

Holmes Will Appoint Dave O'Hara as Secretary of State

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U.S. Determined Forces To Remain On German Scene

American Protests Called 'Scandalous'

Augusta, Ga.—(AP)—The White House today, in the face of Russian threats to upset the four-power occupation of Berlin, said that the American government will persist in its "firm intention" to "maintain the integrity of West Berlin."

This new statement of determination for American forces to remain on the scene in Germany came after President Eisenhower, here on a golfing holiday, conferred early today by telephone with Washington officials on the tense Berlin situation.

Talks With Herter
The President talked with Christian A. Herter, Deputy Secretary of State acting as head of the Department in the absence of Secretary John Foster Dulles who is on a week end vacation.

Eisenhower also talked with Brig. Gen. Andrew J. Goodpaster, the White House Staff Secretary, and Goodpaster's assistant, Maj. John S. Eisenhower, the President's son. Both Goodpaster and young Eisenhower recently returned from a European inspection trip.

Reds Claim Berlin
Reports from Moscow said the Soviet government was expected to deliver within 48 hours official notes to the wartime Western Allies telling them that West Berlin belongs to Communist East Germany.

The Russians were calling American protests over the anticipated move "scandalous . . . routine brinkmanship." "The President and our government are keeping in close touch with the situation in Berlin, and also, as a government, keeping in close touch with the governments of the United Kingdom and the Republic of France," Press Secretary James C. Hagerty said.

Allies Being Consulted
"This is not a unilateral problem for us alone, but a problem that concerns our two allies as well," he said. "Speaking for the United States government, the point is also that this is a situation where our Allies are being consulted, this is a situation where our firm intentions in West Berlin remain unchanged."

U.S. Stands Firm
Hagerty said he could not spell out these "firm intentions" beyond saying they were based on this government's resolve to "maintain the integrity of West Berlin." He regarded as superfluous pinpoint questions as to whether this meant an American determination to stay in Berlin.

Town Meeting Set In Jacksonville

Jacksonville—An "old fashioned" town meeting, to discuss the future of Jacksonville with respect to the Centennial, will be held in the city hall here at 2:30 p.m. Sunday.

A number of plans to give Jacksonville an old-time appearance for the Centennial year, and to further attract tourist trade in the following years, have been put forward. These and other projects will be discussed.

Mayor John Keaveny, members of the city council, and many Jacksonville residents interested in the plans will attend, and all residents of the community are invited and urged to be there.

Oregon Taxes To Go Up, Sen. Neuberger Declares

Portland—(AP)—Oregon taxes are to go up and promises of tax cuts are "political demagoguery," Sen. Richard L. Neuberger (D-Ore.) said Thursday night.

Neuberger said "grass roots" officials would be "less than honest" if they did not admit taxes are going up.

School Population Cited
The Oregon senator said defense spending in face of Russia's threat would boost taxes at the federal level and Oregon's expanding school populations would result in increased taxes at the local level.

Neuberger spoke to the Association of Oregon Counties. He said Oregon would have to raise \$20 million in match-



PUG IN THE JUG—No thug but a registered blue-blood, 8 month-old Dandy Boy was nevertheless lodged in the city jail for a few hours Wednesday after being picked up as a runaway juvenile (canine). The worst of it was, he was placed in the women's cell. He was claimed that afternoon by his master, Clyde Marit Jolliffe, 217 South Riverside ave. (Photo by Ted Whisler, MPD)

Council Decides Not To Raise Interest Rate on Warrants

Medford's city council last night voted against increasing the interest rate on municipal warrants from 4 to 5 per cent in connection with a sanitary sewer project on Temple dr.

It also agreed to meet in the future as a committee to review methods of acquiring property necessary for improvement projects such as the arterial street program.

City Manager Robert A. Duff reported that the owner of "dangerous" sign on South Central ave, has indicated he will remove it "within a week."

Following public hearings, the councilmen approved two zone-change requests. One was for the Earhart tract east of South Riverside ave, and the other was for property on South Grape st. between Melrose and O'Gara aves. Both changes are from residential to commercial.

Duff requested the rate increase on warrants after the council called for a public hearing on the proposed sewer on Temple between Crater Lake ave. and Gary st.

General obligation warrants are used to pay contractors for construction work. The warrants are often resold by the contractor for cash.

Duff said his recommendation was based on "prices quoted us today" and "current difficulties."

Observers regarded this as a half-promise by the Reds not to interfere with civilian traffic in and out of the isolated Western outpost.

Ambassadors Summoned
But Dr. Kurt Leopold, head of the West German delegation, told a press conference the trade agreement would not appreciably lessen tension in Berlin.

In Bonn, it was announced that Foreign Minister Heinrich von Brentano had called home the West German Ambassadors to Washington, London, Paris, Rome and Moscow for consultations on the Berlin crisis.

The ambassadors were ordered to be in Bonn Tuesday.

President Eisenhower, on a golfing holiday in Augusta, Ga., conferred early today on the Berlin situation with State Department officials in Washington. Later, the White House issued a statement reaffirming the "firm intention" of the United States to "maintain the integrity of West Berlin."

The East-West German trade agreement contained no specific provision on traffic. In fact, the word traffic was not even mentioned.

But even if the agreement had contained a specific guarantee on German traffic, it would not have much effect on Berlin blockade threats. The present Communist campaign is not directed at German traffic, but at Western Allied military traffic.

The Soviet Government is expected to deliver within 48 hours official notes to the wartime Western Allies telling them that West Berlin belongs to Communist Germany, Moscow reports said today.

Trade Agreement Fails To Contain Any Guarantee

Bonn Summons W. German Envoys

Berlin—(AP)—The East German Communists have given a half-promise to let German civilian traffic flow to and from West Berlin but have left open the key question of restricting Western Allied military traffic, it was disclosed today in a new East-West German trade agreement.

The head of the West German delegation which negotiated the trade pact said it contained no guarantee that traffic would not be restricted as part of the latest Communist campaign to oust the West from Berlin.

A five-line technical clause in the pact said the agreement would be in force under the condition that the present trade, payments and "other existing relationships permit."

Observers regarded this as a half-promise by the Reds not to interfere with civilian traffic in and out of the isolated Western outpost.

Matter of Cost
Duff said it was a matter of direct or indirect cost to the city. If the rate were not raised and the contractor anticipated difficulty in selling the warrants, he would increase his contingency costs to allow for a loss in the sale.

City Attorney E. Roy Basha said the council could approve the increase temporarily and still have an opportunity to reduce it to 4 per cent after the public hearing. He said it would be difficult to raise the rate from 4 to 5 per cent after the hearing.

The vote to consider property acquisition in committee was asked by Hansen. It resulted from discussion earlier in the meeting on whether to acquire a piece of property at higher than the appraised value.

The acquisition was approved at a price of \$11,000, \$650 above the higher of two appraisals. The property, owned by Mrs. Geneva M. Beer, is considered necessary to extend Tenth st. across Bear creek.

Hansen said he thought this transaction would "open the door" to hold-outs by owners of other properties asking for prices above official appraisals.

Withdrew Objection
He withdrew his objection when Duff said one of the city's appraisers had recommended that the \$11,000 offer be accepted. Duff explained that condemnation proceedings to acquire the property at the lower price could cost the city more money. If the final price were above the appraised price, the city would be compelled to pay the property owner's attorney fees.

The council also authorized revision of the urban planning project to meet the reduction in federal assistance. The city had originally pledged \$8,575, and Jackson county \$5,600 — both sums to be matched by federal funds.

Hungarian Charges Declared 'Malicious'
Washington—(AP)—The United States today rejected as "reckless and malicious" Hungarian charges of American espionage and improper activities in Hungary.

Patrick AFB, Fla.—(AP)—A conference of most of the Air Force's top commanders wound up here today and the officers, including 30 generals, flew back to their posts.

Helicopters Grounded By Fog Near Shasta
Mt. Shasta, Calif.—(AP)—Five Army helicopters which landed north of here Thursday were waiting today for a thick fog to lift before continuing their journey to Ft. Lewis, Wash.

The 'copters landed at the Faun Club about five miles north of here because of fog. The group of 'copters and six airmen are en route to Ft. Lewis and Ft. Worth, Texas, under command of Capt. J. C. Claunch.

Portland—(AP)—The 25th annual meeting of the Inland Empire Waterways Association will be held here Dec. 11-12.



CARIL FUGATE
Answers Own Question

Caril Ann Fugate Found Guilty of 1st Degree Murder

Life Sentence Imposed by Jury

Lincoln, Neb.—(AP)—A district court jury today convicted 15-year-old Caril Ann Fugate of first-degree murder and imposed a sentence of life imprisonment on the tiny eighth-grader.

Under Nebraska law, the jury's life sentence is binding upon the court.

Caril, who broke into hysterical sobbing, asked: "If they thought I was guilty, why didn't they give me the electric chair?"

She answered her own question by adding: "They couldn't give me the chair because they knew I wasn't guilty."

Companion Waits Appeal
Caril specifically was convicted of aiding and abetting mass slayer Charles Starkweather — her red-haired boyfriend — in the murder of Robert Jensen, 17, Bennet, Neb., last Jan. 27.

Starkweather was convicted of the Jensen murder May 23 and sentenced to death in the electric chair. He now is awaiting an appeal to the Nebraska Supreme court.

Sobs Hysterically
Caril buried her face on the shoulder of Defense Attorney Merrill Reller and wept convulsively as the verdict was read in the tense atmosphere of the courtroom.

The sound of her hysterical sobbing was the only noise in the deathly still room. Reller patted her shoulder comfortingly as the jury verdict read by a court aide.

Assault Trial Is Postponed in Court

Bert W. Riebe, 1117 Reddy ave., is charged with assault on a Continental Trailways bus driver here last Thursday. His trial will be Monday, Nov. 24, in Medford municipal court.

Riebe was arrested yesterday by Medford police on a charge of assault and battery. He was released on \$35 bail.

The bus driver, Frank Augustus Lindstrom, Sacramento, Calif., told police last week that he drove his bus into the Trailways depot at Fifth and Front sts., opened the door and was assaulted. His assailant, Lindstrom reported, grabbed his necktie and struck him in the face with his fist, accusing him of having nearly caused an accident a short time before.

Riebe's arrest resulted from a police check of the assailant's vehicle as Lindstrom described it.

Riebe is commanding officer of Company A, First Battalion, 186th Infantry, Oregon National Guard, Medford. His rank is captain.

Ashland Rezoning Ordinance Upheld By Circuit Court

Three Lots Rezoned For Service Station

A recently passed Ashland city ordinance designating property on North Main st. as part of a marginal business zone was upheld by Circuit Court Judge Orva J. Millard yesterday.

The rezoning applied to three lots to allow for construction of a Texaco company service station at the corner of Hersey and Main sts., Ashland.

Carl H. and Dorothy Thomas filed the complaint in circuit court opposing the change, which would affect their property across the street from the proposed station.

Representing the Thomases were Ben Lombard, and Richard C. Cottle, Ashland attorneys. Harry A. Skerry Jr., Ashland city attorney, was representing the city of Ashland. Van Dyke, Dellenback and McGoodwin, Medford attorneys, represented the Texaco company as the intervenors in the suit, and property owners who favored the zone change.

Rezoning Not Improper
The court held that the rezoning was not an improper exercise of police powers and did not constitute spot zoning. It also maintained that two amendments to the original zoning ordinance were invalid as claimed by the Thomas complaint.

The court held that since the question of the rezoning was debatable, the decision of the city council was binding and the court did not have the power to change it or to remove power from a legislative body like the city council which was elected by the people.

Judge Millard's decision lifted the injunction against issuing a building permit for erection of the service station.

Not Spot Zoning
Frank J. Van Dyke, representing property owners favoring the change, contended the ordinance did not involve spot zoning, since land in question was adjacent to a commercially zoned area. He also argued that property involved was affected by the new four-lane highway, which changed the status of the street. A safety factor is involved, he said, since no service station is available for northbound traffic for 3,200 feet.

The Ashland planning commission held two hearings on the proposed zoning in January. Petitions were later presented for and against the zoning before the city council. The city council passed the ordinance on Feb. 18 and the suit was filed in circuit court before it became effective.

Judge Millard substituted for Judge Edward Kelly, who disqualified himself.

Russia Virtually Writes Off Talks

Geneva—(AP)—The Soviet Union virtually wrote off the conference on surprise attacks today as "pointless and even harmful." It accused the West of using the meeting to fish for Soviet military secrets.

Western conference sources said the attack, carried in the Soviet government newspaper Izvestia and broadcast by Moscow radio, boded ill for the future of the talks. The Soviet delegate today said practically the same thing as Izvestia though in milder terms.

The conference delegates met for an hour and a half today, but made no progress.

"Ah Yes—We'll Take It Up at the Very Highest Level"



Major Emphasis Is On Academic Plan, Businessmen Told

Major emphasis in Medford public schools is on the academic program, Dr. Leonard Mayfield, superintendent of Medford schools, told a group of downtown businessmen participating in Education-Business Day yesterday.

Dr. Mayfield said all other activities such as vocal and instrumental music programs, the athletic program and public speaking, are kept in balance with the academic program.

School administrators feel, he said, that anything the district undertakes for the children should be done the best the district can do. "People can say we have the best band, orchestra or football team in the state, but we want to be sure they also can say we have the top academic program in the state," Dr. Mayfield said.

New Addition
He mentioned the new industrial arts addition at Medford High school, and courses offered a select group of students which are considered on a college level.

Forty-four businessmen, after registering at Hedrick Junior High school's little theater room, were divided into 10 groups and transported to elementary and secondary schools by school buses in the district.

Dr. Mayfield and Elliott Becken, assistant school superintendent, discussed and presented various aspects of the school program at an assembly of businessmen at Hedrick. Among items discussed were school financing, costs, construction, the tax picture, school personnel, and subjects concerning academic problems.

Illustrate Work
Charts illustrated the type work being done in the school district, showing the results of academic education, and where Medford ranks with national norms.

Businessmen visited the schools to observe actual instruction as well as touring the plants and other facilities. Education - Business Day ended with businessmen being guests of faculty members for lunch, during which they observed the school's hot lunch program.

Principals reported today they found businessmen to be well informed and interested in school problems. Becken said school staff members expressed gratitude for the experience, both in September during Business - Education Day, and yesterday.

Yesterday's visit to schools by businessmen was the counterpart of Business-Education Day, when school teachers from Medford schools visited local business firms to become acquainted with how they are operated.

Dying Pear Tree Problem Aired by Horticulturists
Corvallis—(AP)—The problem of the dying pear trees in the Pacific Northwest occupied the attention of growers here Thursday at the 73rd annual Oregon State Horticultural society meeting.

Cause in Root Stock
Dr. L. P. Batjer of the agricultural experiment station at Wenatchee, Wash., said the decline of pear trees started eight years ago in central Washington. He said research indicated that the decline was caused in root stock but that experiments have failed to turn up anything to rehabilitate the dying trees.

Court Test Said Due on Legality Of Appointment

Hatfield 'Sorry' Personality Injected

Salem—(AP)—Democratic Gov. Robert D. Holmes Thursday night named Dave O'Hara, 71-year-old Republican and former head of the State Elections Division, as his choice for secretary of state when Mark Hatfield becomes governor Jan. 12.

A court test of whether Holmes has the right to name a successor to Hatfield is expected. Holmes said Thursday night he had the right and obligation to name the new secretary of state.

Hatfield, 36-year-old GOP secretary of state, defeated Holmes for the governorship Nov. 4.

O'Hara said he would be "happy" to assume the position. The retired state employee started to work in the secretary of state's office in 1915 after graduation from Willamette University law school.

Hatfield Comments
Hatfield indicated a court test would be upcoming. He said "the appointment of a secretary of state still remains a matter for the courts to determine . . . I am sorry that Gov. Holmes has now injected personality into a question of law because the case still must be decided on its legal merits, not on politics or personalities." He referred to O'Hara as a man "much beloved by both parties."

Holmes had said earlier in this week his legal advisor was studying to see if he could appoint a Democrat to the position. Sen. Richard L. Neuberger (D-Ore.), author of Oregon's 1953 succession law when he was a state senator, said that whoever succeeded Hatfield must be a Republican unless the law were declared unconstitutional.

Holmes said Article 5, section 16 of the Oregon constitution imposes upon the governor the power and the obligation to fill a vacancy in any state office by appointment as soon as the vacancy occurs.

'Hatfield Must Resign'
Holmes said the constitution and precedent made it clear that " . . . Mr. Hatfield must resign in writing as secretary of state before he is eligible to accept the office of governor, and that his resignation must be submitted in good time directly to me as the present governor despite any stratagems by which evasion of the letter and spirit of the constitution may be attempted in the timing and phrasing of the resignation. I shall thereupon proceed to appoint Mr. Hatfield's successor."

O'Hara said "I have no political ambitions and my objective if the appointment materializes would be to serve the people of Oregon faithfully and conscientiously." He added, "I would be my own master . . ."

Holmes said too much power would be placed in the hands of one man if a secretary of state could become governor and then name his successor.

Hatfield said that advice of his counsel "confirmed that I have the power to appoint my own successor."

West Coast Airlines Machinists on Strike
Seattle—(AP)—Members of district 141 of the International Association of Machinists employed at West Coast Airlines went on strike at midnight Thursday.

However, the company announced it will operate limited schedules using supervisory personnel.

Medford Man Speaks
Dr. R. C. Blake, horticulturist from Medford, said a preliminary study indicated four of five orchards which had large numbers of declining trees had excessively high water tables. He said injury to the root systems could have resulted from this but he said there was no conclusive proof.

WEATHER
FORECAST: Valley fog tonight and Saturday morning. Variable high cloudiness above the fog. Little temperature change. Low tonight 38. High Saturday 55.
Highest Yesterday 57
Lowest this Morning 36
Our Skies Tonight
Sunset today 4:45 p.m.
Sunrise tomorrow 7:11 a.m.
Moonset tomorrow 3:24 a.m.
Full Moon Nov. 26
PROMINENT STARS
Altair, low in west 9:18 p.m.
Spica, rises 4:32 a.m.
VISIBLE PLANETS
Mars, high in south
Jupiter, rises 8:59 p.m.
Saturn, rises 6:24 a.m.