

Hatfield Submits Resignation to Governor

53rd Year

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FILIBUSTER VOTE CLEARED

Senate May Cast Ballots on Issue Following Debate

Washington—UPI—The Senate, after a day of bickering, today unanimously put off until tomorrow a showdown vote on efforts to change its rules to make it easier to choke off filibusters.

Washington—UPI—The Senate cleared the way today for the first significant test vote on the issue of amending its rules dealing with filibusters. The vote probably will come late today.

It will center on a motion by Democratic leader Lyndon B. Johnson of Texas. Johnson said he would allow both sides in the dispute time for debate and then call for a test vote "late today or early this evening."

At issue in the controversy, which broke out as soon as the Senate convened for its new session Wednesday, is a demand by a liberal bloc that the rules be revised to make it easier to halt filibusters.

Johnson will force the test vote by moving to table a resolution sponsored by Sen. Clinton P. Anderson (D-N.M.) that would in effect allow the Senate to adopt new rules rather than carry over the old ones from session to session.

A motion to table means an immediate vote must be taken. It is not debatable. Will indicate decision.

The vote was expected to give a clear indication of what the Senate will eventually do on the filibuster question.

Those advocating easier curbs on filibusters argue that in the past southerners have been able to block civil rights and other so-called liberal legislation by talkathon tactics.

Johnson is advocating a compromise while southerners want no change at all in the rules.

Vice President Richard M. Nixon opened the day's proceedings by ruling that each side would have a chance for a clear-cut vote on alternative proposals.

Nixon's ruling was given on an inquiry by Democratic Whip Mike Mansfield of Montana. Mansfield said he wanted to make it plain there had been no "high-jacking or black-jacking" because Johnson has offered his compromise rule change first.

Johnson's measure would permit two-thirds of the senators present and voting to impose cloture or limitation of debate. The present rule requires two-thirds of the total membership of 98 senators or 66-and-a-half to vote on a motion to change the rules themselves.

Officers Kenneth Scripser and Wallace Cobine said at least 100 deer had been sold, most of them going at three-for-\$25.

They said Joseph M. Sumrall, 44, and Dorman K. Miller, 42, in whose home the carcasses were found, pleaded innocent to killing deer out of season, but pleaded guilty to shooting quail out of season.

Lowell D. Parker, 29, Independence, was charged with selling game. William Lee Kostenborer, 28, Salem, and Dorwin Eugene Beatty, 48, Dallas, pleaded guilty to buying game illegally. Parker was yet to be arraigned.

Police added that the investigation would continue.

"Step Into My Office, Lad, And Tell Me All About It"



Mikoyan Outflanks Pickets at Detroit

Detroit—UPI—Russian Deputy Premier Anastas I. Mikoyan outflanked a group of anti-Soviet pickets on his arrival by plane today and immediately launched into a whirlwind tour of the motor city's automobile plants.

A group of about 50 placard-carrying pickets waiting for Mikoyan at Willow Run airport were left without even a glimpse of the Soviet deputy premier and his party of Soviet officials.

The pickets paraded in a parking lot adjacent to the administration building at Willow Run, hoping to demonstrate as Mikoyan and his party left the airport by automobile. But as soon as the Mikoyan plane touched down, it rolled to a giant hangar at the north end of the field.

The current building, built in 1908 when the company was established, will be razed to clear an area 98 feet from the Sixth st. frontage where the new \$55,000 one story building will be built. The plans will include a customer parking area.

Thierolf said that the building of cement block construction will have approximately four times the sales area of the current building.

Temporary sales offices for the company will be set up in the garage building at Sixth and Fir sts. due west of the present building, it was reported. The moving of present supplies to the temporary site is expected to be completed by Sunday, Thierolf said.

Contractor for the job is Don L. Jacobs while architect is Jack Edson. The store layout was planned by Harper Mitchell, Boise, Idaho, specialist in building material merchandising, Thierolf said.

Completion date for the building is March 15.

WEATHER
FORECAST: Mostly cloudy with intermittent rain and occasional gusty winds tonight and Friday. Cooler. Low tonight 40. High Friday 50.
TEMP.
Highest yesterday 53
Lowest this morning 34
PRECIPITATION: Trace.
Our Skies Tonight
Sunset today 4:55 p.m.
Sunrise tomorrow 7:41 a.m.
New moon tonight 3:34 p.m.
There will be three eclipses in 1959, two of the sun and one of the moon. Only the last of these, a total eclipse of the sun in October, will be visible in any part in North America.

16 Killed in Oklahoma Fire

Boswell, Okla.—UPI—Fire swept a four-room frame house here early today, killing 16—a mother, her 10 children, and five nieces and nephews. City Marshal Stanley Shoemaker said most of the children died as they huddled about the mother, Mrs. Aire Gardner.

The father, Booker Gardner, 45, was away on a coon hunting trip, and was not located until after all the bodies had been recovered.

Boswell Constable J. B. Richberg, who arrived first on the scene with the town's only fire truck, said the roof had already caved in when he got there, and that the "sides were just burning slowly."

Helped along by 20-mile per hour winds, the flames leaped to the roof of a neighbor's home, that of Charles Ware, and firemen were forced to play their hoses on it rather than the Gardner home.

The house was located about three blocks from the last water main in this little farming village of about 1,000, and when the water in the truck's tank was used up, the volunteers had to leave the holocaust to return to town for a refill.

Authorities waited until daybreak before entering the ruins. Gene Nesbit, a reporter for the Hugo Daily News, said the house had been "completely levelled, except for an old refrigerator standing at the back of the house."

Bodies Grouped About Bed
Shoemaker said the bodies of the children—including a pair of 6-week-old twins—were grouped about the bed of the mother.

The neighbor, Ware, said he was awakened about 1:30 a.m. "by people hollering and screaming." He said he heard some glass breaking, and he looked outside to see flames shooting out the window of Gardner's home.

"I could see the fire was going to catch our house too," he said, so my wife and I ran inside, grabbed a suitcase with some clothes in it, and two or three quilts, and ran outside."

Ware said he then ran to the City Hall to report the blaze.

At daybreak, authorities probed the still-smouldering rubble with sticks, lining the bodies up beside the house.

Richberg and Shoemaker identified the victims as Mrs. Gardner's children, Juanita, 15, Easter, 13, Isaac, 11, Louise, 9, Larry, 6, Joe, 2, Omie, 3, Gwendolyn, 5, and the twins, Patricia Ann and Teresa Jan; three nieces of Mrs. Gardner, living with them, Bobbie Woolbright, 11, Peggy Sue Ward, 7, and Linda Ward, 4; and two nephews, visiting from Oklahoma City, Freddie Webb, 13, and Herschel Frazier, 9 or 10.

Another nephew, John Steward, about 15, was visiting but had gone hunting with Gardner and Odie Ward, the son of a friend, but not related to the Ward girls.

Richberg said the fire had apparently started from a wood stove in the dry wooden house.

F. L. Somers Low Bidder for Sewer
Bids for the Eastwood dr.-Hillcrest rd. sanitary sewer were opened today in Medford city hall.

Apparent low bidder is F. L. Somers, with an over-all bid of \$11,891. The engineer's estimate for the project is \$7,588.

Other bidders and their over-all bids include Fred Dayton, \$14,637.55; R. A. Heintz, \$12,609.69; W. H. Conrad, \$15,300.25 and M. C. Lininger, \$15,914.00.

These bids include moving a city-owned sewer ejector pump from the Laurelhurst district to the intersection of Eastwood and Hillcrest and installing it.

Alternative bids, whereby the city would move and install the pump, include: F. L. Somers, \$11,456; Fred Dayton, \$14,157.75; R. A. Heintz, \$11,809.69; W. H. Conrad, \$14,742.75 and M. C. Lininger, \$15,414.

County Voters Selected for Jury Duty List

The selection of 2,000 names of Jackson county voters to fill the new county jury list is under way in the elections department, according to County Clerk Marvin Madden.

The names, from which 1,500 will finally be selected, are being chosen by using the office's addressograph machine. Every 17th name in the 35,000 registered voters' addressograph cards is placed on the list, Madden reported.

The new prospective jurors will be selected for venues beginning in April. They will serve on grand juries and in circuit and district court.

Names of approximately 500 persons who will not qualify among the 2,000 being selected must be written down, along with the reasons why they are exempted from jury service.

According to state law, jury lists may be prepared from tax rolls or voter registration lists. Madden said the voters lists were chosen because they contain more information.

The names are selected geographically, as nearly as possible, depending on population.

Exemptions under the law include judicial officers, any other civil officer (with some qualifications), attorneys, physicians, dentists, optometrists, chiropractors, osteopaths, Christian Science practitioners, naturopaths or undertakers, professional firemen, members of the senate and house of representatives when they are in session, and members of the National Guard, or those with six years active duty National Guard.

Others may be excused under other circumstances, according to the law.

Radio-TV Highlights
President Eisenhower's State of the Union message will be broadcast and telecast in Medford tomorrow.

Radio station KMED will carry the message at 11:05 a.m. and 4:05 p.m. tomorrow and radio station KYJC will broadcast the President's message at 9:30 a.m. Television station KBES will telecast the message starting at 9:30 a.m.

County Registrars To Receive Letters
Letters to 59 persons who served as permanent registrars for the last primary and general elections have been mailed by County Clerk E. M. Madden.

Madden has asked each if he wishes to be reinstated as registrar and if so, to call at the courthouse to sign the oath of office.

Oregon law states that "Each county clerk shall appoint as many official registrars as are necessary to facilitate the registration of electors. Each official registrar so appointed shall qualify by subscribing to an oath of office and shall hold office at the pleasure of the county clerk who appointed him but not beyond the term of which the county clerk was elected."

Seventy-seven registrars, including 18 temporary workers, served for last year's elections.

He called this the state's most crucial fiscal problem.



900TH MERCY FLIGHT PATIENT—Lee Sewell, 120 Ajax rd., Camp White, was returned to Medford from a Portland hospital yesterday, and he became the 900th patient since Mercy Flights, Inc., began its air ambulance service nine years ago next week. He also was the 896th patient when taken to Portland Dec. 30. Sewell, who is suffering from a severe skin affliction, is shop foreman for the Eugene Burrell

Lumber company, and Burrell (in the plane in photo above) was co-pilot on the trip. George Milligan (right, helping unload Sewell's stretcher) was pilot. Wayne Reavis of Rogue Flying service (left) assists. The 901st patient was flown to Portland this afternoon. He was Erwin Bebb, 112 Ross lane, who was taken to the Veterans Administration hospital for emergency treatment of internal bleeding.

(Knackstedt photo.)

Judge Main Rules On Motion in Case

More action in the case of five water users versus the Eagle Point Irrigation district was taken yesterday in circuit court when Judge James Main upheld a defendant's motion to quash service of summons.

The water users, Paul D. Conrad, Fritz M. Carlson, Herman Fridg and Ann and Howard F. Todd, are seeking a temporary injunction restraining the irrigation district from "overloading a wooden siphon across McNeill Creek canyon in the . . . district beyond its designed and constructed carrying capacity. . ."

One Plaintiff
Only the signature of one plaintiff, Mrs. Todd, appeared on the motion for service of

Appointments Made by Group
Four new appointments to the Jackson County Centennial association were announced today by County Coordinator Ernie Hood.

Appointed were G. A. Cottingham, Bear Creek orchards, pear industry representative; Otto Ewaldsen, Swem's, retail merchants; H. A. Mauck, Travelodge motel, motel owners; and Chandler Drew, Medford Corporation, lumber industry.

With the appointment of these four men, 22 areas of activity within the county are represented in the association.

The four appointees were contacted Wednesday by association officers, J. H. Cramer, president; Frank Bash, vice president; and David Irving, executive committee member.

At a Jackson County Chamber of Commerce meeting this morning the group approved the new design for a Centennial folder which will contain standard chamber of commerce literature as well as Centennial material. The folder will be suitable for mailing, it was reported.

Washington—UPI—Sen. Warren G. Magnuson (D-Wash.), announced Wednesday that the Navy has awarded a \$21,645,000 contract for construction of the world's largest drydock in Bremerton, Wash.

Hugh Coleman Elected President of Chamber
Hugh Coleman was elected president of the Jackson County Chamber of Commerce at a board meeting this morning.

Other officers elected for the one year term were Gerald T. Latham, first vice president; Robert Taylor, second vice president; and Joe Moore, treasurer.

Some statistical details of limited interest also have been eliminated, but are available to interested parties such as the Legislative Joint Ways and Means committee.

The finance director said no state agency's programs had been reduced below current levels of service, accounting for normal growth, in the new budget.

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Holmes Appoints O'Hara to Fill Unexpired Term

Becomes Effective At Inauguration

Salem—UPI—Gov.-elect Mark Hatfield today submitted his resignation as secretary of state to Gov. Robert D. Holmes.

However, the resignation does not become effective until Hatfield is inaugurated governor.

Hatfield delivered his resignation to the governor immediately following a 9 a.m. press conference.

Hatfield's action followed Holmes' first official action in appointing 71-year-old Dave O'Hara as secretary of state to fill out Hatfield's unexpired term which runs until 1960.

Hatfield said his resignation was set up to the time he takes office because "I have the legal and moral duty to stay on the job as secretary of state until I assume the duties of governor."

Immediately following his inauguration next Monday at 2 p.m. Hatfield plans to take a "quo warranto" proceeding before the Supreme Court to test the validity of O'Hara's appointment as secretary of state.

Hatfield also will announce then his own choice for the secretary of state post.

This plan has been discussed between Hatfield's legal advisor, Lamar Tooze, and Orval Thompson, the governor's legal advisor.

Problem Unsolved
The present course of action does not settle for sure the problem of whether Hatfield's inauguration might be delayed.

The state Legislature in joint session might still refuse to hear announcement of the official election results, a technicality that must be accomplished before Hatfield can be sworn in. Both houses are controlled by Democrats.

"We'll just have to wait and see," Hatfield commented on this point.

Hatfield said the governor's move in appointing O'Hara was necessary in order to have a basis for a Supreme Court action.

Statement Given
The gov.-elect's statement read: "We have all assumed that Gov. Holmes' successor as governor was elected by the people on Nov. 4, 1958. I am advised by counsel that under the constitution, my election will not officially become known until after the two houses of the Legislature perform their constitutional duties. Both houses must meet in joint session for the publication in their presence, of the returns by the speaker of the House.

"Then and only then will the constitutional elective processes have been completed. I will then 'qualify' by taking the oath — at which time my resignation becomes effective. Then, and not until then, will a vacancy exist and at the same time Gov. Holmes' power to appoint will cease," Hatfield continued.

Ready To Cooperate
Hatfield said he stood ready to cooperate fully with the governor's lawyers to secure a quick ruling from the Supreme Court. He invited cooperation from the retiring administration "so that no state business will be interrupted or affected."

Hatfield said he "anticipated" that the results of the election would be officially read to the joint-legislative session next Monday without a hitch and that he further "intended" to take the office of governor.

He said he had not talked about any possible delay in the inauguration with either House Speaker-elect Robert Duncan, Medford, or Senate president-elect Walter Pearson, Portland.

Hatfield's case before the Supreme Court will be handled by attorneys Lamar Tooze and Roy Shields, both of Portland.

"A quo warranto" proceedings means "by what right." It is an action designed to test the validity of claims to state offices and is one of the few actions over which the high court has original jurisdiction.

If O'Hara's appointment is proved to be valid, he can attest to his own appointment because he would be secretary of state at the effective time of appointment. There is no time requirement for signing the attestation.

DOW-JONES AVERAGES
New York—UPI—Dow-Jones final stock averages: 30 industrials 588.14, up 4.98; 20 railroads 162.80, up 2.70; 15 utilities 91.55, up 0.55 and 65 stocks 205.01, up 2.01. Sales today were about 4,030,000 shares compared with 4,140,000 shares Wednesday.