries in the procession. After the parade, a community celebration will be held on the high school grounds, where games will be sponsored for youngsters. Concessions also will be open there.

Drain also will get in on the celebrating. The Black Sox baseball team will host the Northwest League Eugene Emeralds at 8 p.m. Monday.

Local, state and federal government officials will be shut down on the Fourth of July, as will most businesses in the county. The News-Review, following traditional policy, will not publish Monday.

Roseburg Police Chief Stan Olson warned that sale and use of all fireworks with the exception of sparklers and caps are banned in Oregon now.

President Vetoes Bill On Apple Price Control
WASHINGTON (AP)—A bill which would prohibit publication by the government of predictions of apple prices was vetoed by President Eisenhower Friday.

Eisenhower said in his message of disapproval that the bill would seriously limit the Agriculture Department's ability to "counteract price rumors detrimental to the farmers' interest."

Northwest Projects Get Approval From Senate Committee

WASHINGTON (AP)—Nearly a score of Pacific Northwest reclamation, navigation and flood control projects were approved Friday by the Senate Appropriations Committee.

The list, as compiled by Sen. Magnuson (D-Wash.), included: OREGON Deschutes, North Unit—\$274,000. Talent Irrigation Project—\$509,000. John Day Dam—\$600,000. Cougar Reservoir—\$500,000. Green Peter Reservoir—\$300,000. Hills Creek Reservoir—\$300,000. Tillamook Breakwater Dredging Project—\$200,000.

WASHINGTON Ice Harbor Lock and Dam on Snake River—one million dollars in preliminary construction funds for first of four dams on lower Snake River.

Eagle Gorge Dam—one million dollars for preliminary construction. (Appropriation would release two million in Washington State and Kind County funds for project.)

Columbia Basin Project—\$12,500,000 to continue extension of laterals.

Yakima Project, Kennewick Division—three million dollars. Roza Power Plant—\$400,000. Tacoma Harbor—\$646,200. Foster Creek Division, Chief Joseph Project—\$511,000.

IDAHO Michael Flats—\$330,000. Palisades—nine million dollars. Eddy Dam, Clearwater River—\$100,000.

WASHINGTON Douglas R. Spencer, as administrator of the estate of Judy Ann Lenz, has filed a suit for damages in circuit court against James Davis.

The plaintiff seeks \$20,000 general damages for the death of the girl and \$400 for funeral and burial expenses, alleging the defendant was negligent in an accident Nov. 21, 1954, which took the life of the girl.

It is alleged in the complaint that Davis' pickup truck forced off the road a station wagon driven by Willard R. Lenz, Reedsport, father of Judy Ann. He and Mrs. John Mills also were killed. The station wagon plunged over a 290-foot bank on Loon Lake Road.

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Funeral Sunday For Mrs. Wilson, Wilbur Resident

Funeral services will be held Sunday at 2 p.m. in the Assembly of God Church, Sutherlin, for Mrs. William R. (Louise) Wilson, 51, resident of Wilbur who died at her home Thursday.

Mrs. Wilson was born June 2, 1904, at Duffield Va., and was married to Willard Ray Wilson at Lunville, Tenn., Oct. 17, 1926. She came to Oregon in March 1952, residing at Wilbur until her death.

She was a member of the Assembly of God Church at Sutherlin. Surviving are her husband and nine children: Mrs. Jack Gallaway, Mrs. Ralph (Pauline) Mullins, William, Eugene and Curtis Lee Wilson, all of Wilbur; Mrs. James (Anna Clare) Hundley; Sutherland; James E. Wilson, Roseburg; Lloyd R. Wilson, Albany, N.Y.; and Mrs. Cecil (Marcella) Grubbe, Tacoma.

Other survivors are her mother, Mrs. Jane Delaney, Big Stone Gap Va.; three brothers, Echo Delaney of Tampa, Fla., and Everett and William Delaney, both of Pattonville, Va.; two sisters, Mrs. Nannie McCracken and Mrs. Ella May Burke, both of Big Stone Gap; and 14 grandchildren.

The Revs. Robert Brown and Richard Kelly of the Assembly of God Church will officiate at the funeral services. Concluding services and interment will be in Roseburg Memorial Gardens. Arrangements were by Long & Orr Mortuary, Roseburg.

Hospital News
Douglas Community Hospital Admitted
Medical: Mrs. Verlyn Hasbargen, Samuel Gosso, Edward Exselstrom, Roseburg.

Surgery: Phillip Moray, Sutherlin; Richard Reece, Roseburg.

Discharged
Elmer Mathews, Mrs. Louis Neal, Mrs. Glenn Ellis, Mrs. Doyle Rich, Mrs. Walter Decker, Cora Dourch, William Kelley, Mrs. Earl Dixon, Mrs. Robert Drenmore, Mrs. Charles Free, Roseburg; Monte McCreedy, Idleyld Park; Arthur Roy, Winston.

Medical: Mrs. Rita Newland, Tenmile; Mrs. Elizabeth Heintze, Mrs. Lloyd Bradley, Roseburg.

Surgery: Mrs. Clayton Sherman, Roseburg.

Discharged
Mrs. Ray Bratton and baby son, Sutherlin; Dale Homer, Charles Day, Ralph Sherwood, Roseburg.

Man Without 'Guts' Kills Wife, Then Self
SHREVEPORT, La. (AP)—A 43-year-old Shreveport man who "wanted to prove he had guts" shot and killed his wife Friday night and committed suicide in a drive-in theatre.

Coroner Dr. Charles S. Boone of Caddo Parish (County) identified the couple as Guy Thomas Penny and his 37-year-old wife Evelyn. Dr. Boone termed the shooting a murder-suicide.

An unsigned note found in Penny's shirt pocket said that "every-one I worked with talked about me not having enough guts... so who has more than this?"

Penny blamed the talk on marital difficulties and trouble with his wife's relatives who "interfered with my family ever since we were married."

The couple had been married 20 years. They had no children.

ROAD OILED
The Airport Road, between Garden Valley Road and the municipal airport, is now ready for two layers of asphaltic oil as part of the county's improvement to the route, according to Commissioner Elmer R. Metzger. Metzger said a tank load of oil was put on the route this week.

DRIVER FINED
Donald Irwin Davis, 25, Rt. 2, Box 1187, Roseburg, was fined \$15 by Justice of the Peace Ward Watson, Sutherlin, Friday after pleading guilty to reckless driving. Davis was arrested Thursday by state police.

DRINKING BRINGS FINE
Chester Raymond Davies, 35, Soringfield, was fined \$20 and \$5 court costs Friday after pleading guilty to being drunk in a public place, according to District Judge Warren A. Woodruff. Davies was arrested by state police.

HUSCAPS TOLEN
William Moore, who gave his address as the Veterans Hospital, told Roseburg police Friday that someone stole four hubcaps from his car the previous night while it was parked near a skating rink on East Second Avenue South.

DANCE
to the music of
JACK FOSTER
And His Orchestra
Every Saturday Night
at
Vet's Memorial Bldg. OAKLAND

DANCE
every
SAT. NIGHT
STARTING
JULY 2nd
CAMAS VALLEY V.F.W.
music by
CHUCK
and his sons of the saddle

CLAIR MUSSER and his POWDER RIVER BOYS
DANCE-LINDY'S
JULY 2-3 Both Nights
ADM. 1.50 PER PERSON
DANCING 9 to 1

IN PERSON
Hank THOMPSON
and his BRAZOS VALLEY BOYS
AMERICA'S FAVORITE FOLK ARTIST
NATION'S No. 1
Western Swing Band
HEAR HIM ON CAPITOL RECORDS
SUNDAY, JULY 3
Melody Mountain Barn
3 Miles South of Myrtle Creek on Hwy 99
Dancing 9 to 1 EXTRA PARKING AVAILABLE

Chiang Would Never Agree To Ceasefire

TAIPEI, Formosa (AP)—President Chiang Kai-shek has indicated he never will agree to a ceasefire with the Chinese Communists until they "disgorge their spoils and withdraw from the territory which they have stolen by aggression."

In an interview with a Filipino correspondent released Saturday by the official Central News Agency, Chiang made the specific point that the offshore islands cannot be considered separately from Formosa and the Pescadores and "must be defended." Formosa and the Pescadores are covered by the U.S.-Nationalist Chinese mutual defense treaty. The offshore islands of Quemoy and Matsu are not.

Chiang said the Nationalists never would allow the Reds to keep the Chinese mainland as the "fruit of aggression" and would never agree to a ceasefire in Formosa Strait. He said a ceasefire policy recognizes the fruits of aggression and rewards it.

"The right time for a genuine ceasefire with the Communists will be when they disgorge their spoils and withdraw from the territory which they have stolen by aggression," he said.

Truck Driver Charged In Attempted Murder
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