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GOVERNOR PATTERSON DIES

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Elmo E. Smith Takes Oath As New State Executive

SALEM (AP) — Senate President Elmo E. Smith, 46-year-old John Day weekly newspaper publisher, took the oath of office as governor of Oregon at 9:36 a. m. Wednesday.

Smith, speeded here from his home by a state police car after he learned of the death of Gov. Paul L. Patterson, took the oath in the governor's office. It was administered by Chief Justice Harold J. Warner.

He spoke in solemn, measured tones as he swore to uphold the federal and state constitutions, and to faithfully discharge his duties.

After he took the oath, he said he would "continue the sound and good administration of Gov. Patterson with as little interruption as possible."

FIRST ACTS

His first acts, he said, would be to see that the governor's family gets proper care, and that "proper tribute is paid to a great public servant."

The doors of the governor's office were locked during the day.

The only spectators present for the taking of the oath were Justice William C. Perry; Secretary of State Earl T. Newbry, State Treasurer Sig Unander, Deputy State Treasurer Fred Paulus; William E. Walsh, Coos Bay, former Senate president who now is a member of the State Board of Higher Education; Fred Shideler, who only a month ago became administrative assistant to the governor; Edwin Armstrong, secretary to the governor; and a dozen reporters and photographers.

FAST TRIP

Smith made the trip from John Day in six hours, arriving here at 6:30 a.m. He immediately went to a hotel, and came to the capitol shortly before 9 a. m.

After he made his brief statement about continuing Gov. Patterson's policies, Smith said he had nothing more to say because "I haven't had time to think this over."

Smith has served in four sessions of the state Senate, having been elected its president in 1955 without opposition.

He has been a newspaperman for 23 years, branching from advertising work to found the Ontario Observer.

He served as mayor of Ontario for three years, resigning in 1943 to enter the Navy. He was in the South Pacific and Far East for 18 months.

He owns the Blue Mountain Eagle, weekly John Day newspaper, and has an interest in the Madras Pioneer.

CHIEF INTEREST

His chief interest in the Legislature has been highway legislation, the same as Gov. Patterson's main interest when he was a legislator.

Smith is friendly and high esteemed by his fellow legislators. He also is a straight talker.

His voting record might be considered as middle-of-the road among Republicans.

Smith was born on a cattle ranch near Grand Junction, Colo., Nov. 19, 1909. He went to high school at Wilder, Idaho, and was graduated from the College of Idaho in 1932.

He married Dorothy Leininger of Payette, Idaho, and they have a son and a daughter.

Mrs. Smith was expected to arrive late Wednesday from John Day.

ELMO SMITH
...New Governor

Mrs. Abbott Found Purse

OAKLAND (UP) — Mrs. Elsie Abbott, mother of convicted slayer Burton W. Abbott, now admits she found Stephanie Bryan's purse in the basement of her son's home two months before the case broke.

"I saw the girl's name on it, but it didn't mean anything to me," Mrs. Abbott said after visiting Burton at the Alameda County jail.

"I tossed the purse back in the box and thought no more about it."

Abbott's wife, Georgia, found the purse on July 15 and called police. The discovery eventually led to the finding of Stephanie's body near the Abbott mountain cabin and to Abbott's arrest and conviction.

Abbott's visitors yesterday included his wife, mother and brother, Mark; his aunt, Mrs. Mona Marsh; a family friend, Frank Schwedhelm; and his cousin, Rollin Haight.

All declared they intend to fight on for Abbott's freedom.

Wheat Belt Has Rainfall

By THE ASSOCIATED PRESS

Most of the nation's winter wheat belt got some more beneficial precipitation today.

Rain or snow fell over wide areas in the central part of the country. The rain belt extended over eastern Texas and Oklahoma, with snow northward into the eastern Dakotas.

Snow depths across Kansas ranged from 7 inches at Dodge City and Salina to 9 inches at Russell. Snow started last night in western Kansas and the storm moved northeastward across Kansas with falls from 4 to 8 inches predicted in northern Kansas and northern Missouri tonight. Sleet and freezing rain pelted southern Kansas and sections of Missouri.

In the rain belt, falls generally were light. One of the biggest amounts was nearly half an inch at Shraveport, La.

Fairly cold weather prevailed in most of the country, with below-zero readings extending across northern Minnesota to southern Wyoming and westward into parts of northern Nevada and eastern sections of Oregon and Washington.

New Appeal In Offing

SAN FRANCISCO (UP) — Caryl Chessman's attorney prepared today to appeal a U.S. District Court decision denying the convict-author a writ of habeas corpus.

Attorney George T. Davis said he will file the appeal with the U.S. Appeals Court here. If that fails, he will carry it to the U.S. Supreme Court. The whole process may take a year.

Chessman, 34, faces death in the San Quentin Prison gas chamber as the "red light bandit" of Los Angeles convicted in 1948 of kidnaping, attempted rape, robbery and sex perversion.

He asked Federal Judge Louis E. Goodman for a writ of habeas corpus, alleging that the transcript of his original trial was faulty. Judge Goodman denied the writ yesterday in a sharply worded opinion that accused Chessman of making "false and perjurious statements."

Had the writ been granted, Chessman probably would have been tried again. But this time, he would have escaped the death sentence. The law under which he was sentenced to death has been changed to provide a penalty of life imprisonment.

Judge Ponders Custody Case

SAN JOSE, Calif., (UP) — The guardianship case of 3½-year-old Susan Smith, formerly of Portland, Ore., has been taken under submission by Superior Judge M. G. Del Mutolo.

The judge indicated that he might spend anywhere from several days to two weeks considering the evidence in the case.

Susan's aunt, Mrs. Ellen Hightower of Los Gatos, Calif., petitioned to be named her guardian on grounds that the mother, Mrs. Marjorie Smith of Portland, is unfit.

However, attorneys for Mrs. Smith argued that Mrs. Hightower was guilty of "child stealing" for taking Susan from her Portland home after Mrs. Smith was charged with complicity in the bomb-murder of her husband, Kermit. Mrs. Smith was acquitted of the charge.

Hugh Center, attorney for Mrs. Smith, argued yesterday that several inter-state legal cases similar to the one involving Susan were thrown out because the domicile of the child involved was in a different state.

But attorneys for Mrs. Hightower cited a case in which a California court ruled that the court of jurisdiction was the court in the state in which the child was living when the action was brought.

Del Mutolo said he would study the arguments in regard to jurisdiction and would also go over the testimony introduced from the Portland trial of Mrs. Smith in connection with her husband's death.

"However, I am not going to pass on the guilt or innocence of this lady (Mrs. Smith) as to whether or not she had anything to do with the killing of her husband," Del Mutolo said. "That matter was litigated in Oregon."

After court adjourned yesterday, Mrs. Smith said she intended to return to Portland immediately and did not expect to see her child before she left.

She said she saw Susan at Mrs. Hightower's home last Sunday and that the child told her, "I want to go back to Portland with you, Mommie."

Mrs. Patterson Takes Shock Well

SALEM (AP)—Mrs. Paul Patterson stood up well after hearing of her husband's sudden death.

The Rev. Julian J. Keiser, pastor of the First Congregational Church which the governor attended, said "she took the news extremely well."

The Rev. Keiser went to see Mrs. Patterson as soon as the news was announced.

Quake Reported Near Marianas

PASADENA, Calif. (AP) — A strong earthquake which occurred 200 miles below the surface of the Pacific Ocean was recorded Wednesday by the California Institute of Technology.

Dr. Charles Richter of the Seismological Laboratory said it apparently happened between the Marianas Islands and the islands of Japan. It was timed at 5:53:47 and 6:03:31 a.m., PST. Magnitude was 6.8 on a scale which rates the largest shocks at 8.6.

Tax Charges Face Balentine

PORTLAND (AP) —U. S. Balentine, Klamath Falls attorney who was put on probation a year ago because he did not file income tax returns, was to appear in federal court here Thursday to answer charges of additional tax violations.

Federal Judge Chase Clark meted the probationary one-year sentence last Feb. 4 after the 55-year-old attorney pleaded guilty to failing to file income tax returns for three years.

A petition signed by John M. McFarland of the federal probation office accuses Balentine of falsifying his 1954 tax return, which he filed last April 15, and of failing to keep income tax records last year as he was ordered to do by the Internal Revenue Service.

It also accuses Balentine of not turning over to the government federal taxes which he collected from the pay of an employe and of not making deductions from the pay of other employes.

'No Pressure' On Patterson

SALEM (AP) — There was no pressure from Pres. Eisenhower or his staff for Gov. Paul Patterson to run for the U. S. Senate.

In an interview with AP Correspondent Paul W. Harvey Jr., shortly before his death he denied reports he had been requested by the President to run against Democratic Senator Wayne Morse.

Those reports grew from a breakfast meeting Gov. Patterson had with the President a year ago.

The governor explained he had gone east three or four times in behalf of Oregon projects. He said on one of those occasions he had gone to the White House for the meeting.

"We talked about federal aid to education, and politics wasn't mentioned," Gov. Patterson told Harvey. He added that other politicians he met in Washington had urged him to run, but there had been no suggestion of it from the White House.

Gov. Patterson said in the interview he had made up his mind to run for the Senate a week after a talk at Coos Bay in which he said he would make up his mind in two weeks. The favorable reaction from the public after that announcement convinced him he should run, he said.

CECIL KILLIAN, 1831 Lowell Street, proprietor of a service station at 76 Main Street, smiled for the lens of the 9 o'clock photographer this morning.

Polio Stock Auction Held

A livestock auction held at the Klamath Stockmen's Commission Co. yards Tuesday netted $1,119.55 for the March of Dimes drive, reported Tom Perkins, National Polio Foundation chairman, for Klamath County, today.

A steer donated by Ben and Mabel Henzel brought in $791.65 for the drive. The steer was purchased first by the donor, Ben Henzel, for $325 and then given back to be auctioned again. The second time Dan O'Connor of J. D. O'Connor and Sons paid $283.65 for the steer and he also gave it back. The final buyer was the Klamath Stockmen's Commission Co. who paid $183 for the animal.

The Klamath Stockmen's firm donated a lamb which was purchased by Don Flournoy for $77. A hog given by Del Stepp brought $26.40. Tulana Farms donated a hog which brought $57.50 and John O'Connor gave a hog which was sold for $30.

Two sides of bacon given by Grigsby's Smokehouse and Trulove's Market were auctioned 14 times to bring a total of $137 to the drive.

Perkins and Jay Kroksh, county March of Dimes chairman, expressed their thanks to the donors and buyers and to the Klamath Stockmen's Commission Co. for their donations of time, money and livestock to aid the polio fund drive.

Death Comes To Fourth Governor

By THE ASSOCIATED PRESS

Gov. Paul Patterson was the fourth Oregon chief executive to die while in office.

By coincidence the state's two governors named Patterson both had their terms cut short by death.

The first to die in office was James Withycombe, who was in his second term when death came on March 3, 1918. Ben W. Olcott moved up from secretary of state to fill the vacancy.

I. L. Patterson, no kin to the governor who succumbed Tuesday night, died Dec. 21, 1929, three years after his election. A. W. Norblad, president of the Senate, took his place.

Earl Snell, in his second term was killed in a plane crash near Lakeview Oct. 28, 1947. Because the president of the Senate, Marshall Cornett, also was killed in the crash, the governorship went to the speaker of the House, John H. Hall.

Disarm Talks Spotlighted During Meet

WASHINGTON (AP) — The Eisenhower-Eden talks shifted Wednesday to questions of disarmament and possible limitations on atomic and hydrogen bomb tests.

These subjects came up in a White House session attended by Harold Stassen, who is President Eisenhower's disarmament specialist, and Lewis Strauss, head of the Atomic Energy Commission.

British Prime Minister Eden and Foreign Minister Selwyn Lloyd met with Secretary of State Dulles, Stassen and Strauss.

Lloyd had conferred earlier for two hours with Dulles at the State Department on Middle and Far East problems.

Signs pointed to a call by Eisenhower and Eden for an all-out effort to make peace in the Middle East.

PREVIOUS SESSIONS

Previous sessions of the Eisenhower-Eden talks have gone over joint U.S.-British preparations for another disarmament conference with the Russians next month at London. Past efforts to reach accord with the Soviets on disarmament have foundered on the critical question of how to make sure nobody cheats on pledges to disarm.

Eden has talked publicly about possibly limiting atomic and hydrogen bomb tests in the Pacific. But Eisenhower and Dulles, in public comment, have been cool toward the idea. Plans for new U.S. nuclear tests in the Pacific have been going ahead.

AGREE

Eden and Eisenhower agreed Tuesday that peace between Israel and the Arab states is essential to Middle East stability. Among other things they discussed the possibility of posting United Nations troops in the demilitarized zone between the hostile armies of palestine in order to pacify the area.

U.S. officials demonstrated little enthusiasm for this possibility but an American spokesman said it had not been ruled out by Eden and Eisenhower.

In two days of discussion the British and American government chiefs and their foreign ministers have aired problems and disagreements ranging from Europe to the Far East. They have touched also on such matters as general cold war strategy and plans for further disarmament efforts through the U.N.

GOVERNOR PAUL L. PATTERSON

Below Zero Temperatures Hit Klamath Basin Areas

Below zero temperatures were reported from all over the Klamath Basin this morning.

Bonanza had its coldest night this year with an unofficial 12 degrees below zero Tuesday night.

At the Ground Observer Corps station in Fort Klamath, it was 22 degrees below zero at 7 a.m. today, according to Myrtle Wimer, Herald and News reporter for the area. Ranchers coming in to the Fort Klamath Garage early this morning reported low last night of 25 and 26 degrees below zero.

By THE ASSOCIATED PRESS

Sub-Arctic cold kept much of the Pacific Northwest region east of the Cascades in a deep freeze Wednesday. Forecasts were for continued cold.

The Weather Bureau reported it was 23 below at Ellensburg and 22 below at Baker, Ore.

It was even colder farther to the east as New Meadows, in west central Idaho, reported 45 below and Helena, Mont., shivered at 27 below.

Other sub-zero readings in Washington and Oregon included: Yakima -16, Spokane -10, Pendleton -8, Walla Walla -7, Bend -5.

Freezing temperatures also extended over virtually all of Western Washington and Oregon, too. Brookings, on the Oregon coast, was the lone spot to report the mercury remained above freezing. It had a minimum of 33.

Bright weather prevailed generally. A strong wind accentuated the cold in the Columbia River sector. Easterly gusts reached as much as 50 miles an hour at Troutdale, east of Portland.

The forecast for east of the Cascades was for temperatures as low as 25 below overnight Wednesday in some areas.

Some Montana schools were closed because of the weather. The city of Butte, with 10,000 pupils, was one of them.

KF Base Work Bids Opened

Six bids were opened Monday afternoon at Hamilton Air Force Base, California, for rehabilitation of existing housing and shops at the Klamath Falls Air Force Base, according to information this morning from the Purchasing and Contracting office at Hamilton.

Plans for the rehabilitation work were drawn by the office of Howard R. Perrin, Klamath Falls architect, and the work includes renovating, remodeling and replacing of necessary fixtures and utilities in existing structures at the base.

Bids and amounts were:

Pinniger and Watkins, Klamath Falls, $238,069; Lostin and Robinson, Gresham, $284,000; Leo N. Huls, Klamath Falls, $236,320.68; Bigelow Construction Company, Portland, $262,248; Schenk Construction Company, Portland, $254,611; Brosterhous Construction Company, Klamath Falls, $240,048.

Contract award will not be made until further study of the bids, officials at Hamilton Air Force Base indicated.

A. Stevenson Asks Support

SACRAMENTO (AP) — Sharp barbs against the Eisenhower administration set the keynote of Adlai Stevenson's appeal for support in his California presidential primary campaign.

"We've had enough of piety and peaceful proclamations by the President to please half the Republicans," the Democratic contender declared Tuesday night, "and enough of threats and bomb-brandishments by the secretary of state to please the other half.

"We've had enough of huckstering and self-advertising of this administration to please its stockholders."

Stevenson did not elaborate on his "piety" remark. The "bomb-brandishings" apparently referred to the controversy over Secretary of State Dulles' "brink of war" statements in Life Magazine.

Patterson Home Receives Ike Wire

SALEM (AP) — President Eisenhower telegraphed his sympathy to Mrs. Paul Patterson Wednesday.

The telegram:

"I cannot possibly express to you the depth of the shock and distress I feel in learning of your husband's death. He was a distinguished citizen, dedicated to the service of his fellow men. Moreover, I was privileged to call him my good friend.

"Mrs. Eisenhower and I join in assurances of deepest sympathy to you and to the members of your family."

Weather

FORECAST—Klamath Falls and vicinity: Fair and cold through Thursday except for morning fog. Highs 18-23. Lows Wednesday night 5-10 below zero.

High yesterday	15
Low last night	-5
Precip. last 24 hours	trace
Precip. since Oct. 1	15.35
Same period last year	3.80
Normal for period	6.82

Probe Invites McKay

WASHINGTON (AP) — A congressional committee studying Interior Department handling of 15 disputed Oregon mining patents offered Wednesday to hear testimony from Secretary McKay.

Robert W. Redwine, assistant counsel for the Senate subcommittee which is conducting the hearing with a House group, said McKay was being invited by letter to appear, if he so desires, at a future session of the joint group.

Redwine said it was possible the hearing, which opened in Portland, Ore., in November and has been held here intermittently over the past three weeks, might wind up with one more session. In recess Wednesday, it is presently scheduled to resume next Tuesday.

Tuesday's session recessed with the barrage of charge and counter-charge that has marked the hearing throughout.

The flareup came at the wind-up of testimony by Clarence A. Davis, undersecretary of the interior, when Sen. Scott (D-NC) said the procedure followed by the department in granting the patents to Al Sarena Mines, Inc., was "a shabby and shoddy way for government to operate."

Although asserting he felt certain Davis considered the procedure to be "proper and correct," Scott said he was "disturbed" that Davis had accepted "decisive information and data—upon which you based your final decision—from a member of Congress."

He referred apparently to testimony by Davis about meetings, letters and other communications with Rep. Ellsworth (V-Ore) concerning the Sarena claims. Davis said he had been contacted by no other member of Congress but accompanied his statement with letters written by Rep. Boykin (D-Ala) to department officials in the Truman administration.

Because the patents gave the private company title to valuable timber in the Rogue River National Forest, Democrats denounce them as "a giveaway."

Davis rejected the Democratic assertions. He testified, in effect, that mining law required that the Al Sarena patents be granted.

The law declares that a holder of a mining claim can get patent (ownership) to the claim if he demonstrates he has made a "valid discovery" of minerals and has done at least $500 in development work.

Death Comes During Political Conference

PORTLAND, Ore. (AP) — Gov. Paul L. Patterson of Oregon, who was the top choice of Republican party leaders in Oregon to try to unseat Democratic Sen. Wayne Morse next fall, died of a heart attack last night.

Patterson, who had announced only four days ago that he would make the race for the Senate, was conferring with political advisers at the exclusive Arlington Club in Portland when he collapsed. He was 55.

Dr. Ernest Boylan, who reached the governor's side within five minutes, said Patterson died within 10 minutes of the attack at 9:50 p.m.

The doctor tentatively blamed a coronary occlusion.

Death Stops State GOP's Chief Hope

PORTLAND (AP) — The Oregon Republican Party lost its chief political hope through the death in Portland Tuesday night of Gov. Paul Patterson.

Only Saturday Patterson had declared himself a candidate for Republican nomination to seek the U. S. Senate seat now held by Democrat Wayne Morse. Morse is the only Democratic candidate so far.

The death threw the Republican Party politics in the state wide open.

INTERIM TERM

Patterson's term as governor would have run into January, 1959, had he been unsuccessful in his bid for the Senate. His successor, State Senate President Elmo E. Smith of John Day in Eastern Oregon, now must win the governorship in this year's election if he wishes to retain the position. His interim term will run only until early January, 1957.

Gov. Patterson's death leaves State Rep. Elmer Deetz, Canby dairyman, the only Republican candidate for the U. S. Senate position. Deetz is well known for his legislative work on Oregon milk laws, but is not generally considered to carry the political weight Patterson did.

Thus the governor's death turns an off-year election already of good size into a full blown fight for political power in the state.

It brings up for election the third position on the important State Board of Control. The board is composed of the governor, the secretary of state and state treasurer. Filled now by three Republicans, all three positions will be up for contest by the strengthened Democrats. It is believed the first time all positions have been open at one time. The board supervises all state institutions and serves as a state land board.

IMPORTANT POSITION

The important positions to be filled in the November general election include one U. S. Senate seat, four U. S. representatives, governor, secretary of state, state treasurer, attorney general, all state representatives and approximately half the state Senate seats.

Political leaders in the Republican Party expressed shock and grief at the governor's death. None wished to comment, so soon after the death, on the political implications.

Republicans Keep Dinner Schedule

PORTLAND (AP) — The Republican Lincoln Day dinner at which Secretary of Agriculture Ezra Taft Benson is to be principal speaker, will go on as scheduled Thursday night despite the death of Gov. Paul Patterson.

Francis I. Smith, Multnomah County Republican chairman, said the decision was made after due consideration and some hesitancy because members felt the governor would have wished it that way.

"Gov. Patterson's devotion to good government dictates that we proceed with those things political in which he was so interested," Smith said in a statement.

The only other Republican who has entered the Senate race is Elmer Deetz, a dairyman who was elected to the State Legislature two years ago when he led a successful campaign to remove Oregon's Milk Control Act.

The party primaries will be held in May. Morse has no opposition among Democrats.

Patterson became governor because he was president of the State Senate in 1952, when Douglas McKay resigned to become secretary of the interior in President Eisenhower's Cabinet.

Patterson will be succeeded by the new State Senate president, Elmo E. Smith, 46, publisher of the weekly newspaper The Blue Mountain Eagle in the small eastern Oregon town of John Day. Smith also is a Republican.

After stepping into the governorship, Patterson was elected to a full four-year term in 1954. Smith will serve until a successor can be named at the fall general election.

SERVED CONTINUOUSLY

Patterson, an attorney at Hillsboro, 17 miles west of Portland, entered politics in 1944, and had served continuously in the State Senate until he became governor.

Survivors include his wife and three children, Mrs. John L. Smithson, Oswego, Ore.; Mrs. James Dollard, Claremore, Okla.; and Paul L. Patterson Jr., Tucson, Ariz.

The attack that took the governor's life came as a surprise to his physicians. Dr. Boylan said Patterson did not regain consciousness after the attack and added, "He experienced no pain. He never knew what happened."

Dr. Ralph Purvine, Salem, said Patterson had undergone two physical examinations in the past two months, and neither disclosed any heart trouble.

He said it was similar to, but more severe than, the attack that struck President Eisenhower.

"This particular type of heart attack is one of those unpredictables in the present state of the science of medicine," Purvine said.

Patterson's last public appearance came two hours earlier, when he spoke a few words of welcome to the Assemblies of God World missions convention, attended by 1,700 Pacific Northwest delegates at Portland.

After that he went to the Arlington Club, where he conferred with Ted Gamble, E. J. Ireland and John Higgins on his campaign. Ireland had resigned only hours previously as secretary of the Board of Control, intending to become manager for Patterson's Portland campaign headquarters.

COLLAPSE

He was seated on a davenport when the sudden collapse came.

Patterson long had been in public service, even before entering the state Senate 12 years ago.

He was city attorney at Hillsboro, president of the Hillsboro Chamber of Commerce, commander of the Hillsboro American Legion post, and was active in community affairs.

He was a member of the Congregational Church. He was in the Rotary Club and was president of the Oregon State Motor Assn. in 1950-52.

He was born in Kent, O., July 18, 1900. His family moved to Portland when he was 8. He served briefly in the Army in World War I, was graduated from the University of Oregon business school in 1923, and received his law degree from the university in 1926.

That same year he began law practice at Hillsboro, where he remained until stepping into the governorship.

Capitol Funeral Service Planned

SALEM (AP) — Funeral services for Gov. Paul Patterson probably will be held at 2 p. m. Friday in the House chamber in the state capitol.

A state funeral was being planned Wednesday, with final arrangements to be announced later in the day.

Friends of the Pattersons said that Mrs. Patterson preferred having the funeral in the First Congregational Church here. But the church can seat only about 250 persons.

Patterson Said Picture Of Health

SALEM (AP)—Gov. Paul Patterson was the picture of health at Tuesday afternoon's Board of Control meeting.

In fact, newsmen, who have been wondering how the governor could stand the strain of working long hours, remarked how well he looked.

Attending that meeting was his last official act.