

The News-Review

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BEWILDERING CASE

By Charles V. Stanton

Many people are puzzled, as indicated by their questions, concerning the procedure of the case which so lately has been of primary interest in Circuit Court.

Normal court procedure is a mystery to a great majority of people. When activities, take such turns, as have occurred this week the average citizen finds himself completely bewildered.

We have in this instance a person, who has previously borne an excellent reputation, suddenly accused of mistreatment of children and now under indictment on a charge of second degree murder. At the same time this indictment was being returned by the grand jury, a Judge, conducting a hearing into the competency of the individual as a parent, found no truth in accusations of cruelty and mistreatment and ordered a return of the children, who had been held under court jurisdiction pending the decision.

The fact that an indictment followed immediately upon the heels of a court pronouncement, finding against the State's accusations, has many people puzzled.

Hearing Not A Trial

The action just completed was not a trial. No crime was charged. The State, through the District Attorney, contended that children had been mistreated, should be removed from the custody of the parents and made wards of the court. There was no jury to hear the evidence. The case was heard by a Judge, skilled in the weighing of testimony. The state presented its side of the case and the parents brought their own witnesses to refute the charges.

After hearing both sides, the Judge ruled that evidence of mistreatment was lacking and that, on the other hand, the court was satisfied the parents were competent to give loving and efficient care to the children. The youngsters were ordered returned to their home.

This, then, was followed by a startling indictment. An indictment charges a crime. An indictment is returned by a grand jury. A grand jury is not a trial jury. It is the duty of the grand jury to determine whether or not evidence is sufficient to indicate that a crime has been committed. To this end the grand jury usually hears principally only one side of a case.

The District Attorney represents the State as a law enforcement officer. It is his responsibility to bring criminal charges against persons suspected of crime. He has to aid him a grand jury empaneled by the Circuit Court. The District Attorney normally presents to the grand jury such information as he has available. The grand jury questions persons professing to have knowledge or information concerning the alleged crime. It usually is the practice that these persons are brought before the grand jury by the District Attorney.

From the information gathered, the grand jury determines whether there is reasonable evidence that a crime has been committed. If it finds that such evidence does exist, an indictment is returned and the case then goes before the Circuit Court, and, if contested, usually before a trial jury.

Normally the grand jury hears only one side of a case. The defense does not usually appear before the grand jury.

Should Keep Open Minds

The above probably only creates more bewilderment in the minds of readers, but it should be kept in mind that the two cases actually are separate, even though they pertain in part to the same state of facts. The evidence brought forth at the hearing was not heard by the grand jury, except as witnesses were examined in secret session.

The District Attorney and grand jury have brought a serious charge. But any defendant in our court is entitled to a presumption of innocence until proven guilty.

This is a case with very odd characteristics and circumstances. It naturally produces much conversation. It is possible that there is sufficient evidence to indicate a crime. On the other hand, it is equally conceivable that the defendant has become the victim of a set of horrible circumstances.

It is only human nature that we follow the case with great interest. I believe it is well, however, that we exercise extreme caution against repeating hearsay or rumor and that we keep our minds open and free from prejudice until the court procedures, seemingly in conflict yet legally uncompounded, are brought to completion.

IN THE DAY'S NEWS

By FRANK JENKINS

(Continued From Page One)

sums of new capital will be required. New capital is created by the SAVINGS OF THE PEOPLE. If sufficient new capital is to be provided to meet the needs of our expanding economy, our people must be taught to save.

The best time to teach them is while they are young. Along that line, let's quote Alexander Pope, who says in his Moral Essays: "Tis education forms the common mind."

"Just as the twig is bent the tree's inclined."

The house interior committee formally killed the federal Hells Canyon dam project Wednesday by a vote of 16 to 14.

The action, anticipated for the past three weeks, came after sponsors of the highly controversial public power proposal made brief speeches defending it. One of its defenders called it "the only legitimate development of the people's resources in Hells Canyon."

Fourteen Republicans and two Southern Democrats cast the negative votes that spelled final defeat for the project.

Down here in southern Oregon and Northern California, we have

been only academically interested in the Hells Canyon battle, which is chiefly the concern of the Columbia river basin. Our water, from which the power to develop our natural resources must come, flows in another direction.

Our feeling has been that if the people of the Columbia Basin want the power that is provided by the water of the Snake River as it passes through Hells Canyon developed by the federal government, rather than by private concerns, that is their affair.

We have presumed that not much of the power of the Columbia River and its tributaries will get down our way. Besides, we have our own great rivers, which we are developing to provide our own power.

But—Down this way we do find interesting a statement made by William Hard in the current Reader's Digest. He says:

"At present rates of taxation, the Idaho Power company—which is building private dams in Hells Canyon—will pay 500 million dollars in federal and state taxes during the course of its lifetime. The federal dam, being owned by the government, would never pay any taxes at all."

"He Worked for Us Once—Let Him Work Again"



Justice Says Labor Has Grown Up In America

SEATTLE (AP)—Labor has grown up in America and holds the only effective power of keeping its own house in order, State Supreme Court Justice Hugh Rosellini told the national convention of the United Garment Workers Union Tuesday.

Rosellini said in discussing recent hearings of the Senate rackety investigating committee:

"Labor is far beyond the point where it can be disciplined or policed by any outside power without resultant damage to the basic desirable goals of labor. No matter what legislation may come from our Congress or what future decisions may come from the courts, the only effective means to control labor lies in labor itself."

The 300 convention delegates represent 75,000 garment workers. They were scheduled to consider resolutions Wednesday.

Washington To Release 44,000 Pheasants Soon

SEATTLE (AP)—Approximately 44,000 pheasants will be released in Washington state the next two months.

William G. Ford, superintendent of state game farms, said Wednesday the 44,000 are birds 10 to 12 weeks old. An additional 18,500 adult pheasants will be freed just before and during the hunting season.

Ford said 93,000 pheasants were raised this year on the game farms and those left after the fall plants will be held over winter and released in the spring.

The farms also raised chukar partridges and Coturnix quail, also known as Japanese quail. The latter are being reared for the first time in this state and none will be released this year.

Hal Boyle

NEW YORK (AP)—Anyone who loves the theater can have a wonderful time in the average business office just watching how its inhabitants kill time.

This form of free entertainment holds more dramatic interest than a trip to the theater because at a theater you can see only one play at a time. In the average office, however, you watch anywhere from 10 to 100 actors putting on individual shows at the same time.

Nor is office acting in any sense on a lower level than that seen on Broadway. Actually it's far more subtle. Almost any show-off can be taught to step up on a stage and mouth a few memorized lines or gestures. But the acting skill shown by an office actor who is pretending to work while really only killing time requires an ability to improvise under pressure, the real test of greatness in any field.

In this respect, it must be admitted, the American business world produces hundreds of thousands of actors every year.

They are "the great pretenders"—those highly polished art consists in appearing to be vitally busy while actually doing nothing but keeping an eye on the clock until quitting time.

If you look around, maybe you'll find some of the following types of timekillers acting in your own office:

1. The efficient housekeeper—Every morning he spends cleaning up his desk, every afternoon rearranging his files. But he is never quite ready tomorrow to attack the day before yesterday's work.

2. The prowling ferret—With brows knit in agonizing thought, hands locked behind his back, he stalks endlessly around the office as if in search of one single answer to all the firm's problems.

His box score at nightfall: 20 trips to the water cooler, 7 to the men's room.

3. The dubious lover—This married Romeo, holding a busi-

ness letter in his hand as a prop, goes from stenographer to stenographer, whispering, "Next year I'll take you to Havana, but right now how about a weekend in Philadelphia. But if one of the girls really took him up on his proposition, he'd melt away faster than the abominable snowman."

4. The harried debtor—He rolls up his sleeves and buries himself up to his armpits in a pile of important papers on his desk. He keeps a wary eye, however, so that no one can peek over his shoulders and see that the papers consist of his personal bills, his household budget, his state and federal income tax returns, and a small pamphlet entitled, "Ten Easy Ways to Pay Off a Home Mortgage."

5. The lonely heart—Believing that two can act better than one, he goes over to the other fellow's desk and asks him nonsense questions such as, "Do you think the light in here is ruining my eyes?" or, "If you could retire right now, where would you want to live?"

6. The dull cowbird—This witless pest doesn't have enough originality to invent his own methods of shirking work, so he imitates the others. But he does it so poorly that he endangers the whole office, and everyone has a desire to poison him.

7. The daredevil—Figuring that all life is merely a bold bluff, this wily gambler does no work at all. But after sitting for two hours with both feet on his desk, he strolls into the boss's office at 11 a.m. and says cheerfully, "All clear, chief, what can I do for you now?"

There they are—Seven office characters in search of an audience. And in case the boss should suddenly choke to death on a martini olive during an important business luncheon, which of these seven creeper timekillers will get his job?

Naturally the best actor wins. Nine out of 10 times the daredevil will become boss—if he isn't fired first.

Interim Group Holds Meeting

SALEM (AP)—The interim committee to study fish and game problems held its organizational meeting here Wednesday with Rep. W. O. Kelsay (D), Roseburg, as chairman.

The committee will meet Friday in Portland with the state Game Commission, and Aug. 13 with the Fish Commission.

The committee will recommend whether the Fish and Game commissions should be merged, as well as many other aspects of fish and game problems.

Attending Wednesday's meeting were Sen. Andrew J. Naterien (D), Newport, and Walter C. Leith (R), Manmouth; and Reps. Ole Grubb (D), Bend; Robert L. Elstrom (R), Salem; and representatives of the Fish and Game commissions.

No Picker Shortage Reported For Beans

STAYTON (AP)—Bean growers here said Tuesday there is no picker shortage in their "dream fields."

They said, however, a shortage might develop at the end of the week in the fields, where beans this year are "the kind processors dream about."

The bean harvest probably will be well under way before the hop-picking begins. Growers said the hop harvest probably will start later than the Aug. 12 date of 1956.

1958 Election Campaign To Save Taxpayers Money Is Being Waged In Board

By PAUL W. HARVEY Jr.

SALEM (AP)—Oregon's 1958 election campaign, with a theme of "We're saving the taxpayers' money," is being waged in the state Board of Control.

The point at issue is the state's 48 million dollar general fund surplus.

Actors in the unfolding drama are the three top officials of the state.

Chairman of the board is Gov. Robert D. Holmes, Democrat, serving a two-year term. He'll run for a four-year term next year.

The other two members are Republicans. They are Secretary of State Mark Hatfield and State Treasurer Sig Unger.

Hatfield certainly will seek higher office some time, and he might run for governor next year. Unger is considered a sure bet to run for governor next year.

All the Board of Control does is run the state institutions. But with each member a candidate, the board talks about lots of questions that have nothing to do with the institutions.

Hatfield made the announcement last week that the general fund surplus was 48 million dollars at the end of the biennium on July 1. That was 18 millions more than had been expected.

Purpose of his announcement was to demonstrate that the Democratic-controlled Legislature shouldn't have increased income taxes.

Unger made a quick follow through. He said at Tuesday's board meeting that the governor should call a special session to give the additional surplus back to the taxpayers, either through reduced taxes or through a rebate.

The governor was taken by surprise, commenting merely that Unger's proposal "is worth exploring."

It's a cinch there won't be any special session. The party in power always wishes to avoid one. Besides, the Democrats can't think it's so bad to have a little surplus on hand.

Just what does a 48 million dollar surplus mean in this case when the state spends 272 million dollars in a two-year budget period?

The recent Legislature appropriated right up to the bill, taking almost all of the anticipated revenues and all of the anticipated 30 million dollar surplus.

Since the surplus now is 48 millions, it means that the 1959 Legislature will have about 20 million on hand to start the following biennium. In the state picture, 20 millions is peanuts.

The fact that the surplus is

greater than expected is further insurance that the state won't have to levy a state property tax during this biennium. A state property tax becomes automatic whenever revenues are insufficient. Oregon hasn't had one since 1940.

Naturally, some Republicans would like to see a state property tax. That would mean some good ammunition to throw at the Democrats.

Thus, the fact that the surplus is bigger than expected won't be good news for them.

These revenue estimates are based on the assumption that Oregon's economy will roll along at current levels. If things get worse, the state budget could be in serious trouble. If things get better, the state could have a big surplus at the end of this biennium.

Since the people seem to be more tax conscious than ever before, you can expect the surplus and other aspects of state finances to be the subject of political discussion for the next 15 months.

Governor Names Commissioners

SALEM (AP)—Gov. Holmes Wednesday appointed county welfare commissioners for five counties. They are:

Klamath County—Mrs. Richard A. Smith, Geary housewife, to succeed the late Fred Peterson, who was shot to death at a commission meeting several months ago. Her term expires June 30, 1960.

Malheur—Leslie E. Downie, Ontario drug store manager, to succeed L. J. Kinney (Ontario). The term ends June 30, 1961.

Yamhill—The Rev. James M. Alley, Amity, to succeed Mrs. Leo Gell, Dayton, for a term ending June 30, 1961.

Coos—Mrs. Averill Schroeder, Myrtle Point, to succeed Mrs. Luckey Bonney, Coquille, for a term ending June 30, 1961.

Josephine—Mrs. Melvin P. Leonard, Grants Pass, to succeed Mrs. Walter Freeman, Cave Junction, for a term ending June 30, 1961.

MILK FOR JAPAN

WASHINGTON (AP)—The Agriculture Department has announced the sale of 11 million pounds of nonfat dried milk to Japan for use in that country's school lunch program.

The sale price was 4 cents a pound, or about one-fourth the cost to the department under its dairy price support program.

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Governor Will Name Second Judge Next Week

EUGENE (AP)—An aide to Gov. Holmes said Tuesday that the appointment of a second district court judge for Lane County will probably be made within the next two weeks, well in advance of the Aug. 19 date when the enabling act authorizes a second district judge for the county.

The act was passed in this year's legislature.

The results of a preferential poll by the Lane County Bar Assn. were forwarded last week to Salem for consideration.

Deputy Dist. Atty. Frank Alderson was the top choice of most of the attorneys casting ballots in the poll. He led four other candidates in the number of first and second choice votes.

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