

# Thornton Won't Tab New Boardman Bill As Illegal

SALEM (UPI)—While Atty. Gen. Robert Y. Thornton says "a grave question exists as to the constitutionality" of the special bill to once again pull the Boardman chestnuts out of the fire, he does not declare the bill is illegal.

His four-page opinion requested by Reps. Sidney Leiken, D-Roseburg, and Richard Eymann, D-Marcola, was submitted to lawmakers Nov. 22, shortly before the special session of the legislature recessed because of the assassination of President Kennedy.

The bill is scheduled for a vote Monday when the legislature reconvenes.

The opinion deals with one of two Boardman bills before the legislature—the one which would transfer the project to the Veterans Affairs Agency, and ratify the \$4.6 million, 77-year lease of the 100,000-acre site to the Boeing Co. of Seattle, Wash.

**Corbett Asks Second Ruling**  
During the recess Sen. Alfred Corbett, D-Portland, requested Thornton's opinion on a companion measure which would freeze property tax values at the level for the life of the lease.

Thornton's first opinion noted "we can see no constitutional bar to the use of actual 'surplus' moneys now in the veterans' bond sinking fund."

Thornton noted the state's lease with Boeing holds the company "harmless against certain adverse claims by third parties. This office has ruled on several occasions that the state cannot enter into such agreements...in a 11 probability the Oregon Supreme Court, if confronted with this question, would hold these provisions of the lease would not be binding upon the state, but would not on that ground invalidate the entire lease."

Thornton's opinion continues, "The principal constitutional question which he believes arises under the bill in its present form is the validity of authorizing a and ratifying the expenditure of public funds to subsidize industrial development, and for the benefit of a specific private corporation."

"No doubt there are other firms which would be interested in receiving low-rent lands, tax exemptions, or other preferred treatment..."

"We are therefore confronted with a bill which singles out one corporation and grants to it a privilege which is not available to any other..."

Thornton said he could find no case "in which this precise question" has been passed upon by the Oregon Supreme Court. He cited cases in 16 states where such actions were ruled unconstitutional, two where they

were held constitutional, and the highest court of our state two others where courts hedgespeak on it."

"decided the question both Thornton then suggested the bill either should be referred to the people, or voted upon by the Boardman in this legislature, and if passed by the legislature, the question is a close one."

"It is our opinion that a grave question exists as to the constitutionality of the bill, but...the public officials may know where question cannot be settled until they stand."



**SIMPLY** and without emotion, Mrs. J. D. Tippit, left, thanked the American people Friday for the outpouring of comfort and aid given her as the widow of the policeman slain trying to seize President Kennedy's accused assassin. Dallas police chief J. E. Curry is shown at right. (UPI Telephoto)

## Churchill Marks 89th Birthday

LONDON (UPI)—Sir Winston Churchill, ending a year of heartbreak, quietly observed his 89th birthday today with a 19½ pound, brandy-laced cake that stressed his imperishable ties with the United States.

Churchill and his 78-year-old wife, Lady Clementine, spent the day at their London home, surrounded by presents and congratulatory messages from all over the world.

A smaller dinner party for the family and close friends was planned for the evening. Britons from all walks of life used the day to toast Churchill's inspired leadership during World War II and the breathtaking scope of a public career that has spanned nearly seven decades.

The Daily Express greeted the advent of his 90th year by saying Churchill "evokes a fresh outburst of the love, admiration and gratitude of the people. How happy they are that...the old warrior's evening is so serene."

## Portland Cab Driver Charged With Murder

PORTLAND (UPI)—A 60-year-old taxicab driver was being held on a charge of first degree murder today after the fatal shooting of his wife and her ex-husband here Friday.

Floyd H. Ottman of Portland was arrested about an hour after the bullet-riddled bodies of his wife, Nora Mae, 63, and Donald G. Wymer, also 63, Portland, were found at the Ottmans' apartment.

Wymer was shot seven times and Mrs. Ottman was hit twice. Police said Ottman was carrying a revolver when he was arrested.

The Ottmans' apartment is above a diner which was operated by Mrs. Ottman and Wymer.

# LBJ, Aides View Budget

WASHINGTON (UPI)—President Johnson tackled an accumulation of White House chores today to begin his second week as Chief Executive.

It was a relatively low pressure day for the new President after a week crowded with ceremonies following the assassination of President Kennedy, as well as meetings with foreign leaders and his address to Congress.

## Woman's Role Feature Of Service In Winston

The First Christian Church in Winston will feature the role of women in the mission program at the 11 a. m. service on Sunday. Mrs. George Carter and Mrs. Hubert Smith will lead the devotional entitled "Woman's Day."

Ernest I. Mitchell, pastor, will give a special sermon on the theme "Women Working With God." All area residents are invited to attend.

**Roseburg Church of Christ**  
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**Dorm Auditorium**  
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## Mrs. Tippit Says Thanks

DALLAS (UPI)—Mrs. J. D. Tippit, widow of the policeman shot to death trying to capture President Kennedy's accused assassin, thanked the nation Friday night for its comfort and generosity in her time of grief.

She said she now wants to go back to quiet living—"the way we did when he was with us."

The demure, 35-year-old Mrs. Tippit, wearing a gray suit, spoke simply in an emotion-choked voice at a news conference at the Dallas police station. She expressed her "thanks and gratitude for the many letters and telephone calls from all over the country, and appreciation for everything everyone has given us."

"We so appreciate the many words of comfort we have received and the fund they have set up for us," she said.

The J. D. Tippit memorial fund continued to swell with uncounted contributions filling nine mail sacks in the police station.

Counted funds already were above the \$50,000 mark.

## Dewey Kruse

Funeral arrangements are pending for Dewey Kruse, 65, who died Friday morning in a Portland hospital.

He was born in Roseburg March 7, 1888, the son of the late George W. and Alfara Kruse. He grew up here and attended local schools.

He is survived by a son, George Dewey of Martinez, Calif.; a stepdaughter, Waunita Webb of Portland; three brothers, Bert, Walter and LeNoir Kruse, all of Roseburg; and four sisters, Mrs. Vaneta Pearson, Roseburg; Mrs. Zelma Davis, Salem; Mrs. Vesta Oliver, Caldwell, Idaho; and Mrs. Veta Hall, Vancouver, Wash.

## Roseburg Track Stars Rated High By AAU

Roseburg cross country star Mike Crumican placed second in the senior division of the 880 at 1:58.7 in national AAU Junior Olympic track and field meet results from last summer; the AAU announced in New York City today.

Crumican also placed fourth nationally in the mile at 4:29.4. Roseburg girl track star Rexi Nicholson tied for third in the 50-yard low hurdles, senior division, with a time of 7.4. Lesley Smith, also of Roseburg, tied for third in the intermediate division hurdles with a time of 7.5.

In District Court, Carl Joseph Hill, 20, Cottage Grove, pleaded guilty to being a minor in possession of alcohol. Judge Gerald R. Hayes fined the defendant \$100 and \$5 costs and sentenced him to 60 days in the county jail. He was arrested Wednesday night at Curtin, along with three girls all under 18, from Cottage Grove who were taken into custody by state police and booked at the county jail.

Dwight Edward Withros, 18, Reedsport, is booked at the county jail on a charge of attempted rape. Bail is set at \$2,000.

## Fog Causes Accident In Roseburg Saturday

Roseburg city police investigated an accident at 1:15 a. m. Saturday which the driver of the vehicle involved told them occurred when he was unable to see a parked trailer because of heavy fog.

Police said the accident occurred on NE Diamond Lake Boulevard near the intersection of NE Atlanta Avenue when a car driven by Wayne Howard Tyler, 18, of 837 N. Blakely St., struck a wooden trailer that was parked along the street. There were no injuries.

## Praises New President

Wilkins, executive secretary of the National Association for the Advancement of Colored People, emerged from what he described as a 45-minute "get acquainted - type discussion" with praise for Johnson's integrity and ability.

"We have very great faith in the President's attitude on civil rights," Wilkins said. "We have every expectation that out of his own convictions he will do well in this job." He said the nation's Negroes were "naturally" skeptical of a southerner, but added:

"I think Mr. Johnson enjoys the respect of the Negro community for his very great abilities and, as vice president, he emerged from the role of legislating for a single state or section and became a national figure."

## Pilots Seek To Clear Plane Crew

WASHINGTON (UPI)—Airline pilots are quietly mustering evidence they hope will clear a flight crew blamed for the fatal crash of an Eastern Air Lines DC7B at New York's Idlewild Airport one year ago today.

The accused crew was commanded by Capt. Edward Bechtold, not only a veteran airman but one of the Air Line Pilots Association's (ALPA) crack air safety experts and accident investigators.

Bechtold's plane crashed as he tried to abort a landing when he encountered heavy ground fog. Of the 51 persons aboard, 21 passengers and all three cockpit crew members died. The flight was en route from Charlotte, N.C., to New York.

**Declares Pilot Errors**  
The Civil Aeronautics Board (CAB) on Oct. 10 issued a report which hung a pilot error verdict on Bechtold, his co-pilot and flight engineer. The CAB findings declared:

"The probable cause of this accident was the technique employed by the crew during abandonment of the approach under fog conditions not adequately reported."

It is believed the pilots first will ask the CAB to reconsider that part of its verdict citing alleged faulty piloting technique. If the CAB refuses—and it traditionally will not reopen an accident investigation unless new evidence is presented—the pilots are expected to take their case to the courts. Seldom in history of accident investigation have airmen been so angered by a CAB report.

ALPA officials declined comment on the arguments they are gathering for presentation to the CAB. But a close look at the board's Oct. 10 report reveals a major area in which the CAB's conclusions raised eyebrows not only among pilots, but airline officials and others in the aviation community.

**Weather Report Inadequate**  
The CAB, in its "probable cause," conceded that Bechtold was the victim of inadequate weather reporting. The last weather report he received indicated safe visibility conditions. Yet even as he swung into his final and fatal approach, a fog-measuring device on his assigned runway was showing virtually zero forward visibility. The CAB noted that this information was never given to the Eastern flight.

It is the pilots' contention that Bechtold was trapped by conditions beyond the control of any airman to overcome unless he was incredibly lucky, and regardless of what technique he used.

## Jackie Still In Seclusion At Cape Cod

HYANNIS PORT, Mass. (UPI)—Mrs. Jacqueline Kennedy remained in seclusion today on rain-swept Cape Cod, once the summer playground of her assassinated husband.

A driving rain storm pounded the sprawling Kennedy compound with 40 knot winds, gusting at times to 50 knots.

It was the type of day that brought back memories of happier days for the grieving 34-year-old widow. It was the kind of day that would have kept the always active President inside the compound with Jacqueline, Caroline and John-John.

Outside their window Mrs. Kennedy could see choppy Nantucket Sound where the President loved to swim and sail.

Jackie and her children flew here Thursday for a sad Thanksgiving reunion with the Kennedy clan. She was expected to return to Washington this weekend.

The President was assassinated one week ago Friday, but his 88-year-old grandmother never will learn of the death if her devoted family can help it.

Mrs. Rose Kennedy, mother of the late President, visited her mother in Boston Friday but kept the tragic news from her relatives fearing that the news would affect Mrs. John Fitzgerald's health.

Joseph P. Kennedy, 75-year-old former ambassador and father of the slain President, and his wife plan to make their annual trip next week to Palm Beach, Fla., where he has a winter home.

## Richard Johnson

Richard Johnson, 74, of 547 NE Lincoln, Roseburg, died at his home this morning. Funeral arrangements are pending at Long & Shukle Memorial Chapel.

## CANDIDATE TO SPEAK

Gerald Carter will be the guest speaker at the Glendale Church of Christ Sunday, according to Mrs. G. B. Fox, correspondent.

Carter is a candidate for the pulpit in the church which will be vacated early this month when Wally Peterson, pastor, and his wife, leave for East, Kans., where he will begin his seminary training.

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## Landscaping Plan At Stewart Park Heard On Friday

Representatives of two landscaping architectural firms were interviewed at a meeting Friday night of a joint school district-city advisory committee on Stewart Park.

Bob Norton, chairman of the committee, said the interview was in conjunction with the long range development of landscaping of the 162-acre park. The two men were invited, he said, to present their philosophies of park design.

Further interviews with other landscaping architectural firms are planned, Norton said.

Working with Norton as members of the committee are Stan Hermann, who represents the planning commission; Dr. Verne Anderson, the school board; Mrs. Edgar Lewis, the Parks Commission; and John Amacher, city parks.

Also present at the meeting, acting in advisory capacities, were Mayor Tom Garrison, Director of Parks Tom Keel, City Manager Craig McMicken and Mel Pedersen, planner with the Oregon Bureau of Municipal Research.

## Pleas Of Guilty Made To Charge Of Contributing

Edward Joel Haney, 21, and Paul Howard Stepp, 18, both Myrtle Creek, Friday pleaded guilty to charges of contributing to the delinquency of minors, on appearance before Circuit Court Judge Charles S. Woodrich.

They were sentenced to serve one year each in the Douglas County jail. They were accused of taking two girls, ages 16 and 15, away from their homes in Myrtle Creek without their parents' consent on Nov. 23. The two girls are being held in the county jail for juvenile authorities.

Donald E. Warner, 52, Myrtle Creek, charged with assault and battery by means of force likely to produce great bodily injury, waived preliminary hearing in the Canyonville Justice Court of Nina Pletzold Wednesday and has been bound over to the Grand Jury. He is accused of pouring boiling hot coffee upon the neck and shoulders of his wife, Inez Syble, causing burns that necessitated medical care, on Nov. 23.

In District Court, Carl Joseph Hill, 20, Cottage Grove, pleaded guilty to being a minor in possession of alcohol. Judge Gerald R. Hayes fined the defendant \$100 and \$5 costs and sentenced him to 60 days in the county jail. He was arrested Wednesday night at Curtin, along with three girls all under 18, from Cottage Grove who were taken into custody by state police and booked at the county jail.

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## Fischer Boy Due For Trip Home; Quints All OK

ABERDEEN, S. D. (UPI)—Little James Andrew Fischer, once described as the "weakest" of the Fischer quints, goes home to mom and pop today 11 weeks to the day after his historic birth.

Andrew Fischer, a part-time farmer, and his red-haired wife, Mary Ann, will take their newest son to a roomy home here in Aberdeen. James Andrew's five older brothers and sisters waited anxiously for a peek at their famous brother.

Though James Andrew was weak at birth, he soon caught up to and surpassed his four sisters, becoming in many ways the pathfinder of the quints whose birth was a 54-million-to-one oddity.

He tips the scale at an even 10 lbs., still out in front of Mary Magdalene, 7 lbs. 15 oz.; Mary Margaret, 7 lbs. 12 oz.; Mary Ann, 7 lbs. 6 oz.; and Mary Catherine, 7 lbs. 3 oz.

James Andrew was the first of the five to leave the security of his islette for the open-air bassinet and he was the first to take cereal. Mary Ann now is the only quint who does not eat cereal.

Dr. James Burbos, the family physician who delivered the first quints to survive in this country, said one of the girls will go home next week.

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## Local Pastor Accepts Call To Church At Denver

The Rev. Lawrence A. Smith Jr., pastor of the Roseburg Church of the Open Bible for the past seven years, read his resignation to the congregation last Sunday.

He will be preaching his farewell sermon this Sunday at the 11 a. m. service. At the 7 p. m. service, he will be showing slide pictures featuring highlights of the family's ministry.

Under Smith's leadership, the congregation has seen its vision become a reality in the building and dedication of a new church sanctuary. The new addition covers some 5,400 square feet and was built for a cost of \$28,000 although it is appraised for over \$60,000, this being possible through volunteer help.

**Was Active Here**  
Smith has been active in the Roseburg Ministerial Association and is presently serving as vice president. Also, for the past two years, he has been an active member of the Rotary Club.

"It took much deliberation on the part of my family and I before a final decision was made to accept the call to the Denver pastorate," Smith said. "We love Roseburg and its people and really have our roots down here. It is with regret that we leave the Roseburg church and our friends here."

over the past years. Special music will also be presented.

The Rev. Mr. Smith has accepted a call from the Metropolitan Bible Church in Denver, Colo. He will be leaving Roseburg on Monday, Dec. 2, and will be assuming his new church assignment on Dec. 8. Mrs. Smith and their three sons

## White House Still Solemn

WASHINGTON (UPI)—Saddened crowds filed through a White House today that showed both the grief of the nation and the continuity of its government.

The great East Room was draped in the crepe it wore when President Kennedy's body lay in state. But in the West Wing of the mansion President Johnson was holding rapid-fire meetings with his top-level advisers.

The doors of the White House were opened to the public Friday for the first time since the death of President Kennedy. More than 9,000 persons filed through the rooms, pausing only to stare at the empty catafalque that had held Kennedy's flag-draped coffin.

The Johnsons probably will not take up residence in the mansion until next weekend at the earliest. Mrs. Kennedy is expected to return from her Thanksgiving holiday at Hyannis Port Sunday night or Monday. She reportedly plans to stay only a few days before moving out.

Even while Mrs. Kennedy is away, her staff and the household help have been carrying out her wishes and getting things organized for her move to the Georgetown home of Undersecretary of State and Mrs. W. Averell Harriman.

House leaders expect to call up a bill on Monday which would give Mrs. Kennedy office space for six months and a secretarial staff budget up to \$50,000 to wind up her White House affairs.

## Firemen Answer Two Alarms Early Today

Roseburg city firemen were called out to answer two alarms early Saturday morning, neither of which resulted in any damage. The first was at 12:16 a. m. to the home of Bonnie Langer, 736 W. Altamont St. when an alarm was turned in when a clothes dryer steamed up and smoked the house. The second was to the home of Clyde Smith, 1205 SE Mill St., when smoke from a stove filled the house with smoke.

## Oakland Pastor Attends Meeting In Portland

The Rev. Neil Brown of Oakland was in Portland Friday and Saturday serving on the staff of a Presbyterian youth synod.

The men's Bible class of the Oakland Community Presbyterian Church met Wednesday at 6:30 a. m. for a breakfast at the home of Gene Cherry. Bill Speltz presented the lesson. There were eight men present.

Bob Sharp is scheduled to host the next meeting.

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