

# The News-Review

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## AIR SPACE IS PUBLIC

Charles V. Stanton

A decision handed down recently in a federal court in New York will undoubtedly have an important bearing on airports throughout the country. It has direct effect, as a precedent, upon a suit now pending in Oregon, and doubtless will be hailed with delight by Oregon's private fliers, who have been organizing a legal fight against a suit filed in Washington County.

The village of Cedarhurst, adjoining Idlewild Airport on Long Island, passed an ordinance prohibiting planes from flying at less than 1,000 feet over the village. The ordinance was attacked as unconstitutional by ten airlines, which were supported by the Civil Aeronautics Administration, the Port of New York Authority, and the Civil Aeronautics Board.

U.S. District Judge Walter Bruchhausen in Brooklyn supported the contention that the law was unconstitutional. In his 36-page decision he held in effect that air space is public domain, that it already is regulated in the interest of safety, and that the village should be precluded from enacting contrary legislation.

### Parallels Oregon Case

The New York suit paralleled action brought in an Oregon court.

Residents surrounding the Bernard Airport at Beaverton recently filed suit for damages from pilots flying low over their homes, seeking by that method to force discontinuance of the airport.

Because a decision in favor of the residents would affect virtually every private field and private landing strip in Oregon, the state's private fliers have been organizing a defense fund with which to battle the case.

The Bernard Airport is one of the oldest private ports in Oregon. It has been in existence in its present location for almost 40 years, dating back to the very early days of aviation. It is not a pretentious port, but it meets the needs of many private fliers. It gets considerable usage from transient fliers who, flying into Portland, often use the Beaverton field because, lacking two-way radio equipment, they are not supposed to land at the controlled International airport except in case of emergency. The field also is base for many local planes.

When the airport was first built it was far removed from any settlement. Population growth, however, has resulted in construction of many residences, housing development projects, etc., until the field now is almost completely surrounded. The greater part of this building encroachment has come since 1950.

Pilots and operators claim that property owners had full knowledge of conditions before they located their buildings. Property owners, however, complain of noise, hazard from low-flying planes, and charge damage to property values.

### Private Ports Important

Flight altitude over settlements is controlled by rules set up by the Civil Aeronautics Administration. These rules permit low flying in approaching or taking off from a field. The CAA endeavors to fix local patterns to minimize hazards, but when an airport is completely surrounded by residential or other construction, occupants of those structures cannot expect to escape the nuisance of low flight.

A decision favoring the plaintiffs in the Beaverton case would undoubtedly react against every private airport or landing strip. No person would be apt to build facilities, knowing that prior location afforded no protection.

Private fields hold an important part in amateur flying. They are encouraged by the Oregon State Board of Aeronautics. Safety in private flying is increased by the frequency of landing strips which may be reached in case of mechanical failure or bad weather conditions.

It frequently occurs in Oregon, and particularly in the western part of the state, that low clouds will close in suddenly. A pilot then has the choice of finding a spot for an emergency landing or trying to fly through the clouds. Too many who elect the latter course find that clouds have rocks in them. Emergency fields and landing strips at close intervals save lives when such conditions are encountered.

Because of the threat to private fields involved in the Beaverton suit, amateur fliers in Oregon have been greatly concerned. They intend to join in the court battle on the side of the Beaverton fliers. They should find the ruling of the federal court in New York to be of much help in their fight.

## Hal Boyle

NEW YORK (AP)—Arthur Davis cut himself while shaving 20 years ago and became a new man.

The man, Uncle Sam, symbol of America.

Today Davis, a lanky, 76-year-old retired postal worker from Rocky Mount, N.C., has become beyond quibble the nation's leading amateur portrayal of Uncle Sam.

"Some who do it for money may have a more expensive uniform," he said, "but they don't really look like Uncle Sam. Why, some don't even know how to raise their own goatee."

There is no doubt that Davis, who has white hair, keen blue eyes, and a lean leathery face lined with kindly wrinkles, looks like dear old Uncle Sam.

He looks so exactly like the famous star-spangled gentleman in the recruiting posters that draft-age youths jump nervously when they see him in his uniform. They wonder if he's going to point a finger at them sternly and say, "I want you."

"It all began in 1935 when I nicked my chin while shaving with my old straight edge razor," Davis recalled. Until the cut healed I couldn't shave it, so I grew a goatee.

An official planning a tobacco festival parade in his home town noticed the goatee and said, "Why

## Local Community News Briefs

**Enjoy Weekend** — Mr. and Mrs. Carl Youngren of Roseburg, enjoyed the weekend at Depoe Bay.

**Visits Here** — Miss Erdine Piper of Portland spent the weekend in Roseburg visiting her parents, Mr. and Mrs. Kenneth Piper, on Miller Lane.

**Returns To Portland** — Mrs. Pearl Decker left yesterday for her home in Portland, following a visit in Roseburg with her sister-in-law, Mrs. J. B. Bailey.

**Return Here Tuesday** — Mr. and Mrs. M. E. Ritter returned to Roseburg from Florence Tuesday to be with the former's parents, Mr. and Mrs. M. E. Ritter, Sr. The latter, who is a patient at Mercy Hospital, is reported to be improving, after being seriously ill for the last 10 days.

**Employed** — Miss Wilma Brown has completed her training at the Roseburg School of Business and is now employed as a clerk-typist in the office of the United Petroleum Corp. While taking the course, Miss Brown made her home with Mr. and Mrs. I. J. Keen on Hawthorne Drive.

**Return Tuesday** — Mr. and Mrs. A. B. Hudelson returned to their home in Roseburg Tuesday following a visit over the holiday weekend in Warrenton. They formerly made their home in Warrenton. The Hudelsons' son, Jim, who was graduated in June from Willamette University in Salem, is now working in Roseburg.

**Mother Dies** — According to word received here, Mrs. Nora Sullivan Crosby, mother of Mrs. John James McDonald of Roseburg, died Saturday night at her home in Schenectady, N.Y., following a long illness. Interment will take place at Ilion, N.Y., where her husband and daughters are buried. Mrs. McDonald was unable to go east for the funeral on account of illness.

**Mrs. Davis Home** — Mrs. A. d. Davis has returned to her home in Roseburg following a month in Yoncaida taking care of her four grandchildren, Susie Jo, P. J., Donnie and Jerry Cogwell, children of Mr. and Mrs. Leonard Cogwell. The Leonard Cogwells became parents of a daughter, Sally Beth, weighing 6 pounds 12 ounces, June 29 at Cottage Grove Hospital. The baby was hospitalized until Tuesday, July 5, when it was taken to the Cogwell home.

**McElroy's Home** — Mr. and Mrs. Eugene McElroy and children, Collett, David and Linda, are back at their home on Reservoir Avenue following a month's vacation to various points in Texas to visit relatives and friends. Mr. McElroy is a native of Texas and this was his first trip home in nine years. They stopped at points of interest in Nevada, visited the Carlsbad Caverns in New Mexico, took a sight-seeing trip into Northern Mexico and returned home via Arizona, San Diego and up the California coast to Oregon. Mr. McElroy is with Coen Lumber Co. here.

**Accepts Position** — Miss Connie Perkins, who recently returned from Portland, where she was graduated from Multnomah County Hospital as a nurse, has gone to Eugene, where she has accepted a position on the nursing staff at Sacred Heart Hospital. Miss Perkins is the daughter of Mrs. Opal Perkins of this city. She has been visiting here the last two weeks.

**Sisters Visit** — Mrs. R. G. Fitzgerald, South Bend, Ind., and Mrs. Minnie Hamilton, Minneapolis, Minn., arrived Tuesday to visit their brother, Eric Trozelle, and family; their sister, Mrs. Robert Tjomsland, and their brother, Paul Trozelle, at Sutherland. They will be here about a month.

**Home From Hospital** — Mrs. F. A. Watkins, who recently underwent surgery at Good Samaritan Hospital in Portland, is now convalescing at her home on Looking-glass Road. Her husband drove to Portland over the weekend to bring her back to Roseburg.

**In Santa Barbara** — Mrs. Carl Ruthrauff left Friday for Santa Barbara to visit relatives. She was accompanied by her brother and sister of that city, who had been visiting at the Ruthrauff home here. She plans to return Friday by plane.

**Vacation At Coast** — Local residents spending the weekend at Sherwood Lodge at Yachats were Mr. and Mrs. Boyd Conroy and daughter, Ellen; Mr. and Mrs. Robert Foye, Mr. and Mrs. James Britton, and Mr. and Mrs. Don Glenz and daughter, Judy.

**Visiting Sister** — Mrs. Zella Wells of Palouse, Wash., has arrived here for a visit with her sister, Mrs. Lucy Jennings; and with her brother, James Byron, of Olalla.

**Vacation At Lake** — Spending the holiday weekend at Fish Lake were Mr. and Mrs. Harold Martin and daughter, Terry. Mr. and Mrs. Ken O'Laughlin and Mr. and Mrs. Robert Edson and daughter, Linda, of Eureka, Calif. The Edsons, who formerly resided here, met the group at the lake.

**Celebrate Fourth** — According to word received here, Carmen Ford, Shariene Boyles and Joleen Lyda, of Roseburg, who are on the YMCA tour of Europe for the summer, celebrated the Fourth of July on the island of Trinidad, where they report temperatures of 85. The three girls took along American flags to hang up for the Fourth of July celebration.

**Goes To Alaska** — Don Sundberg, son of Mr. and Mrs. George Sundberg, left Saturday for Fairbanks, Alaska, where he will work during the summer months. Don is a student at University of Oregon where he is majoring in Business Administration. He spent the last two summers at Anchorage working and this will be his first work in Fairbanks.

**Clarks Here** — George A. Clark, who is receiving treatment at the local VA Hospital, enjoyed a visit over the weekend from his sons, Tommy, Jimmie and John Charles, of Los Angeles. Their son, Don, was unable to make the trip. The visitors are also visiting his brother, Leland, and his sisters, Mrs. Lee Miller and Mrs. Edna Dunstan. Kenneth Clark, a former local resident, is associated with the Pontiac Co. in Los Angeles.

**Attend Banquet** — Going to Portland last Thursday for the retiring banquet honoring L. P. Hopkins, who retired as division superintendent of the Southern Pacific Company, were Mr. and Mrs. T. W. Bernard, Mr. and Mrs. Ralph Hunsaker, Mr. and Mrs. I. M. Dunn, Mr. and Mrs. J. A. Pemberton, J. E. Clark and Eldon Forbes. The banquet took place at the Multnomah Hotel. Former Senator Guy Cordon, a life-long friend of Hopkins, was one of the speakers. Mr. and Mrs. Hopkins plan to leave Portland today on a 4-month tour of South America. The Dunns were accompanied to Portland by their son, John, who went on to Astoria to spend the rest of the summer visiting his uncle and aunt, Mr. and Mrs. Elmer Dent, and family.

**Visitors Leave** — Mr. and Mrs. A. V. Sigfrid of Curanday, Panama Canal Zone, left Sunday by plane for New York City to board a ship for Panama where both are employed by the government. They spent the last three weeks in Roseburg as guests of Mrs. Sigfrid's brother-in-law and sister, Mr. and Mrs. Roy Smith, 1227 Ichabod Lane. They took them on a trip to Crater Lake and spent one weekend at Newberg visiting another sister of Mrs. Sigfrid and Mrs. Smith's brother, Dalton, and family. The Sigfrids went by plane from Panama to Mobile, Ala. In Miami, Fla., they purchased a car and drove to Minnesota and Iowa to visit relatives and friends, before driving here. While in Roseburg they purchased property. They sold their car here and returned east by plane. While here they also visited Mrs. Sigfrid's niece, Mrs. Shirlee Iverson, and family. They have resided in Panama 15 years.

## In The Day's News

(Continued from Page One)

mankind requires that they should DECLARE the causes which impel them to the separation," it asserts:

"We hold these truths to be self-evident, that all men are created equal (you'll note that, being created equal, the authors of the Declaration didn't say that all men REMAIN equal), that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

"That to secure these rights, governments are instituted among men, DERIVING THEIR JUST POWERS FROM THE CONSENT OF THE GOVERNED."

"That whenever any form of government becomes destructive of these ends, it is the right of the people to ALTER OR ABOLISH it, and to institute NEW government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

I wish every common, ordinary, bottom-of-the-heap RUSSIAN and every inhabitant of every country that Russian communism has enslaved could read those ringing words.

If that could come about, I think the masses of the Russian people and the masses of the people that the Kremlin despots have conquered and enslaved would rise in their might and destroy this foul thing that we call communism.

If that could happen, we could all have a decent word to live in. Following its preamble, the Declaration of Independence recites the grievances of the people of the American colonies against the BRITISH KING.

Note, please, that it doesn't indict the BRITISH PEOPLE, vast numbers of whom sympathized deeply with the people of the colonies.

Throughout, the list of grievances is based upon the misdeeds of the KING OF GREAT BRITAIN—whose history, the Declaration, asserts, is a history "of injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states."

This list of grievances is too long for me to quote here. You'll find it all in the full text of the Declaration of Independence—which I urge you strongly to read today, if possible.

If you'll read the full text of the Declaration of Independence at some time today, I'm sure you'll feel that your Fourth of July holiday has been well spent.

I'll close this piece with the final paragraph of the Declaration itself. After reviewing the reasons for the separation and asserting that "these colonies are now absolved from all allegiance to the British crown" and as free and independent states "they have full power to levy war, conclude peace, contract alliances, establish commerce and do all the other acts and things which independent states may of right do," the Declaration of Independence ends with this solemn sentence:

"AND FOR THE SUPPORT OF THIS DECLARATION, WITH A FIRM RELIANCE ON THE PROTECTION OF DIVINE PROVIDENCE, WE MUTUALLY PLEDGE TO EACH OTHER OUR LIVES, OUR FORTUNES AND OUR SACRED HONOR."

They meant business, those Founding Fathers of ours. If, in the job we have to do in the world of today, we MEAN BUSINESS in the way our Founding Fathers meant business, we CAN GET AWAY WITH THE JOB.

Anyway, I strongly recommend that you devote a part of today's holiday to reading in full this mortal document that started the United States of America out in the world.

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