

# The Evening Herald

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## "Don't Forget to See My Pal Here"



### Anti-Okie Law Knocked Out

REMEMBER the depression-born border patrol at the California line, when you had to have cash in your pocket to get into the Golden State? The wall against indigents was raised at the Dorris entrance south of Klamath Falls, and some wag set up a "Los Angeles city limits" sign there that got nationwide pictorial publicity.

The supreme court has just knocked out California's anti-Okie law as unconstitutional. The law made it a misdemeanor to bring an indigent person, not a resident of the state, into the state. As we recall, the border patrol of 1933 or thereabouts was actually staged by the city of Los Angeles, but the anti-Okie law was adopted in the same spirit. The whole thing smacked of unconstitutionality from the start. No authority has a right in this free country to tell a man where he can't live.

California, at this time, has mushrooming defense industries that have created a strong labor demand. A man able and willing to work is not at all unwelcome, even though he may not be flush when he enters the Golden State. Certain California areas, like the Klamath district at potato time, need migrant labor to handle the agricultural crops.

Of course, it was not exactly this type of individual at which the anti-Okie law was directed. California had long pictured itself as a paradise for humanity, and a lot of worthless individuals made it the goal of their wanderings. After getting there, they sat down in the vaunted sunshine and waited for public aid. It created a problem, but the anti-Okie law was not the proper solution.

### Smith Case Again

THE county grand jury, in its report on the Eugene Hugh Smith case, did not give every detail of its investigation, but it is presumed that it examined all important witnesses in that unfortunate case before it reported that there is not legal basis for another indictment against Smith or anyone else.

Many Klamath people, who have been sincerely concerned lest the law did not take its full measure of justice in this case, will find the grand jury's report reassuring. The character of the men on this jury is such that no one will question their courage or thoroughness in making such an investigation.

Smith got five years for failing to stop at the scene of the accident in which Marie Russell was fatally injured. If the law had permitted a heavier penalty under the charge, Smith would no doubt have received it. He certainly got no more than he deserved, and the district attorney's recommendation against a parole is fully justified.

### Civilian Defense Leaders to Meet For Discussion

SALEM, Dec. 5 (P)—Civilian defense coordinators of Oregon's 35 counties will meet here December 15 for a school of instruction and a round table discussion, Governor Charles A. Sprague said today.

"Developments in the Far East may have reached a crisis by that time and the latest government instructions for dealing with that emergency will be available at this conference," Governor Sprague said.

Speakers will include Joseph K. Carson Jr., Portland, inspector general of civilian defense for the west coast; Mayor Earl Riley of Portland, area director of civilian defense; Ray W. Gill, state grange master and Oregon representative on the voluntary participation committee appointed by President Roosevelt; and Dr. W. W. Baum, Salem, president of the Oregon State Medical society.

Frank Hull of Medford, Harry Pinniger of Roseburg, and Bryan Conley of Salem, county coordinators, will direct a forum of organizational problems, while Edward L. Boatright, Multnomah county coordinator, will discuss air raid precautions, blackouts, and incendiary bomb protection.

### Courthouse Records

**THURSDAY**  
 Complaints Filed  
 James B. Finnell versus Goldie Finell. Suit for divorce. Plaintiff charges cruel and inhuman treatment and asks absolute care of minor boy. Couple married at Klamath Falls, October 20, 1915. D. E. Van Vactor, attorney for plaintiff.

Richard G. Treadway versus Catherine Treadway. Suit for divorce. Plaintiff charges cruel and inhuman treatment. Couple married at Begulo, Philippine Islands, Nov. 1, 1934. H. C. Merryman, J. H. Napier, attorneys for plaintiff.

Grace Cullen versus Herschel R. Cullen. Suit for divorce. Plaintiff charges habitual drunkenness and asks former name, Grace Purinton, be restored and sole ownership of lots one and two in block 27. Couple married in Reno, Nev., June 12, 1937.

### NEWS BEHIND THE NEWS

By PAUL MALLON

WASHINGTON, Dec. 5—Herr Goebbels has been telling the world more than he intended. The last two speeches of the propaganda minister have stressed the point to the German people of how bitter a defeat for them would be. Up until 30 days ago, Goebbels never considered that possibility. Until the bog-down of Hitler's Russian campaign, the Nazi propaganda director was spouting solely upon the happier theme of the fruits of prospective victory.

This new line of German propaganda is obviously a confession that seems to be cracking in German morale and need plastering. Some eminent official authorities here are coming around to the astounding view that a Nazi break-down and allied peace may develop before the first of the year. Their hopes have been strengthened by the official Rome reports of a Trieste uprising against Mussolini and the fragmentary notices they received from axis sources about the growing dissatisfaction of axis peoples with their regimes.

Official odds on the prospect of the fall of Moscow dropped from 1 to 5 to even money in the past week. There seemed to be plenty of short-enders in the state and war departments who thought the soviet capital would hold out that long.

**CHESSE IN PACIFIC**  
 The White House has privately told congressional kibitzers not to get too excited about the poker game with Tokyo. An eminent senate authority was tipped Wednesday to pass the word around that the belligerent chess moves being made on both sides of the board need not be interpreted at face value. War was apparently not expected by the topmost authority.

But what worried congressmen, nevertheless, was the possibility that the game would get a little too shrewd and smart and cause a predicament from

which neither side could retire short of hostilities.

**GOING TO WORK**  
 Bellicose General Lear has screamed for educational directors to instruct his army in special strategic lines, but many who could do it are still hanging around the war department in soft desk jobs. Officers with educational background not only from West Point but also from the war college are clinging desperately to their chairs at headquarters here. The general staff has noted the situation and does not consider General Lear's advice as out of order. An exodus of trained officials from Washington chairs including those of Assistant War Secretary Patterson's office will be started shortly.

**"SICK" LEAVE**  
 The Japs have not refrained from bombing the Burma road because they are soft-hearted. They have the air-fields from which to cut off China's life line, but they are a little short of gasoline and planes. If they get around to that vital overlooked method of attack, they will find dare-devil American flyers in Chinese pursuit ships. The U. S. army has secretly encouraged its own flyers to resign and join the American legion in Chinese service under a former flyer, Clare Chenault. He was allowed to resign because of physical infirmity, and any army flyer who thinks he has arthritis or lumbago can do the same.

The official count suggests 246 American aviators have similarly developed ailing symptoms but the up-to-date unofficial figure is near 500.

American flyers seem to have a special liking for Japanese competition.

**GOOD ENOUGH**  
 SAN DIEGO, Calif. (P)—Pvt. Lopez Roberts wasn't sure whether he'd make a good soldier—he'd never even had so much as a .22 rifle in his hands. His Texarkana, Tex., draft board wasn't certain either—he deferred him once before sending him to Camp Callan.

Private Roberts has just been declared Camp Callan's champion selectee marksman—he scored 186 out of a possible 200.

### FORD PREDICTS UNION IN EUROPE

By DAVID J. WILKIE  
 Associated Press Automotive Editor

DETROIT, Dec. 5 — Henry Ford said in an interview Wednesday that out of the war in Europe will come a federation of the world in which "all barriers of nationality will be leveled and the peoples of the world live in common peace and prosperity."

It will be a federation in which politics will be definitely discarded; one in which a universal currency, a universal economy and a universal market will prevail, he asserted.

Unless such a federation is established, the 78-year-old industrialist added, the present war will be only a dress rehearsal for another and more terrible conflict.

"The United States is a practical example of federation. We federated because it was the only way to save ourselves from ruin. Europe is finding she cannot live unfederated today," Ford said.

"If the United States puts its influence behind it, the same type of agreement can be arrived at in Europe. No country should be forced in, but every country soon would see the advantage to be gained by voluntarily coming in. They would need no armies and there would be no wars because nations would all be neighbors in the same federation. This in turn would lead to a universal currency and a universal economy and a developed industry that would have all the world for its market."

According to a recent patent, chemicals known as "esters," such as diisopropyl formal, are blended with aviation fuels to aid vaporization in high altitudes.

### JURY ASSERTS JUSTICE DONE IN SMITH CASE

Klamath county grand jurors Thursday gave a clean bill of health to the investigation, prosecution and sentencing of Eugene Hugh Smith in the Marie Russell death case.

The jurors reported to Circuit Judge David R. Vandenberg that they found nothing to justify indicting Smith "or any other person" with any crime in the case other than that for which Smith was sentenced.

Smith has already started serving a sentence of five years in prison for failing to stop at the scene of an accident. He received that sentence, the maximum under the law, after pleading guilty before Judge Vandenberg. Later, the judge asked the jurors to investigate further because of widespread discussion of the case and intimations Smith "had gotten by with something."

After the jury reported Thursday, Judge Vandenberg made the off-the-record comment that "seven good citizens have investigated this matter and found it satisfactory—that ought to settle it."

"Straightforward"  
 He called the grand jury's statement a "straightforward report."

"From our investigation," said the grand jury's report, "we feel that the case was properly investigated and handled by all the various law enforcement agencies participating in the matter."

The jury also stated it had learned that the Klamath district attorney's office recommended to the state parole board that no parole be granted Eugene Hugh Smith.

The Smith case has been the subject of reports and discussion since the judge ordered the grand jury to investigate it. One report was that a witness in the case, who had testified at the preliminary hearing, had come forward with new evidence which would indicate the necessity of a more serious charge against Smith. The grand jury, presumably investigated the story of this witness before it made its final report on the case Thursday.

The jury returned one indictment, charging statutory rape against Alfred Marlon Richardson, 19. Arraignment was set for Saturday.

Foreman Colman O'Laughlin of the jury told the court that the jury had completed its investigation for the time being, indicating it would work later on the investigation of public offices as directed by the judge.

It was understood the jurors decided to wait until the state makes its audit of Klamath county offices before opening that investigation.

### Young Girl Injured By Car Thursday

Elene Waterbury, six, of 333 Broad street, was struck down by a car but not injured when she ran across Main street at the intersection of Broad street about 5:15 p. m. Thursday, according to city police.

The little girl was rushed by ambulance to the Klamath valley hospital where a physician said examination disclosed no injuries, and she was sent home.

City police questioned witnesses who said the driver of the car, Robert Eugene Blohm, 2201 Orchard avenue, a service station attendant, was traveling toward the underpass at a moderate speed when the girl and her brother ran across the street from his left, the front fender knocking the child to the pavement. No arrest was made.

### SIDE GLANCES



"—and stop calling me 'Mademoiselle' every time you wear that Legionnaire's uniform!"

### Rules for Christmas Home Lighting Contest

(Announced by the Junior Chamber of Commerce)

City of Klamath Falls to be divided into districts corresponding to the various PTA districts and all displays to be within the city limits. Judging to be done by the PTA members.

Each district will receive a first and second place prize for both the Unlimited and the Limited class.

Each first place winner in each class in each division to be judged for first place in the city-wide contest. Each class to receive a first place prize in city-wide contest.

Displays to be divided into two classes, Unlimited and Limited.

Unlimited class: No restrictions as to amount of expenditures for materials, first and second prize in each district and a grand prize for best display in city.

Limited class: Expenditures for material shall not exceed five dollars (\$5.00), first and second prize in each division and a grand prize for best display in city.

Displays must be completed and ready for judging not later than December 20.

Lights in display must be lit between the hours of 6 p. m. and 10 p. m., from December 20 to December 25, inclusive.

All entry blanks must be in the hands of the judges not later than 1 p. m., December 15.

Decision of the judges to be final.

If entry is submitted more than once, display will be eliminated.

### Rules for Children Participating in Entrance Contest

All public school children living within the city limits from the first to the eighth grades, inclusive, are eligible.

Entries may be secured from any home within the city limits and not limited to the child's own district.

Entry blanks must be filled out completely, bearing the signature of the entrant as well as the child receiving same.

If entry is submitted more than once, both the display and the child entrant will be eliminated.

The highest number of confirmed displays will determine the winner of the boys' and girls' first prize. The remaining prizes will be given by selection of the contestants in order of their ranking, i. e. according to the number of entries received and confirmed.

Decision of the judges to be final.

Prizes: First prize for boys: a bicycle. First prize for girls: a bicycle.

Additional prizes: 7 Baby Brownie kodaks, 7 pen and pencil sets, 7 children's games, 48 auto-gyro planes.

### DEATH INVESTIGATED

COTTAGE GROVE, Dec. 5 (P)—State and county officers pursued investigation today into the death of William S. Overholser, about 45 (at his service station north of here).

Police Chief Myron Perry said Henry Delmo Steel, Lorane, was held without charge.

Overholser died of a fractured skull following what Perry said was an altercation at his station.

By applying a thin solution of ordinary glycerin the rubber in tires can be made to look like new.

### INVENTORY

NEW CASTLE, Ind. (P)—Letha Sallers of Muncie reported to police her purse had been lost or stolen.

In it, she said, were: A hunting case watch, an open-face watch, a diamond ring, two yellow gold rings, a ring made from a dime, a gold wire pin, a Redmen's lodge pin, other pins, an American flag, a pearl-handled knife, a sliding blade knife, a fountain pen, two automatic pencils, a flashlight, a driver's license, a social security card and two books.

### COMING SUNDAY

THE SENSATIONAL SATURDAY EVENING POST SERIAL... becomes the most remarkable picture of the year!

**SWAMP WATER**

With BRENNAN HUSTON and BAXTER ANDREWS

**PELICAN**

PELICAN THEATRE

**POPEYE CLUB**

Saturday - 10 A. M.

— SCREEN THRILLS! —

GENE AUTRY *Sunset in Wyoming*

— AND —

CHAPTER SIX "BLASTED FROM THE AIR" DEAD END KIDS LITTLE TOUGH GUYS **SEA RAIDERS** A UNIVERSAL SERIAL

AND

Donald Duck Color Cartoon and Popeye Cartoon

For All Attending A DELICIOUS CANDY TREAT!

Read the Classified page.

Plays Saturday and Sunday

**BIG 2 HITS**

— HIT NO. 1 —

CHARLES RUGGLES ELLEN DREW PHIL TERRY

in **PARSON of Panama**

HIT NO. 2

Southwood **PULL THE STRINGS**

with GUY KIBBEE

Continuous Saturday and Sunday From 12:30

**VOX**

Now Playing THE FUNNIEST COMEDY OF THEIR CAREER!

**LAUREL & HARDY**

**GREAT GUNS**

with SHEILA RYAN-DICK NELSON EDMUND McDONALD

— Feature Reel —  
 Mat. 2:15 — Evn. 7:15 — 9:15

**PELICAN**

**RAINBOW**

★ DIAL 332 ★

**2 BIG HITS**

Today - Saturday — HIT NO. 1 —

GENE AUTRY A two-fisted hero... fights for peace!

in *Sunset in Wyoming*

with Smiley Burnette Merle Wrixon

— ACTION HIT NO. 2 —

Ralph Bellamy Margaret Lindsay

**PELLER QUEEN'S Penthouse Mystery**