

Policeman's Opinion on Speed of Car Said Not Useable in Court

Salem—(U.P.)—The opinion of a policeman concerning the speed of a car cannot stand up in court as evidence even though he may be a veteran of the Oregon Supreme Court said yesterday.

The court reversed a judgment for \$15,000 for personal injuries suffered by a guest passenger, in a case tried in the Wasco County Circuit Court of Judge M. W. Wilkinson.

Jack E. Bailey sued the estate of James A. Triplett for \$15,000 for personal injuries he suffered as a guest passenger in a car

driven by Triplett. The accident occurred in September, 1951, on the Dalles-California highway near Tygh Valley. Bailey and Triplett were returning home after a night of visiting taverns and resorts in Maupin. The car left the road on a curve and went down an embankment. Bailey was thrown from the car and suffered severe injuries. Triplett died in the accident. Bailey claimed the driver was intoxicated and grossly negligent.

While holding that the trial judge properly left to the jury the question of whether or not

Bailey knew or should have known that the driver was too drunk to drive safely, and so chargeable with contributory negligence, the high court said prejudicial error was committed in admission of a police officer's opinion that the car was traveling 70 to 90 miles an hour at the time of the accident.

The high court, in an opinion written by Justice Walter L. Tooez, said this amounted to pure speculation and conjecture, and considering the position and long experience of the officer, would unquestionably have a decided effect on the jury. He added that the question is not primarily how fast the automobile was traveling in miles an hour, but whether its speed was excessive under all the facts, circumstances and conditions existing at the time, and this should be determined by the jury from the facts presented. Tooez further added that since the law limited the recovery against the estate of a deceased person to \$15,000, the judge should have stricken from Bailey's complaint an allegation that he had been damaged in the sum of \$200,000.

The judgment was reversed, and the case sent back to Wasco county for a new trial.

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Texas state fair drew 2,382,712 persons in 1953.

Dictionary Writers Give Up on Standards

Chicago—(U.P.)—The people who write dictionaries have stopped trying to set up language standards.

Ignace J. Gelb, a University of Chicago language expert, made a study of dictionary-making and concluded that dictionary editors are no longer "shocked" by words in common usage.

Instead, he said, they describe language people use and try to define words instead of criticizing usage.

Dictionaries themselves are more than five thousand years old, he added, dating back to ancient Sumer in Mesopotamia.

Samuel Johnson set up the first English dictionary in 1755, and Noah Webster published his first American dictionary in 1829.

McCarthy Treated For Elbow Infection

Washington—(U.P.)—Sen. Joseph R. McCarthy (R-Wis.) entered the Naval Medical Center at Bethesda, Md., yesterday for treatment of an infected elbow.

McCarthy did not appear on the Senate floor during debate on a resolution to censure him.

McCarthy's staff said he was shaking hands during a trip to Milwaukee last week end when his elbow was forced back against the edge of a glass-topped table and was cut.

The cut became infected.

Aid To Clean Up Smog Said Imperative

Washington—(U.P.)—Sen. Thomas H. Kuchel (R-Calif.) told the Senate yesterday it is an "imperative necessity" for Congress next year to pass legislation for federal aid to clean up smog in American cities.

He said that the problem of smog is not limited to California, and Congress must "enlist the power of the federal government in finally wiping out the grave health problem of the people of the United States."



SCHOOL SPIRIT?—This encounter followed an apparent disagreement between Central High School principal, H. G. Loy (right), being restrained by C. M. Webb, and Jeff Cate (seated), school board member, at Knoxville, Tenn. Loy had expelled three of the high school's football stars and this action flared after Loy swung at Cate during the county school board's investigation of the affair.

THE FOREIGN VIEW
South Hadley, Mass.—(U.P.)—Americans aren't the only ones who know American history. Hanne Bruun of Copenhagen, Denmark, received the Evelyn Church Wilbur scholarship at Mount Holyoke College, for excellence in American history.

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