

FRAME-UP CHARGED BY HEUVEL

Herald and News

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WEATHER NEWS		
(November 16)		
Max. (November 15)	40	Min. 31
Precipitation last 24 hours	.10	
Stream year to date	2.36	
Normal	1.87	Last year 2.95
Saturday Shooting hours—		
Klamath-Tulelake		
Open 8:45 a. m. Close 4:38 p. m.		

Trial May Go To Jury Late In Afternoon

Charging political conspiracy and frame-up in the indictment and prosecution of Earl Heuvel on morals counts, Defense Attorney Herbert P. Welch declared in his closing statement to the jury this morning that a conviction returned on such evidence as the prosecution had submitted in this case "would hang a sword of Damocles over the head of every police officer in Klamath county." The trial is expected to go to the jury late this afternoon.

"This whole affair shouts conspiracy," Welch told the jury. "The fact that Heuvel is not being tried on the first indictment against him, contributing to the delinquency of a minor, and that both girls in this case, Bernice Evelyn Huff and Virginia Rose Gibson, were always in the office with Heuvel together makes me believe it's a frame-up."

"It looks to me like one girl was to commit the act and the other to testify to it," he stated.

Welch declared he would like to have had the Gibson girl in court and assailed the prosecution for not putting her under bond or in jail as a material witness to make sure she appeared.

A subpoena was issued to bring Virginia into court in October, state witnesses have testified, but she has disappeared from her home in The Dalles and has not been located.

Welch attempted to discredit the testimony of Bernice Huff, which is the prosecution's primary evidence against the ex-chief of police, on the grounds that she admittedly has an extensive police record and that she lied about her past on the stand.

A conviction on such testimony, he maintained, would make every police officer in the county afraid to deal with women prisoners.

Case Filmy
Both Welch and Earl Bernard termed the prosecution's case as filmy, just the uncorroborated testimony of the Huff girl, and declared that repeated reference to the condition of the local jail was merely clouding the issue.

"I thought I came here from Lakeview to defend a man on a sodomy charge," Welch told the jury, "not to investigate the condition of the Klamath Falls jail."

RUSSIA HOLDS KEY TO ATOMIC BOMB PROGRAM

By JOHN M. HIGHTOWER
WASHINGTON, Nov. 16 (AP)—Russia holds the key today to success or failure of the Anglo-American atomic control program. American officials say the next move is up to Moscow.

Hence the immediate future is viewed as an extremely critical period by those who regard the existence of the atomic bomb as probably the foremost problem of diplomacy in the world.

During this period the ability of the great powers to work together in the United Nations for the prevention of war is bound to undergo a severe test. The outcome of the test may well determine whether the United Nations will be a strong and effective organization in the years ahead.

This in turn may have much to do with whether the world wakes up some morning to find itself in an atomic war with several of its major cities already blasted out of existence.

Laid Groundwork
President Truman, Prime Minister Attlee of Britain and Prime Minister MacKenzie King of Canada laid the groundwork (Continued on Page Two)

Japs Riot For Food

TOKYO, Nov. 16 (AP)—Twenty-three hundred hungry residents of Hokkaido, northernmost Japanese home island, seized food from farmers, storehouses and mills on two successive days, the newspaper Asahi reported today. Some of them left money in payment.

The food rioters split into small bands for their forays, the newspaper said. Miners of Shigejiri and Adshira districts paid for the food they seized in a 1000-person foraging raid November 13. Similar raids by groups totaling 1300 persons occurred next day, Asahi said.

Nineteen thousand pounds of milled foods were seized. Sixty policemen have been assigned to guard the vicinity, and civilians joined to form a volunteer defense corps.

Violence Fared
The rioting was the first reported for many weeks, but government spokesmen here are openly concerned over the possibility of violence in the foodless, fuelless winter ahead.

The government already has appealed to farmers to sell their produce at legal prices, but the lure of black-market profits is strong.

The Japanese government today admitted its control over the sale of fresh vegetables and fish was in "a state of complete collapse" and allied headquarters immediately ordered into operation the Japanese plan to abolish price controls on perishable foods.

This is expected to increase prices beyond the current ceilings but keep them under black market prices. It also should result in substantial gains in perishable foods for city dwellers who have been unable to obtain vegetables.

Pearl Harbor Probers Ask Whether Cruiser Boise Sighted Jap Force



Veteran And Family Evicted
Frank Richardson, wearing his Purple Heart Medal and holding his nine-months-old son, Frank, Jr., sits on the curb with his wife after their eviction from their home in Yonkers, N. Y. by a new owner who needed the rooms they were occupying. (AP Wirephoto)

2500 Fans Expected To Pack Marine Gym Saturday Night For Jack Dempsey Show

With the seating capacity of the Marine Barracks gymnasium shuffed to accommodate some 2500 fans expected at the Jack Dempsey show Saturday night, this special event arranged by the Victory Loan committee was slated to pack the big post building to capacity.

General admission is by bonds of any E type and the ringside seats are going for a \$200 Roosevelt Memorial bond each. There were 1000 of these seats available late today but the demand appeared to be increasing.

The program starts promptly at 7:30 p. m. with music by the post band, followed by "The Halls of Montezuma" and introduction of Colonel Charles T. Brooks, commanding officer of the post, by Sgt. P. G. Smith, who will MC the show.

Lt. Cmdr. Dempsey will step into the ring at this point and will give a 20-minute talk before he referees the four bouts, two between marine fighters and two between high school fighters.

Marine Eddie Thomas will introduce the fights and Sgt. Smith will present the show which includes two vocal numbers by Frank L. Yastorn, a fire-eater act by Wencil J. Daneke, blackface act by Thurman Miller, and guitar numbers by James Turnage and Don Langdon. All are members of the marine corps. Elton Thompson, chairman of the Victory Loan will be introduced by Sgt. Smith, and Thompson in turn will do the honors for Cmdr. Dempsey.

Colonel Charles T. Brooks said today that anyone holding a ticket to the Jack Dempsey show tomorrow night would be invited to enjoy privileges of the post swimming pool from 1 to 5 p. m. Saturday.

KLAMATH FLOWER SHOP PURCHASED

Purchase of the Klamath Flower shop from Mr. and Mrs. O. R. Moeller by Charles H. Mack and Sanford Rose was announced today.

The transfer of the property, including the downtown shop 1211 Main, and the greenhouses in Altamont, took place today and the new owners are operating the business as of today.

The Moellers plan to help out the new owners for some time, and Mrs. Moeller will have an active part in operation of the shop. The Moellers entered the florist business in Klamath Falls about 25 years ago.

Mack and Rose are brothers-in-law.

Land Agent
Mack is at present public relations and land agent for the Klamath branch of the Weyerhaeuser Timber company, and will work part-time at Weyerhaeuser until the first of the year. He is a former Klamath county assessor, and a member of a pioneer Klamath county family. At one time he was night editor of The Herald and News.

Rose lived in Klamath Falls from 1932 to 1938, working for the postoffice, operating a service (Continued on Page Two)

Girls Requested To Enter Contest

Any girls not having sponsors for entry in the Klamath county Victory Queen contest, but who are interested in entering should contact Marvin Hixon, chairman of the contest, at telephone 8917. Hixon will help the girls in locating sponsors.

He urged that all girls interested contact him immediately since the contest will close December 8. Girls who enter the contest earlier will have a better chance to draw votes, it was pointed out.

So far, two nominees, Agness Winters and Betty Steinman, have become candidates in the contest.

Originally the winner of the statewide contest was to compete for the western title in Hollywood with girls from 10 other states, but this has been changed and only four states will be included.

Bond buyers will receive ballots when they purchase their (Continued on Page Two)

Army Discharge Rules Changed

WASHINGTON, Nov. 16 (AP)—The war department announced today that all army enlisted men with three or more children under age 18 will be discharged upon request.

This was one of several changes in discharge regulations which the department said will release an additional 783,000 persons.

In addition to a slight reduction in point scores for discharge of enlisted men and officers and enlisted Wacs effective December 1, the changes:

Provide for length of service, regardless of age, as a discharge factor; and release of all married Wacs, both officers and enlisted women who enlisted prior to May 12, 1945.

Jap Admiral Takes Stand In "Malaya Tiger" Trial

By JOHN GROVER
MANILA, Nov. 16 (AP)—The prosecution's war-crimes case against Lt. Gen. Tomoyuki Yamashita entered its final phase today with a Japanese admiral on the stand.

Whether a Philippines supreme court order can be allowed to halt the trial meanwhile was referred to General MacArthur.

Lt. Gen. Wilhelm D. Styer, commander of army forces in the western Pacific, continued to ignore commonwealth court order that he show cause why a writ of habeas corpus should not be issued on Yamashita's behalf. Effect of such a writ would be to take the case from the hands of the military commission now hearing it.

Army Issued Orders
Vice Adm. Denshichi Okochi, commander of Japanese naval forces in the southwest Pacific areas a year ago when the battle for the Philippines entered its climatic stages, testified today that the Japanese army—not the navy—issued tactical orders at Manila while atrocities for which the prosecution blames Yamashita occurred.

Chief Prosecutor Maj. Robert Kerr said he hoped to finish his case Saturday. Defense testimony is expected to require several weeks.

Styer has been unavailable for comment and so far has not accepted service of the Philippines court summons. Inquiries of his whereabouts unavailingly get an "on inspection tour" reply.

From a legal standpoint, Styer contends the Philippines court is without jurisdiction over the United States army, a spokesman said. However, decision on the action has been referred to General MacArthur, it was learned here, because the allied commander himself turned over civil functions of the commonwealth government to President Sergio Osmena.

Former Klamath Man's Brother Killed In Wreck

ASHLAND, Nov. 16 (AP)—Michael W. Mirich, 27, Bend, was killed and his brother George seriously injured in an accident just north of the city limits last night.

Deputy Coroner C. W. Little said the brothers' automobile attempted to pass a logging truck. The side of the automobile was sheared off by the logs.

Michael Mirich was killed almost immediately. Hospital attendants here said the other man, who received head lacerations, would recover.

George Mirich, who holds the Distinguished Service Cross and other army awards, enlisted at Klamath Falls. Recently discharged, he has been operating a service station at Salem.

Barracks May Be Declared Surplus

The Klamath Falls Marine Barracks may soon be declared surplus and turned over to the surplus property board.

A special Washington dispatch appearing in a Portland paper reported the Klamath installation among many which will soon be turned over for disposal, but other substantiation of this report has not yet been received.

Building work at the Marine Barracks is still going on.

Day's News

By FRANK JENKINS
JOHN M. HIGHTOWER, of the Washington staff of the AP, says in a dispatch today:

"Russia holds the key to success or failure of the Anglo-American atomic control program. American officials say the next move is up to Moscow."

What he means is that if Russia CO-OPERATES we may be able to make of atomic energy a useful TOOL OF PEACE instead of the most terrible of all instruments of war.

RUSSIA holds the key to nearly everything we hope for in the way of a better world these days. And Russia is the GREAT MYSTERY—almost as perplexing as atomic energy itself. Like atomic energy, Russia holds limitless possibilities for good or evil.

HOPE as to Russia is held out by General Eisenhower, a great and WISE leader who has been for months in direct, personal contact with RUSSIANS. He tells a joint session of congress:

"Russia has no slightest thing to gain by war with the U. S. I believe the Russian policy is FRIENDSHIP with the U. S. There is in Russia a desperate and continuing concern for the lot of the common man, and they want to be friends with us."

DR. COMPTON, new head of Washington State college, offers a pregnant thought today. He says:

"Our nation will not find the answers to peace-time problems if we see in atomic energy only a threat of annihilation; we WILL find them if we see in it the promise of a more abundant life."

WE are standing at a momentous crossroad in human history. We can go on to undreamed of heights of progress and happiness.

OR we can go down into the abyss of utter and complete ruin.

It is for us to make the choice.

THE decision (whatever it is to be) will lie not so much in the realm of science as in that of HUMAN RELATIONSHIPS. Science can be a power for either good or evil—depending on how it is used by HUMAN BEINGS.

BUT enough of moralizing. Let's get back to present realities.

A spokesman for Chiang Kai-shek says today that Chungking troops will soon begin a mass movement into Manchuria in TRANSPORT PLANES turned over to Chungking China BY THE UNITED STATES. (There is an interesting and perhaps fateful suggestion in the news that these planes are to be flown by AMERICAN CREWS.)

It looks very much as if we have decided to back Chungking to wipe out the Chinese communists. From their bitter and angry attitude, we can guess that these communists already regard us as an enemy.

IT is practically unthinkable that we would move in against the Chinese communists in the face of certain Russian opposition to such a course—UNLESS our leaders have decided that the time is here for a showdown with Russia.

ALONG that line, Admiral King tells congress today that demobilization has proceeded with such a rush that the navy is NOT NOW PREPARED to fight a MAJOR BATTLE if called upon to do so.

If that is true, we are playing a DANGEROUSLY UNWISE (Continued on Page Two)

REDS FIRE AT TRAIN BEARING U. S. GENERAL

SHANGHAI, Nov. 16 (AP)—The U. S. China theater headquarters reported today that a train bearing Maj. Gen. DeWitt Peck, first marine division commander, was under fire from a communist-occupied north-China village yesterday.

General Peck, uninjured, requested that U. S. planes strafe the village if the firing continued, headquarters disclosed.

Lt. Gen. Albert C. Wedemeyer, commanding U. S. forces in China, in a careful reply authorized "appropriate military action," but only after "considerable" warning to the village and adequate precautions to avoid endangering innocent persons.

Headquarters was unable to confirm Tientsin reports that marines aboard the train returned the fire.

The report of the attack was received by Wedemeyer from Maj. Gen. Keller Rockey, commander of the third amphibious corps. Rockey's message said the train was en route from Tangshan to the coal port of Chinwangtao, and that the small-arms fire was coming from a village 600 yards north of Lwanhsien.

Warning Issued
Rockey instructed Peck to send an emissary to the village to inform the communist leader that "if firing continues I will order an air strafing mission against the village."

Rockey's message also reported that 300 yards of track and roadbed of the railway had been destroyed by mines, causing several casualties among Chinese workers. No American casualties were reported.

Wedemeyer in his reply said, in part:

"It is desired that you inform the military leader or responsible authority in that village in writing, both through a carefully selected emissary and through dropped leaflets that fire from that particular village is endangering American lives and that such firing must be stopped."

After insuring that your warning to said military leader or responsible authority has been received and understood, and should firing that jeopardizes American lives continue, you are authorized to take appropriate military action.

Your warning and action should include necessary measures. (Continued on Page Two)

No New Car Prices Set

WASHINGTON, Nov. 16 (AP)—Mum's the official word today on when price ceilings for new automobiles will be announced.

The OPA, studying fresh cost information submitted by dealers, is declining to crawl out on any more limbs with predictions about the long-awaited announcement.

Price Administrator Chester Bowles had said ceilings for some makes of cars would be disclosed yesterday.

He cancelled that plan to take a good look at dealers' new arguments that they can't absorb any price increases granted to manufacturers.

It was the second postponement in a week.

Meanwhile, don't quote me of officials of the agency are saying they'll be surprised if there is any announcement before next week.

Court Convicts Beast Of Belsen

LUENEBURG, Germany, Nov. 16 (AP)—A British military court today convicted Josef Kramer, the "Beast of Belsen," and 29 other S. S. defendants of committing atrocities and brutalities at the Belsen and Oswiecim concentration camps.

Fourteen others, including five women, were found innocent at the climax of the nine-week trial.

Two of the major defendants convicted with Kramer, who had commanded both the Belsen and Oswiecim camps, were Dr. Fritz Klein and blonde Irma Grese, 22-year-old guard.

The court is expected to sentence the three tomorrow. Sentences may range from fines and imprisonment to death by hanging or shooting.

Letter to John Public:

The boys on the fighting front have finished their job. The Victory Loan gives us our chance—our last chance to finish our job.

The sale of bonds is needed to assist the returned soldier to complete his education, to provide proper care for the wounded and the sick, and to assist in bringing those boys back home.

Our fighting men invested the years of their young manhood, some suffered wounds, some made the supreme sacrifice. We are asked to invest our savings—nothing more—in Victory Bonds.

We ask that you call at your local bank or issuing agency immediately and purchase your share of Victory Bonds.

We might add that Jackson county is way ahead of us in sales, and we know that the people of Klamath county are not going to stand for this.

Won't you please call and purchase your bonds immediately.

Elton Thompson
Chairman,
Victory Loan Committee