

Sherry Fong Conviction Reversed By Court

52nd Year

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AMERICAN LEAGUE ALL-STARS WIN OVER NATIONALS, 6 TO 5

Error in Ninth Inning Provides 7 Unearned Runs

Game-Game Rally Fails for Nationals

St. Louis — The American League, taking advantage of a ninth inning error that led to two unearned runs, beat the National League 6-5 today in the 24th renewal of the All-Star game.

The American League had to beat down a ninth inning rally by the National League before they won out.

Trailing 2-6 going into the final inning, the National League came up with three runs and had the potential tying run on second base when Gil Hodges, a pinch hitter, lined out to left fielder Minnie Minoso to end the game.

It was the American League's second victory in the last eight years, and for Casey Stengel, manager of the American League team, it was his second triumph in seven tries in the mid-summer classic.

British Consul To Attend Festival

James McDonald, consul for Great Britain at Portland, will represent the British government at the Oregon Shakespearean festival next month, it was reported today.

He has been designated by Lord Nicholas Charles Gordon-Lennox, British ambassador to the United States, and will attend opening festivities Aug. 1. McDonald's presence at the festival is an outgrowth of a movement to invite Queen Elizabeth II to attend the Queen Elizabeth II to the United States this year. However, that visit has now been scheduled for October, and will be confined to the east coast.

Sen. Richard L. Neuberger, who discussed the matter with the U.S. state department at the suggestion of Franklin Girard, 1070 Emma st., Ashland, wrote Girard last week that McDonald will represent the government of Great Britain as a result of his inquiries. Arrangements were made through the chief of protocol for the state department and the British embassy.

Klamath Forest Fire Burns Over 800 Acres

Weed, Calif. — Firefighters expected to bring under control today an 800-acre forest blaze on Whaleback mountain in Klamath National forest.

Lee Morford of the U.S. Forest service said the blaze started Monday afternoon on the west side of the mountain near railroad tracks and burned a strip half a mile wide over the top of the mountain Monday night.

He estimated it had destroyed some 800,000 board feet of timber. A total of 122 men battled the blaze, located about 15 or 20 miles east of Highway 97 and north of Weed.

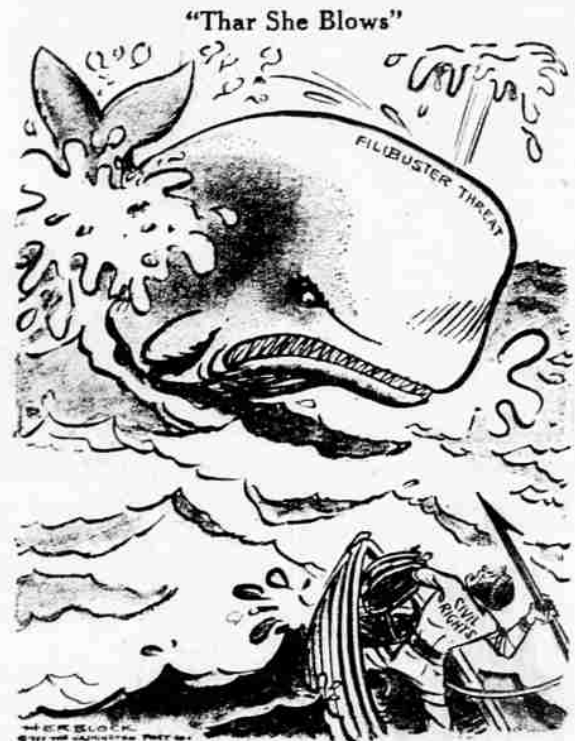
Residents Urged to Check Non-Essential Water Use

Medford residents using water have been asked to turn off lawn sprinklers and other non-essential water uses whenever they hear a fire siren sound.

Robert Lee, city water superintendent, said residents should keep non-essential water uses down to a minimum until such time as an emergency can be considered over.

Lee, noting that unnecessary wastage of water should be avoided during summer months, said water regulations prohibit open hoses running unattended, which decrease pressure from other water outlets.

The water superintendent advised residents they could save



Resources Group To Join Area Chambers

Rogue Basin Flood Control and Water Resources association directors voted unanimously last night to take out a membership for the association in both the Josephine and Jackson County Chambers of Commerce.

William Jess, association president, will represent the group in the Jackson county chamber. Ben Hilton will be the Josephine county representative.

Work With Committees The directors desired that the association work with chamber committees on problems involved in Rogue river basin flood control.

Some clarification was made at last night's meeting, held in the county court room in the courthouse, of the position of the local group with relation to work being done by the state water resources board.

The state board was directed by the last legislature to make

10-Year-Old Bicycle Rider Is Injured

A 10-year-old bicycle rider suffered a fractured pelvis, a possible wrist fracture and bruises and abrasions Monday when struck by a car as he was riding in front of his house, according to city police.

Injured was Ed Earl Coss, 10-year-old son of Mrs. Earl R. Coss, 855 East Ninth st., Medford. He was taken by Medford ambulance service to Rogue Valley hospital, where hospital attendants this morning said his condition was "good."

Operator of the car striking the boy was Mrs. Clara Mae Smith, 115 Florence ave., Medford, officers reported. According to police records Mrs. Smith said the bicycle suddenly darted out from the curb giving her insufficient time to apply the brakes.

No citations were issued, police said.

Matches Blamed for Death of Young Boy

Corvallis — Matches in the pocket of a young boy were blamed today for the death of the youngster near his home about two miles south of Philomath Monday afternoon.

Billy D. Wilson, 7, son of Mrs. Bryant Wilson, was playing with his brother, Roger, 5, about 150 feet from his home when the matches somehow caught fire.

The youngster ran toward the house but was unable to get across a fence, which also kept his mother from reaching him at once. A neighbor woman was able to get to the boy and pulled off his clothing. The parents rushed the boy to a Corvallis hospital where he died from burns about five hours later.

Natural Gas Price Bill Passes Committee

Washington — The House Commerce committee today approved a bill to relax federal controls over producer prices for natural gas.

Members emerging from the closed meeting reported the vote was 15 to 13 in favor of the bill.

Request To Annex Denied by Medford Planning Group

Major Difficulties In Servicing Area

A request that 47 acres of property west of South Peach st. and south of Stewart ave. be annexed to the city of Medford was denied at last night's meeting of the city planning commission.

The commission voted unanimously to deny the request after hearing reports from City Manager Robert Duff, Water Superintendent Robert L. Lee, Public Works Director Verne Thorpe, Fire Chief Gordon Barker, and Police Chief Charles Champlin.

The combined six-page report showed several major difficulties that would face the city in developing and servicing the area.

One of the major problems from the water department and public works department viewpoint would be that only one side of South Peach st. would be in the city and the east portion would remain in the county. This would pose problems in assessing the cost of improvements and leave the watermain in the Kings Highway water district. This, in turn, would create problems in servicing and metering, it was pointed out.

Street Layout Duff noted that the existing street layout in the district is poor with narrow rights of way which dead end. A master plan of the whole district with proper arterial layout would probably assure the continuation of some of these streets to other feeder streets, Duff stated.

The area includes 13 residences, one court with three dwelling units and one church constructed in the area. Estimated population there is 56 people. Most of the houses are on South Peach st., with the exception of five houses on Jones rd., a public road not accepted by the county.

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Planners, Water Commission To Meet

Members of the city planning commission and the city water commission will hold a joint luncheon meeting Wednesday, July 17, at the Medford hotel.

The meeting will be an informal one, at which members of both commissions will discuss common problems.

Water Superintendent Robert L. Lee extended the invitation to the meeting to the planning commission last night. He explained the next regular meeting of the water commission has been set for that date.

Possibilities of holding such a joint session have been under discussion for about a month. At a planning commission meeting last month it was pointed out that the two agencies should work together more closely on annexations, zoning and other issues for mutual benefit.

Western Disarmament Delegates Take Recess

London — Western delegates to the London Disarmament Conference today postponed an emergency session called to discuss the exact meaning of Russia's rejection of a nuclear test ban.

The session was postponed until Wednesday because French delegate Jules Moch flew home to Paris to consult with his government on the implications of the "no" to the western proposed nuclear test ban voiced Monday by Soviet chief delegate Valerian Zorin.

Supreme Court Takes Grand Case Under Study

Washington — Eight Supreme Court justices sat down today to weigh the fate of GI William S. Girard, whom the United States wants to deliver to Japan for a manslaughter trial.

Soviet Communist Leaders Arrive In Czechoslovakia

First Hand Report On Purge To Be Made

Prague, Czechoslovakia — Soviet Communist party boss Nikita Khrushchev and Premier Nikolai Bulganin crossed the border into Czechoslovakia today to give a first hand report on the Kremlin purge to Czech Communist leaders.

Reports from the Czech border station of Cerna-On-Tisa said the train passed through from the Ukraine at 8:30 a.m. With Khrushchev and Bulganin were Soviet Security Chief Gen. Ivan Serov and a delegation of top leaders.

Czech news agency dispatches from the border city at the eastern end of Czechoslovakia said the Russians were met by a group of leading Czech Communist leaders. It appeared that preliminary party talks would be held on the train ride from Cerna to Prague.

Welcoming Committee The welcoming group included Czech Politburo and Central Committee members Karol Bacilek, Rudolf F. Barak, Václav Kopecky and Antonin Novotny, who is secretary of the Central Committee of the Communist party.

Official reports in Prague Monday night said Czech President Antonin Zapotocky led the welcoming group, but Czech agency dispatches from the border today made no mention of him.

First Trip Since Purge Bulganin and Khrushchev flew from Moscow Monday to the Ukraine and changed to a train for the remainder of the journey, the first out of Russia since the purge of former Premier Vyacheslav Molotov and Georgi Malenkov and a number of their associates from the Communist Party presidium.

Wilsonville Hospital Bids To Be Requested

Salem — The State Board of Control today authorized immediate advertising for bids for preliminary work this summer on the F. H. Dammsch state hospital at Wilsonville.

Architect Glen Stanton, Portland, told the board the work will include roads, sewers, water lines and other service projects.

Final working drawings for the first unit of the new hospital are expected to be completed by April 1, 1958.

The board also voted to investigate the possibility of use of Tillamook air base camp for boys now housed at MacLaren school near Woodburn.

Secretary of State Mark Hatfield said the site was ideal for up to 50 boys and that the town of Tillamook was favorably inclined toward use of the site.

Russia Holds Public 'Indignation' Meetings

Moscow — Nationwide public "indignation" meetings and a mounting press campaign hinted today that the way was being prepared to toss the discredited former Soviet leaders out of the Communist party.

V. M. Molotov, Georgi Malenkov, Lazar Kaganovich and Dmitri Shepilov already have been ousted from their posts in the government and the party's ruling group, but they still hold positions as ordinary party members.

GRAND JURY TO CONVENE

The Jackson county grand jury will convene Thursday morning, July 11, in the county courthouse, according to District Attorney Thomas Reeder. This is a regularly scheduled grand jury session.

Weather

FORECAST: Fair and warm through Wednesday. Low tonight 53, high tomorrow 72.

The Moon rises low and sets Wednesday 3:46 a.m.

Full Moon Visible PLANETS

Venus sets at 8:45 p.m. and is now quite close to Mars and many times brighter than the latter.

Saturn, due south 9:26 p.m. Jupiter, low in west 10:27 p.m.

Our Skies Tonight

Sunrise 4:43 a.m. Sunset 7:30 p.m.

The Noon rises low and sets Wednesday 3:46 a.m.

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BAAA!—Little Jimmy Babcock is a little over zealous in his affection for "Scratch Me," one of the pet lambs now on exhibit at the Solano County Fair in Vallejo, Calif. The fair is featuring an animal farm for all the small fry to get to know their four-footed friends.

Bids Called for Two New Buildings at SOC

Ashland — The state board of higher education has called for bids on two new buildings for the Southern Oregon college. Bids are due Aug. 8 in Portland.

A men's dormitory and a commons building are planned at an estimated cost of \$705,000. They are to be completed for use by the fall of 1958.

The dormitory will house 144 students and will be on Indiana st., east of the present girls' dormitory. It is the first of a proposed future group of men's dorms.

The main building will be three stories with a partial basement. A four-story north wing and one-story south wing are included. Basement facilities include recreation room, laundry, storage and mechanical room. The building will have approximately 23,800 square feet of floor space.

The structure will be of reinforced concrete floors and walls with colored cement plaster on the exterior.

Special feature will be the covered sun porch over the one-story wing.

The commons building, to the left of Churchill hall and facing Siskiyou blvd. will include kitchen facilities to serve 500 people cafeteria style. And additional 300 more could be served under a future expansion program. Dining facilities will seat 350 people with future addition of two wings to seat 300 more.

The main wing will be one story high with a partial basement. A two-story wing will

State Brucellosis Committee Meets

Salem — The State Brucellosis Advisory committee, holding its first meeting here Monday, approved regulations aimed at eradication of brucellosis and certification of all Oregon counties by 1960.

The committee was appointed recently by Gov. Robert D. Holmes to advise the State Agriculture Department on the new state brucellosis, tuberculosis and paratuberculosis program which replaces the previous county approach.

The committee approved use of the ring test on dairy animals to replace a blood test long in use.

New Bill Planned for High Hells Canyon Dam

Washington — Two Pacific Northwest Democratic congressmen, in a surprise move, announced today they will introduce a new bill to authorize construction of a high federal dam at Hells Canyon.

The measure, offered by Reps. Gracie Plost of Idaho and Al Ullman of Oregon, provides that the Army Corps of Engineers build the dam on the Snake River site.

Pending legislation, which appears headed for almost certain defeat in the House Interior Committee Wednesday, specifies that the Reclamation Bureau build the high dam.

17-Year-Old Bound Over to Grand Jury

A 17-year-old Medford boy charged with cashing eight fictitious checks in Jackson county between June 25 and July 5 was bound over to the grand jury after appearing in district court Monday.

The youth was arraigned Monday morning and given until 4 p.m. to reappear with counsel. When he returned to court he waived counsel and preliminary hearing.

Case Remanded To Multnomah Circuit Court

Court's Denial Of Motion Challenged

Salem — The State Supreme court today reversed the conviction of Sherry Fong and remanded the case to the Multnomah county circuit court for further proceedings.

Sherry Fong was convicted of the second degree murder of high school girl Diane Hank upon a second trial in Portland.

Sherry's husband, Wey Him Fong, was acquitted of a murder charge in connection with the case.

The state contended that Diane Hank died as a result of barbiturate poisoning administered by Mrs. Fong.

On her appeal, Sherry Fong challenged the court's denial of her motion for the directed verdict based upon alleged insufficiency of the evidence.

Improperly Admitted The court ruled that there was sufficient evidence of a criminal act on the part of some one and that there was a question for the jury as to the part of Mrs. Fong in the case.

But, in an opinion by Justice Hall S. Lusk, the court said that evidence regarding alleged narcotic dealings of the defendant and others was improperly admitted.

The court said that when the prosecution claims that the motive for homicide is to silence the victim as a witness to the crime the admission of evidence of crimes committed by third parties for which the accused is not shown to be responsible or even have knowledge of, is prejudicial error and ground for reversal. The court added that the state exceeded the bounds of legitimate proof when it attempted to build the element of motive by collateral evidence, the effect of which could only have been to represent the defendant as a degraded woman not entitled to the presumption of innocence which under law clothes every person accused of crime.

Noting that the trial judge, Alfred P. Dobson, had called five witnesses on behalf of the court to testify in support of testimony given by two witnesses who claimed to have seen Diane Hank after the date of her alleged murder the court said:

"But we have yet to hear it suggested that a judge presiding over a criminal trial with a jury has or should have the authority to call witnesses of his own on an ordinary fact issue; least of all that he may take sides by calling witnesses to bolster the testimony on behalf of one of the parties."

Following this incident the prosecutor challenged the judge to introduce incompetent evidence favoring the state since he had already introduced incompetent evidence favoring the defendant.

The court said that for these reasons a mistrial should have been granted and failure to declare a mistrial was also an error upon which the court's decision could have been reversed.

The body of Diane Hank was found wrapped in blankets and tied with rope on a lonely hillside in the state of Washington.

Accident Victim Leaves Hospital

Miss Sharon Plantz, 16-year-old daughter of Mr. and Mrs. Robert Plantz, 225 Lincoln rd., Grants Pass, left Rogue Valley hospital for home today after about two months' recuperation from an auto accident.

Miss Plantz was one of six Grants Pass students injured when the car she was driving struck the rear of a cement truck on Highway 99, the north slope of Blackwell hill, north of Central Point, May 17.

Hospital officials said her parents took her home this morning.

Russell Willing To Accept Amendment On Civil Rights

Washington — Senate foes of civil rights legislation said today they would "accept" a compromise jury-trial amendment "it would continue to fight the bill."

Sen. Richard B. Russell (D-Ga.) leader of the southern Democratic bloc pledged to all-out war against the administration's racial rights measure, told newsmen the proposed amendment was "not completely satisfactory but I am willing to accept it."

Would Protect Vote Rights The administration and other supporters of the bill contend it would primarily protect Negro voting rights. Southern foes maintain it would permit the federal government to enforce

school desegregation at bayonet-point.

Southerners particularly object to the fact that the bill does not provide jury trials for persons accused of contempt of court for violating injunctions obtained under the measure.

Sen. Joseph C. O'Mahoney (D-Wyo.), in an impassioned 54 minute speech late Monday, proposed an amendment to guarantee jury trial in all civil rights cases where questions of fact are involved. He said this would rule out right-to-vote cases and would "assure the voting rights of Negroes in every part of the South." Southerners want jury trials in all cases brought under the bill.