

# COURT DECIDES FOR HATFIELD

## In The Day's News

By FRANK JENKINS  
At his press conference this morning, President Eisenhower vigorously defends his 77 billion dollar balanced budget against charges that it is politically motivated and invalid.

## Giant Storm Belts Nation With Snow

KANSAS CITY, Mo. (AP)—A giant storm lashed the nation with snow, freezing rain, bitter cold and even thundershowers in the South as it crept across the mid-continent today.

In doing so, he falls back on the sound military doctrine that a vigorous attack is the best defense. He tells the reporters that the Democratic attacks on his budget are "coming from so many different angles that he can't escape the conclusion that his opponents are suffering from budgetary schizophrenia."

That crack sent the correspondents scurrying to the reference books. They discovered that Webster's New International Dictionary defines schizophrenia as "a type of psychosis characterized by loss of contact with the environment and by disintegration of the personality. It includes dementia praecox and some related forms of insanity."

If they had delved a little deeper, they would have found dementia praecox defined as "a type of mental disease in which the victim WITHDRAWS FROM REALITY and suffers from false perceptions and false beliefs and delusions."

Hmmmmmmmm.  
As a political leader, Ike is improving.  
That crack is reminiscent of FDR at his best.

All this calls for a little psychoanalysis of Ike himself.  
He came to the White House with a soldier's background. When he became President, he had all of the professional soldier's distaste for the processes of practical politics.

In his six years in the White House, he has learned a lot—including the fact that to be a successful political leader one must make use of the processes and the procedures of practical politics. It isn't enough merely to issue an order. A political leader must PERSUADE his associates and his followers to be REWARDED if they are to go along. They aren't interested in merely dying for a cause.

Politics is quite a trade. His performance at his press conference this morning suggests that perhaps Ike feels that he has served his apprenticeship as a political leader and that hereafter he must be accepted as a journeyman.  
If so, he will be a more effective political leader from here on out.

## Senate Chief Blasts Mark

SALEM (AP)—Senate President Walter J. Pearson (D-Portland) took Gov. Mark Hatfield to task Tuesday for not having his finance program ready. Hatfield says it will be ready Feb. 15.

"He knew he was going to be governor," Pearson said. "He should have had his program ready to go."

"We can't sit around waiting until half of the session is over for his tax program. Hatfield hasn't consulted the taxation committees to tell his ideas."

"We can't sit here in the dark waiting for it."  
Pearson said he doubted whether Hatfield can find anything new in the tax field, anyway.

Pearson said the appropriation bills would begin rolling through the Legislature in a few days, giving him hope that the session will last between 90 and 100 days.

The longest session in history was the 128-day session of 1957.



**SERVICE TO THE FAMILY**, one of the keynotes of the Klamath County Young Men's Christian Association program, is epitomized by the twice-monthly family nights held at Y headquarters. Here Bobby Campbell, left, and Steven Voss play "football," while Mrs. Violet Koehn and Jim Enman, holding his daughter, Christie May, look on. Sliders are, left to right, Peggy Mezger, Donna Mezger and Sherrill Zirkle. Boy at right is unidentified. The Y is now observing National YMCA Week as a prelude to its membership roundup. (Story on Page 6-A.)

# Herald and News

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## U.S. Will Not Be Forced Into A Communist Peace

WASHINGTON (AP)—President Eisenhower said today Russia must come to understand the United States, simply won't be pushed around in working for world peace.

Eisenhower told a news conference that was the purport of his message to Anastas I. Mikoyan, the Soviet deputy premier, as he left for home after his U.S. visit.

On a domestic political matter, Eisenhower said he would favor repeal of the present constitutional ban on a third term for presidents.

Eisenhower has said repeatedly that he would not be interested—primarily because of his age—in a third term. There was no indication in what he said today that he has changed his mind about that.

The subject came up when a newsman recalled that Eisenhower once said he thought it "not wholly wise" for the third term ban to have been written into the Constitution.

In reply, the President said he still thinks it was not a particularly wise decision. He added that if the American people want to make any man their president, then it should be up to them and he sees no objection to more than two terms.

Then he went on to say he would rather see the constitutional amendment repealed than kept.

This was Eisenhower's first regular news conference since Dec. 10 and only the second since Nov. 5, although he did answer reporters' questions at a National Press Club luncheon a week ago.

The visit by Mikoyan was much on the minds of the newsmen, and brought early questions.

Eisenhower said the Kremlin leader offered no new proposals for relief of world tensions at their meeting in the White House last Saturday.

Referring then to the farewell message he sent Mikoyan Tuesday, Eisenhower said the deputy premier must be sure that Americans are willing to conciliate and negotiate. Eisenhower went on, but the Soviets must understand that the United States simply won't be pushed around.

The news conference touched on these other main topics:  
Civil Rights—As for the bill of Sen. Lyndon B. Johnson (D-Tex.) to create a federal conciliation service to handle civil rights disputes, Eisenhower said he can't see that such a government unit would be fruitful. But he added he is keeping an open mind on the matter.

Eisenhower called again for extension of the life of the Civil Rights Commission, now scheduled to go out of business in September. Johnson's bill provides for such an extension.

Integration—The federal government is working on and studying the question of what to do about children of U.S. military personnel who are being barred from public schools at Norfolk, Va., and some other places because of controversy over court-ordered mixing of the races in the classrooms.



JIM HARPOLE

## Scout Chief Resigns Post

Jim Harpole, scout executive of the Modoc Area Council of the Boy Scouts for the past four years, announced today that he had accepted a position as director of field service for the Portland Area Council, effective March 1.

Harpole came here in February, 1955, after three years' service as district scout executive in Eugene. During his period of service here, the Modoc Area Council has grown nearly 50 per cent, from 2,685 boys in 90 scouting units to 3,884 boys in 137 units.

The Modoc council, which covers five counties in Oregon and two in California, has grown in other ways as well during the past four years. This period was marked by the council's receiving in 1957 a citation from the National Committee on Rural Service of the Boy Scouts for a "superior" job in rural scouting. Only 24 councils in the nation received this honor, which was based on the net gain

(Continued on Page 6-A)

## World News In Brief

VISIT—Mikoyan apparently enjoyed his U.S. visit but fell short of the political goals he had in mind.

MIKOYAN—Argentina, Nfld.—The Scandinavian Airlines System DC7 which left New York with Mikoyan, his entourage and other passengers on a flight to Copenhagen developed engine trouble and had to land Tuesday night.

CUBA—Havana—Castro supporters mass to demonstrate their support for "war crimes" trials.

VIRGINIA—Richmond—Gov. Almond is attempting to get enough public support to prevent integration of Virginia schools.

TVA—Washington—Government auditors report TVA bought 46 million dollars worth of generators that don't work properly.

ARGENTINA—Buenos Aires—Tommygunners roam streets, ready to break up Communist-Peronist attempts to save crumbling general strike.

REPUBLICANS—Des Moines—GOP leaders summoned to go to work on rebuilding party.

## Massive Rally Backs Castro Executions

HAVANA, Cuba (AP)—The distant chatter of firing squad guns was the curtain raiser for a massive Havana rally today in support of the revolutionary government's summary executions.

Rebel bullets cut down a dozen men of ousted President Fulgencio Batista's defeated armed forces in Pinar del Rio, Cuba's westernmost province. All had been convicted of murder and other war crimes in a three-hour trial.

## Repeal Third Term Ban, President Tells Newsmen

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## Alaska Prays For Governor

SEATTLE (AP)—Alaskans offered a prayer today for their first elected governor, fighting a desperate battle for survival after an emergency operation for a serious intestinal ailment.

William A. Egan, 44, remained in critical condition although Dr. Leland Spalding, resident surgeon at Virginia Mason Hospital, said the governor, a Democrat, was resting comfortably. Mrs. Egan and the couple's son, Dennis, 11, were at the bedside.

The former storekeeper from Valdez underwent emergency surgery Tuesday morning. He was flown here from Juneau, Alaska's capital, only a few hours earlier.

Dr. Joe W. Baker, who headed the team of surgeons, said afterwards Egan had a "desperate chance to get well." His chances, Dr. Baker added, were "little less than 50 per cent."

The slightly built, unassuming governor took the oath of office Jan. 3, only a few minutes after President Eisenhower declared the huge northland the union's 49th state.

Four hours later Egan was hospitalized for a gall bladder ailment. He underwent an operation in Juneau Jan. 6.

Moscow Claims Allies Using Norway Bases

OSLO, Norway (AP)—The Soviet government today charged that U.S. and British warplanes are using Norway's Bodoe Airport as a base for reconnaissance flights to Soviet frontiers. Moscow made the charge to the Norwegian Ambassador.

Press chief John Hedemann said the Defense Department has no knowledge of British or American planes using the far-north base for such a purpose.

## Appling Declared State's Secretary

SALEM (AP)—The Oregon Supreme Court ruled unanimously today that Mark Hatfield is legally governor, and that Howell Appling Jr. is secretary of state.

The court rejected Atty. Gen. Robert Y. Thornton's argument that Hatfield is still secretary of state because he didn't submit a resignation that would have become effective before he took the oath of office as governor Jan. 12.

Hatfield appointed Appling, a 39-year-old Portland farm implement wholesaler, after becoming governor.

Hatfield's predecessor as governor, Robert D. Holmes, had appointed David O'Hara, retired head of the state elections division.

Justice Hall S. Lusk wrote the opinion. Thornton, who represented O'Hara, lost on every count.

The court ruled that when Hatfield took the oath as governor, it was an implied resignation as secretary of state. No vacancy in the office of secretary of state occurred until that moment.

"The appointment of Mr. Appling was in all respects lawful," the high court said.

It said that the principal case which Thornton cited applies only to legislatures. In that case, the court had held that state Rep. Earl H. Hill (R-Cushman) should have resigned before going on the state Fish Commission.

It added that Thornton's argument "does not appear to us to be sound."

The dispute over whether Hatfield or Holmes had the right to appoint the secretary of state began soon after the November election in which Hatfield, a Republican, defeated the Democratic governor.

Holmes obtained an opinion from his legal adviser, Orval Thompson, Albany, that Holmes could make the appointment on grounds that Hatfield would have to submit a written resignation as secretary of state.

Holmes then announced he would appoint O'Hara.

Holmes got an opinion from Thornton holding that Hatfield had to resign, and that Holmes could appoint the secretary of state.

Thornton also said that Hatfield could not become governor until O'Hara was firmly ensconced in the secretary of state's office.

Hatfield's lawyers then concluded that Hatfield would not have to resign before becoming secretary of state.

Eisenhower said the situation is a very difficult one. He said that of 15,000 children involved in the controversy at Norfolk, for example, about 5,500 are the children of military personnel.

Of those, about 500 are being educated on military reservations.

governor, and that he could name the new secretary of state after taking the oath as governor on Jan. 12.

The Hatfield attorneys did not bring suit before inauguration because they believed the courts would not take jurisdiction in the case.

A few days before the inauguration, Holmes appointed O'Hara, effective upon receiving the Hatfield resignation—which never was given.

Then Hatfield sent a letter of resignation to Holmes—to become effective when Hatfield qualified as governor.

There was some doubt whether the Democratic-controlled Legislature would permit Hatfield to be inaugurated. But the inauguration went off without a hitch.

Seconds after taking his oath, Hatfield appointed Appling, who took physical possession of his office. But state Treasurer Sig Unander refused to honor any warrants signed by Appling, sending the state into a short financial crisis.

The Hatfield lawyers planned to file the suit immediately after the inauguration. But Thornton would not agree, wanting to file the suit himself.

Thornton filed the suit Friday, and the Supreme Court heard the arguments Monday.

## Revamp Bill Given Solons

SALEM (AP)—The major government reorganization bill, which would let the governor abolish or combine any agency in the executive branch of the state government, was introduced in the House today by its State and Federal Affairs Committee.

It is the key bill of 15 which were recommended by an interim committee on government reorganization.

It provides that the governor can order reorganization of state agencies, boards and commissions, but that either house could veto any such plans within 60 days. The authority would expire June 30, 1963.

Both Gov. Mark Hatfield and ex-Gov. Robert D. Holmes supported the reorganization bills.

This subject is one of the three major topics before the Legislature. The others are finance and unemployment compensation.

The other reorganization bills introduced today would:  
Create a state Department of Natural Resources by consolidating agencies dealing with water, soil, forests, lands, wildlife, minerals, recreation and other resources.

Remove the 72-year compulsory retirement age for state employees, and leave it up to the department head.

Reorganize the state Tax Commission as a department of revenue.

Transfer inheritance and gift tax administration to the state Tax Commission.

Establish a state agency to collect fees for those boards which regulate various professions.

Abolish the Rogue River Coordination Board, Flax and Lumber Board, and Department of Americanization.

## Weather

FORECAST—Klamath Falls and vicinity: Partly cloudy with scattered snow flurries through Thursday. Low tonight 20-28; high Thursday 36-44.

High yesterday 38  
Low last night 21  
Precip. last 24 hours 0  
Since Oct. 1 2.1  
Same period last year 8.52

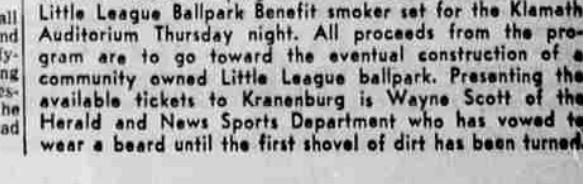
Northern California—Fair through Thursday, except cloudy in extreme north; little change in temperatures. Coastal wind variable, 7-15 miles an hour.

CRATER LAKE  
High yesterday 30  
Low last night 13  
8 a.m. today 23  
New snow Trace  
Snow depth 34  
Last year 102  
Cumulative this winter 135  
Last winter 270

Wind was calm in the park this morning and it had started to snow again. Powder snow for skiing. Chains advised for travel on all roads in the park and may be required later today from Annie Springs to the rim.

CHANGING TIMES  
COURTLAND, Ala. (UPI)—Wilje Burt gave police a logical explanation as to why he made a left turn into the path of another automobile.

"I been turning there for a long time, and there never has been another car there before."



THE KLAMATH UNION K CLUB under the leadership of president Gary Kranenburg, right, has volunteered its services toward helping make a success of the coming Little League Ballpark Benefit smoker set for the Klamath Auditorium Thursday night. All proceeds from the program are to go toward the eventual construction of a community owned Little League ballpark. Presenting the available tickets to Kranenburg is Wayne Scott of the Herald and News Sports Department who has vowed to wear a beard until the first shovel of dirt has been turned.