

### IT'S YOUR LAW

By Oregon State Bar

#### Today's Comic Books And Freedom of Press

When our liberties are protected in our courts, it is often in cases which appear unsavory, unworthy or even trivial. The direct attacks on our rights as in the Peter Zenger case for freedom of the press seem to have given way to indirect attacks.

Thus, today's comic books aren't so very funny. Some of them are sadistic. Many have aroused opposition to their sale — especially to children.

And so some years ago, one California county made it unlawful to recount certain crimes or to sell "crime" comic books to youngsters under 18. The law expressly exempted newspapers or books telling of historical or religious stories.

The California Supreme court found that this ordinance (1) violated freedom of press, (2) was too broad and arbitrary and (3) denied comic book sellers equal protection of the law.

The trouble with such laws, among other things comes in their drafting. This law, for example, could have stopped a book showing Bugs Bunny snatching carrots or Donald Duck laying a trap for his pursuers. It is just hard to write a law in general terms that marks off a biblical murder from a private eye story.

The First Amendment of the U.S. Constitution covers comic books as well as movies, newspapers, magazines and pamphlets. Unless real dangers are clearly present, the speech or writings in any media are entitled to full freedom, barring libel or an invasion of privacy.

But the law, as the court sees it, must be limited by its terms to such dangerous publications. The case before the Supreme court was not dangerous. But even if some comics were clearly dangerous, the law was otherwise so broad that it covered all sorts of publications.

Besides it's too much to make a bookseller read all his books and judge whether they depict crime. A law which prohibits comics from giving an "account of a crime" is too vague. The bookseller could not well know if he broke the law. Such laws are unconstitutional.

(Oregon lawyers offer this column as a public service. No person should apply or interpret any law without the aid of an attorney who is completely advised of the facts involved.)

### Bertha Culbertson, Mother of Nyssan Dies in California

Final rites for Mrs. Bertha Paul Culbertson were conducted at 8 o'clock Tuesday evening, Aug. 17, 1965, at a funeral chapel in Martinez, Calif. Interment was made in the cemetery at Roscoe, Mo.

She was the mother of Charles Culbertson of route 1, Nyssa, and succumbed Aug. 15 at Martinez following a brief illness.

Mrs. Culbertson was born Sept. 14, 1886, at Dunnigan, Mo. Her husband, Bill, died in 1935 in Missouri and the following year she moved to the Owyhee community. A son, Lee, succumbed in 1938 and a daughter, Arleta, died the following year at Nyssa.

After leaving the Owyhee area and moving to California in 1942, Mrs. Culbertson had visited at the home of her son, Charles, on many occasions.

Three other surviving sons are Lester of Odessa, Mo., Dale of Andersonville, Tenn., and J. V. Culbertson of Kirby, Ore. Also surviving are three daughters, Mrs. Phyrne Rector of Concord, Calif., Mrs. Loga Burkhart of Osceola, Mo., and Mrs. Juanita Powers of Martinez; 19 grandchildren and 27 great-grandchildren.

Mr. and Mrs. Charles Culbertson recently returned home after attending the California services.

### Charles C. Cotton, Former Nyssan, Dies In Boise Rest Home

Services for Boisean Charles Cornelius Cotton, 86, who died Monday morning in a Boise nursing home, will be held at 2 o'clock this afternoon, Aug. 26, 1965, at Lienkaemper chapel in Nyssa. Officiating will be the Rev. Wallace M. Prowell of Nyssa First Christian church.

Mr. Cotton was born Feb. 5, 1879, in Alabama. When a child, he moved with his family to Colorado, then in 1900 to Blackfoot, Idaho, by covered wagon. He filed a desert claim near Fairfield in 1904 and 15 years later moved to Nyssa where he opened and operated two garages. He was married in 1920 to Susie Mary Claeborn.

The Cottons later disposed of their garages and began farming in the Kingman Colony area until Mrs. Cotton died in January 1955. Shortly thereafter, Mr. Cotton moved to Boise.

Survivors include a nephew, William J. Cotton of Boise; three step-sons and four step-daughters. Interment will be in Nyssa cemetery under direction of Lienkaemper funeral home.



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