

Legal Death Moratorium Faces Test

By DE VAN L. SHUMWAY
SACRAMENTO (UPI) — Gov. Edmund G. Brown's proposal for a four-year limited moratorium on the death penalty faced its first legislative test today.

It was expected to squeeze through.

The bill, actually introduced by Assemblyman Lester A. McMillan, D-Los Angeles, began its long trip through the California Legislature with a hearing before the Assembly Criminal Procedure Committee at 1:30 p.m.

As it now stands the bill would close the doors of San Quentin's gas chamber to all but double killers, twice-convicted slayers, kidnap-murders or prisoners who kill peace officers. It would not apply to prisoners now on death row.

This is substantially the same bill, also authored by McMillan, that lost on a nearly unprecedented 40-49 tie vote in the Assembly in 1951.

Brown, long an opponent of capital punishment, obviously doesn't expect serious trouble in the Assembly with this year's version. But he conceded a month ago that there is little chance of Senate approval.

Although the governor supports outright abolition, he pleaded in a special legislative message for a moratorium to "end our modern equivalent of the Roman circus."

Despite the advance head count which showed the bill would have little difficulty reaching the lower chamber floor, proponents called in some heavy artillery.

Late last week Richard A. McGee, administrator of the California Youth and Adult Corrections Agency, announced his support of the bill.

Then Brown's office made public a letter from Dr. Karl Menninger, director of the Menninger Foundation and Clinic in Topeka, Kan., calling the death penalty "a fruitless and barbaric" relic from the past.

Dr. Thorsten Sellin, a University of Pennsylvania criminologist, told a news conference in the governor's council chamber yesterday that homicide rates have nothing to do with existence of a death penalty.

He said that a successful moratorium would show the people of California there was no close relation between the use of the death penalty and homicide rates. Sellin was among those scheduled to testify this afternoon.

Opposition to the bill was being handled by freshman Assemblyman C. George Deukmejian, R-Long Beach, who introduced three bills early in the current legislative session to increase the use of the death penalty.

Among his list of witnesses was J. Miller Levy, Los Angeles County deputy district attorney who prosecuted the sensational Caryl Chessman case.

Chessman, convicted of kidnapping and sex perversion, was executed in the gas chamber three years ago after a 12-year court battle to save his life. He was known as the convict-author because he wrote a best seller while in prison.

Other action in the legislature: Drugs—Sen. John A. Murdy, R-Santa Ana, said he would attempt to water down his bill to clamp strict controls on the drug chloromycetin in an attempt to boost it from committee and onto the Senate floor.

Education — The Senate voted final approval of a measure creating a new educational program for "culturally disadvantaged children." The bill was introduced by Sen. J. Eugene McAteer, D-San Francisco, at the request of Gov. Edmund G. Brown.

Automation — An administration bill to establish a state commission on manpower, automation and technology was approved by the Assembly Ways and Means Committee and sent to the lower chamber floor. The commission would study the impact of automation on employment in California.

Abortion — Assemblyman Anthony C. Beilenson, D-Beverly Hills, introduced legislation liberalizing abortion laws. The bill would permit operations when the pregnancy involves a substantial risk to the mother or when it resulted from rape or incest.

Park Approved
SALEM (UPI) — The Oregon Scenic Area Commission has approved a scenic area starting at the west city limits of Salem and extending three-fifths of a mile along the south side of relocated Highway 22 in Polk County.

Views of the Willamette River were considered in establishing the billboard-free area.

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HOSPITAL REPS ATTEND REDMOND MEET — Mrs. Fred Ehlers, left, secretary of the board of trustees of the Presbyterian Intercommunity Hospital, and Mrs. John Howard, center, wife of the architect of the proposed hospital, attended the annual meeting of the hospital auxiliary area held at the 86 Corral Club in Redmond Wednesday, April 3, to talk with people representing hospitals of other areas. Mrs. Ehlers explained plans for the new Intercommunity Hospital to the group. To the right of Mrs. Howard is Mrs. Wilson Appelgren of Hood River, chairman of the hospital auxiliary Area No. 6.

Police Probe Two Accidents

Two accidents, one involving major damage to two vehicles and the other a hit and run crash, were investigated by city police over the weekend.

A hit and run crash at Main and Twelfth streets was reported to city police at 9:17 p.m., April 5. The witnesses said the hit and run vehicle was driving at a high rate of speed and side-swiped a parked pickup as it tried to pass another vehicle on the right side. The hit and run

driver was proceeding south on Main Street at the time of the accident.

The witnesses said the hit and run car was a red and white 1957 Ford. They said the vehicle was traveling so fast that they couldn't get the license number. The parked vehicle received moderate damage. It is owned by Merlin Fulliam, 2039 Manzanita.

Two drivers escaped injury when their cars collided and were damaged extensively at 4:30 p.m. Saturday at the intersection of Main and Mortimer streets.

Grady D. Sanders, 34, 533 Laguna Street, driver of one of the cars, was cited for failing to yield the right of way to a vehicle driven by Ron G. Head, 17, 321 Haskins Street.

The accident occurred when Sanders was pulling out of a lot near the intersection and collided with the other vehicle while Head was turning left from Main onto Mortimer.

Evangelist Plans Return

HONOLULU (UPI) — Billy Graham, feeling fit after two months of recuperation here, planned to return to the mainland today to prepare for next month's European crusade.

The evangelist underwent a final physical examination Monday and was pronounced "almost fully recovered" from the recent intestinal disorder which forced him to take a two month rest in the islands.

Graham, said he was "feeling very well." But he added that his role in the forthcoming crusade in France and Germany will be limited to one talk a day.

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Four-Cent Cigarette Tax Defeated In House

SALEM (UPI) — A 4-cent a package cigarette tax bill worth \$15 million in the next biennium was defeated 33-24 in the Oregon House of Representatives Monday in a slap for the governor and the House tax committee.

Rep. Clinton Haight, D-Baker, changed his vote to "No" in order to be on the prevailing side so that he could seek reconsideration of the measure later.

The House passed, 33-26, and sent to the Senate a companion bill to raise \$11.5 to \$13 million in the next biennium by speeding up employers' payments of withholding taxes to the state.

The cigarette tax, a key part of Gov. Mark Hatfield's revenue program, went down on a mixed party vote.

Rep. Victor Atiyeh, R-Beaverton, said Oregon was the only state in the Union without any tax on cigarettes. He said it would raise the added revenue for Oregon on which any reform in other tax fields must depend.

The state must raise some \$60 million in new money to balance a \$385-405 million 1963-65 budget. The final figure depends on the ways and means committee.

Rep. Jake Bennett, D-Portland, spoke for some 40 minutes against the cigarette tax. He reminded

Democratic colleagues their party platform opposes a sales tax.

Bennett said the cigarette tax is a selective sales tax, and he predicted it would go up. He also called the proposal "unholy" for

giving an endorsement to tobacco.

He cited numerous cancer statistics. Supporters of the bill, some of whom spoke only in explaining their votes, said Oregon no longer

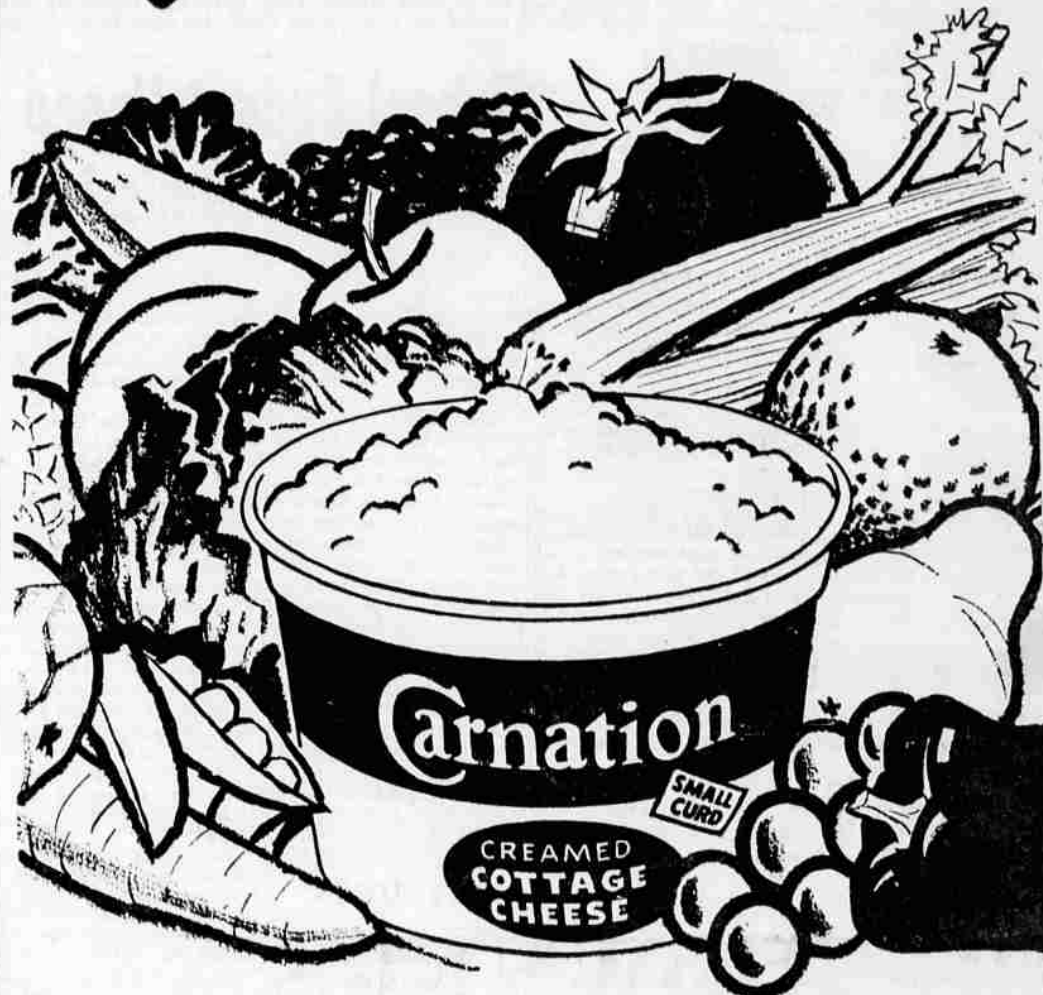
could afford the luxury of being the only state without a cigarette

tax, particularly in view of the state's fiscal difficulties. AFL-CIO opposition to a cigarette tax was reflected in some of the votes.

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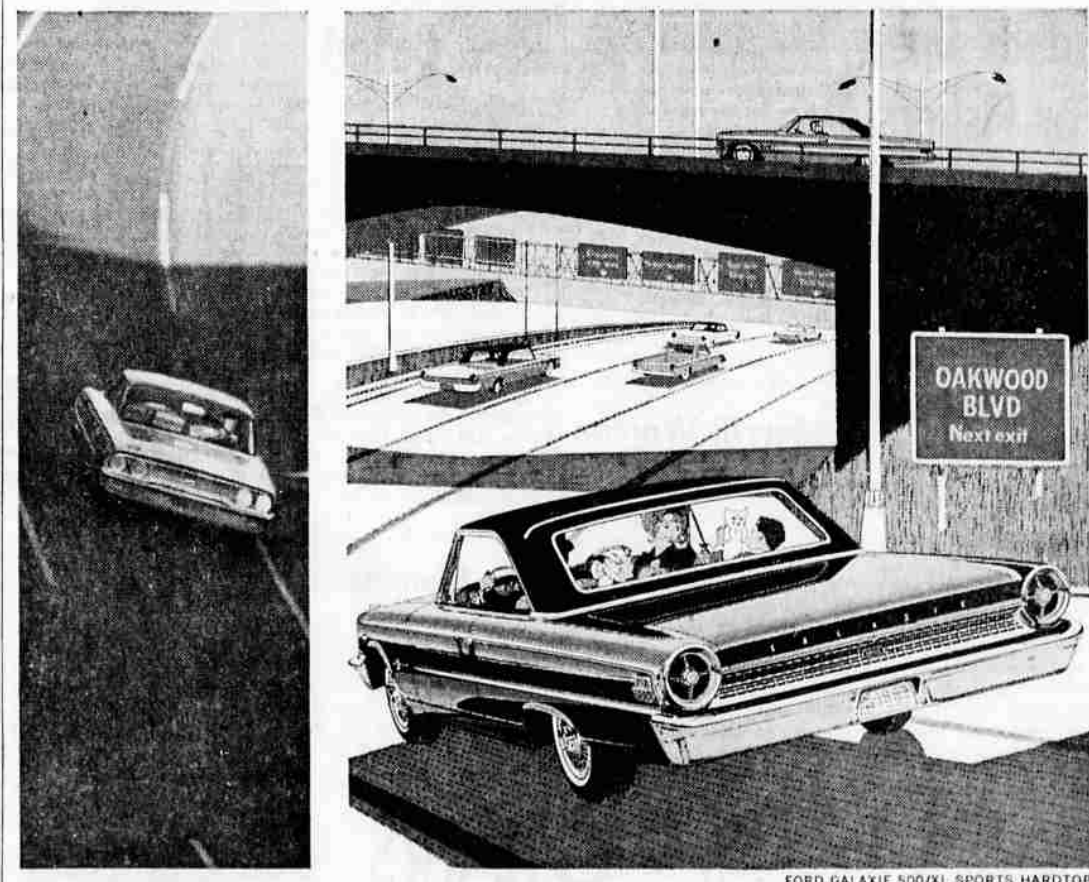
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