

### Mild Weather Covers U.S.

By THE ASSOCIATED PRESS  
Showery, cloudy and generally mild weather was the outlook for most of the country today.

Warming occurred in most of the nation the past 24 hours, with biggest temperature rises in New England and in parts of the Northern and Central Plains. Temperatures were mostly in the 50s along the Eastern seaboard and in the states bordering the Gulf. They were in the 50s or higher in the Southwest desert region and in most of California.

Coolest region was the Upper Mississippi Valley and the Lake Superior district, with temperatures in the 30s and low 40s. Slight cooling was reported along the North Pacific Coast, with readings in the 40s, about 10 degrees lower than yesterday morning. Showers accompanied the cooler air into the area. Skies were cloudy in the desert region and southern California, with widely scattered showers.

Skies were generally cloudy, with many areas of precipitation, east of the Mississippi River. The major wet belt extended over the eastern Great Lakes region and southward through northern Georgia. However, rainfall amounts were mostly light.

Little change was indicated during the day.



**LAWSON ROBERTSON** is now associated with O'Hair's Memorial Chapel. Robertson, who has spent most of his life in Portland has been associated with Portland Memorial, in charge of services, with A. J. Rose & Son Mortuary, Hennessey, Goetch & McGee, and more recently with the Long and Orr Mortuary, Roseburg.

#### LAW CLAMP-DOWN

JOHANNESBURG, South Africa (UP)—The South African government has moved to institute the death penalty in cases of armed robbery, it was reported today.

### Prosecution Rests Case In Girard Shooting Trial

MAEBASHI, Japan — The prosecution rested its case against GI William S. Girard today and asked a Japanese court to sentence him to prison for five years.

The 22-year-old Illinois soldier's lawyers will make their final plea Nov. 5. A verdict is expected by Nov. 20.

Girard is on trial for the fatal shooting of Mrs. Naka Sakai, a Japanese scavenger for scrap brass, on a military firing range last Jan. 30. He is charged with inflicting "bodily injury resulting in death," the equivalent of manslaughter. The maximum penalty is 15 years.

There has been considerable speculation that presiding Judge Yuzo Kawachi, if he convicted the soldier, would suspend sentence and allow him to return to the United States with the Japanese girl he married last summer.

Suspension of sentences of up to three years are usual in Japan for first offenders or where the prosecution case is weak.

Summing up, Associate Prosecutor Kakuichi Sugimoto conceded that Girard did not intend to kill Mrs. Sakai when he fired a blank shell from his grenade launcher while guarding equipment on the firing range.

But Sugimoto asserted Girard "had at least the intention to hit a part of her body, half for a joke," and therefore he should

bear the responsibility of her death.

Sugimoto also claimed the GI has never repented the killing, an important factor in Oriental justice regardless of blame.

Girard has said many times he is sorry Mrs. Sakai was killed but insists it was an accident arising out of his guard duty.

Sugimoto termed Girard's American accuser, Specialist 3.C. Victor Nickel of Inkster, Mich., "the most reliable in general" of all the witnesses and repeated Nickel's claim that Girard asked him to lie about the killing and to help him cover it up.

Sugimoto reviewed testimony that Girard threw out empty shells to lure the brass pickers—which the defendant denied—and said had he not done this, Mrs. Sakai would not have been killed.

The prosecutor also stated: Although Girard was told to guard a machinegun and other equipment, there was no danger Mrs. Sakai would steal them and he needed only to "keep an eye" on them, not shoot.

Girard was the only soldier who fired at the horde of Japanese trespassers on the firing range, showing that he exceeded his duty.

Girard repeatedly asked a Japanese shell picker to carry away the dead woman's body secretly and otherwise tried to cover up his action.

knew the power of his weapon.

Although there were conflicts in the testimony of Japanese shell-picker witnesses against Girard, the "essence" of their testimony

supported Nickel's and the prosecution's versions of the shooting.

The United States last May 15 notified Japan it would not exercise jurisdiction over Girard. This

plus the fact Girard far exceeded

his duty, are enough to refute the defense claim that Japan has no jurisdiction over the case.

Girard's Japanese lawyer, Itsuro Hayashi, said the key point in

his argument would be that the

killing could not be called a crime because Girard was "performing official guard duty... no different from that of a policeman trying to catch a burglar."

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