

"DENNIS THE MENACE"



I HAVTA SCRAPE SOME JELLY OFF MY BEDROOM CEILING.

Service News

Joseph R. Beaver, son of Mr. and Mrs. Joe A. Beaver, 1842 Summers Lane, recently finished basic training at Fort Ord, Calif., and is attending Army Armor School at Fort Knox, Ky.

Private Beaver is a 1962 graduate of Klamath Union High School. He joined the Army in November.

James R. Edson III joined the Marines recently, according to S.Sgt. Robert Wenckheim, local Marine recruiter.

Edson is at San Diego taking recruit training and after 16 weeks of training he will have a 20-day leave before assignment to school or permanent duty.

Edson is the son of Chief Warrant Officer and Mrs. James R. Edson Jr., Falcon Heights. Edson attended Henley High School before entering the Marines.

A.L.C. Donald R. Collins of Gilchrist has graduated from the 32nd Air Division Noncommissioned Officer Preparatory School at McCoy Air Force Base, Florida.

The airman was trained in the duties and responsibilities of non-commissioned officers. The course included study in organization, management, leadership, military justice, security and human relations.

Airman Collins is a C-47 flight mechanic in the 4047th Organizational Maintenance Squadron.

The airman, who attended Oakridge High School, is the son of Mr. and Mrs. Otis A. Collins, Gilchrist.

Guard Opens Recruit Push

The National Guard, both Army and Air, has launched an all-out recruiting drive, Maj. Gen. Donald W. McGowan, chief of the National Guard Bureau, announced recently.

Calling last year's Berlin mobilization "the most successful in National Guard history," General McGowan stated that the Guard now occupies a position of greater importance in the defense posture of this nation than ever before.

Consequently, he said, it is vital that the Guard's strength be maintained at its maximum authorized level.

Dubbed "Operation Big Push," this recruiting drive has been described by Guard officials as an effort requiring every Guardsman to do his best to help the campaign along.

The Army National Guard is aiming at four men per unit per month for each of its 4,600 units during the next four months, while the Air National Guard's goal is two men per unit per month for each of its some 700 units through June 30.

Pair Attend Water Course

OREGON STATE UNIVERSITY — Robert C. Beattie and Robert H. Riggs of Klamath Falls were enrolled in a special three-day school for waterworks operators this week at Oregon State University.

Nearly 140 operators from every section of the state attended the annual school which is offered each spring as a service to cities, water districts and water utility companies. Purpose is to promote efficient, safe and economical operation of water supply systems.

Joint sponsors are the OSU Department of Civil Engineering, Oregon State Board of Health, League of Oregon Cities, and the Pacific Northwest section of the American Waterworks Association.

Marine Pvt. Robert H. Cole, son of Mr. and Mrs. Edward Cole of Chilquin, is assigned to the Third Marine Air Wing, a Pacific Marine unit which participated in a major amphibious exercise held off the coast of Southern California, March 2 through 10.

More than 40 ships of the Pacific Fleet and an estimated 24,000 Marines took part in the exercise. It was designed to provide training in anti-submarine operations, amphibious landings, replenishment at sea, mine warfare, aerial, surface and sub-surface reconnaissance and Marine operations ashore.



JOSEPH R. BEAVER

Asabel H. Weaver, equipment operator first class, USN, son of Mrs. Clara M. Weaver of 2129 Hope Street, and Floyd R. Booth, utilitiesman second class, USN, son of Mr. and Mrs. James C. Booth of 1161 Ward Street, are undergoing two weeks active duty training with Reserve Mobile Construction Battalion Two at Port Hueme, Calif.

The men participating are attached to Construction Battalion Reserve Training Divisions located at the San Francisco Naval Shipyard, Treasure Island, Alameda, San Jose, Vallejo, Santa Cruz and San Mateo.

The professional combat and construction training period began Feb. 17.

Judicial Department Clauses Revised In New Constitution

"A NEW CONSTITUTION FOR OREGON"

(This is the sixth in a series of articles about the revised Constitution proposed by the Oregon Constitutional Revision Commission. The articles were written by Hans A. Linde, professor of constitutional law at the University of Oregon and a member of the Commission.)

Among the oddities which over the past century have crept into the Oregon Constitution, a reader will find two Articles numbered VII — both of them dealing with the "Judicial Department." When Article VII (Amended) was adopted by initiative amendment in 1910, it provided that the courts, except as changed by the amendment, should "remain as at present constituted until otherwise provided by law."

As a result, the repeal or continued force of the old provisions was oddly left to subsequent statutes, and Article VII (Original) is still printed as part of the Oregon Constitution. The Constitutional Revision Commission drafted a new article on the Judiciary Article VI of the revised Constitution. In this task the experience of Supreme Court Justices K. J. O'Connell and A. T. Goodwin, Circuit Judge H. M. Schwab, and the six other lawyer members of the Commission was of great value. It is natural to think the judicial article as the "lawyers' article" in the Constitution, and the Oregon State Bar has in fact concentrated its attention on Article VI. But law and the courts exist for the community at large, not only for those directly concerned with litigation. Law administration is too important to be left to lawyers alone; it is important to everyone.

The provisions of greatest interest in the revised judicial article concern the qualifications and selection of judges, and the power of the Oregon Supreme Court to administer and make rules for the state courts.

JUDICIAL SELECTION
The present Oregon Constitution contains no requirement that judges have any prior legal training. Laymen may and do perform judicial functions. The revised Constitution would assure that judicial appointments be made from persons licensed to practice law. It also adds an explicit new provision that the judiciary shall be non-partisan.

All state judicial appointments would be made by the governor originally. This is in fact true now in more than 90 per cent of all cases. Only rarely is a vacancy on a court filled by election in the first instance. After considering the record in other states where judgeships are regularly filled by political elections, the Constitutional Revision Commission concluded that Oregon's experience with gubernatorial appointment of judges was good and should be made the rule in the revised Constitution.

More controversial was the decision of the Commission that at the end of his six-year term, a judge should run "on his record." His name would appear on the ballot with the question: "Shall Judge (name) be retained?" At present, judicial elections are theoretically contested between competing candidates. In practice, such contests are very rare, and the voters are in effect deprived of their right to vote on retaining a judge unless some lawyer decides to run against the incumbent. The Commission decided that this right of popular review should not be left to the initiative of bar associations or ambitious individuals, nor is the performance of judicial office an appropriate subject for an election campaign between competing aspirants.

Together, gubernatorial appointment of judges and ballot review "on the record" are the key features of judicial selection recommended, with different modifications, by the American Bar Association and other groups that have long worked for judicial reform. In various forms, they are used in California, Missouri, New Jersey, Alaska and several other states. The Oregon State Bar supports initial appointment of judges by the governor, but the Bar prefers leaving their re-election to contests in which another candidate challenges the incumbent.

(All these provisions of the judicial article refer only to state courts. Municipal courts would be governed by statutory provisions.)

COURT RULES
Another issue on which the legal profession has been divided is the provision for making rules of judicial procedure. In federal law, this power has been given to the United States Supreme Court. Lawyers who do not like the federal rules of procedure therefore fear giving the Oregon Supreme Court similar rule-making power. Yet it is widely recognized that the task of keeping court procedures rational, effective and up-to-date cannot be expected and from piecemeal laws urged on a preoccupied legislature to meet particular problems.

The revised Constitution proposes to meet both objectives by dividing the power between the Supreme Court and the legislature. The Supreme Court would propose rules of court procedure and submit them to the legislature. A rule would go into effect only if it had not been rejected by legislative resolution, and the legislature could provide other rules by statute.

A State Law Commission could also be established by statute to advise the governor on judicial selection, the Supreme Court on rules of procedure, and to give systematic study to needed changes in substantive law.

In these provisions the Constitutional Revision Commission made use of recommendations made by the 1959 Legislative Interim Committee on Judicial Administration, among other modifications.

Court Okays Conviction

SALEM (UPD) — The Oregon Supreme Court ruled Thursday that a log trucker injured while going to work could not collect benefits even though he was driving his own truck as part of his working equipment.

The decision upheld the State Industrial Accident Commission. It reversed Linn County Judge Wendell Tompkins.

The log trucker, Thomas Philpott, had argued that he was exempt from the established rule that benefits cannot be collected for injuries incurred while going to or from work.

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Oregon's experience the best present proposals for a modern state government.

(Next: The Bill of Rights.)

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