

## Vista Highlands Sewer Project Scheduled to Start Next Tuesday

The county sanitation district has tentatively set next Tuesday, May 28, as the time to start the Vista Highlands tract sewer extension project, City Attorney Leonard Young informed the city council Tuesday.

"The date is tentative and we won't know if it holds good until we actually see dirt fly."

## STAMP STORE TO CLOSE

On account of the holiday Saturday, proclaimed by Gov. Olson for the re-opening of the San Francisco fair, the Federal Food Stamp store at 1215 El Prado will be closed all that day. L. H. Lowe, manager, announced.

ing," he reminded the board. The project, recently approved by WPA authorities in Washington, will cost the city only about \$2,500, while the total cost is estimated at \$170,000. The WPA project grant was for \$164,968.

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1929 Carson Street :: Torrance

### BUTTER

SOLIDS lb. 31c  
Colorado Gold lb. 33c  
Challenge lb. 34c  
Knudsen's lb. 35c  
Danish lb. 35c

### HALF GALLONS

2-MILK-29c

Local Fresh Ranch EGGS . . . doz. 22c

**Del Monte**  
TOMATO SAUCE  
4 cans. 15c

PEACHES  
2 No. 2 1/2 25c

PINEAPPLE  
Lg. 2 1/2 cans 15 1/2c

TOMATOES  
2 for 25c

CORN  
BEEF 19c

Jas. V. Dunbar  
SHRIMP  
5 oz. cans. 12c

**Libby's**  
ROAST BEEF  
12 oz. can. 19c

Vacuum Pack  
CORN  
12-oz. can. 9 1/2c

Rancho  
SOUPS 4 cans 19c

Hoffman's  
CHERRIES  
1-lb. box 23c

Challenge American  
CHEESE  
2 box 43c

Stock up at this low price

**1 lb. 20c**  
**2 lbs. 39c**

**PARKAY**

—GRUBB'S MARKET— CHOICE MEATS—

**FRESH FISH**

FRESH BARRACUDA . . . lb. 12 1/2c

FRESH SLICED YELLOWTAIL . . . lb. 20c

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**FRYING RABBITS** lb. 25c

**R. I. RED FRYERS** lb. 30c

**LUER'S HYGRADE**

Wieners, Coneys, Bologna, Liver Sausage, Kosher Salami

**2 lbs. 25c**

—TAWA PRODUCE No. 4—

U.S. No. 1

**Golden Ripe BANANAS** lb 5c

**NEW CROP**

**Spanish ONIONS** 5 lbs. 10c

**FINE RIPE**

**Indio TOMATOES** 2 lbs. 5c

**FANCY TENDER**

**Green ASPARAGUS** lb. 5c

**SWEET GOLDEN**

**Bantam CORN** 5 for 10c

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# ATTORNEY WARNS COUNCIL LAW IS DEFECTIVE - POWELL BLAMES AUDITOR

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frankly tell you, however, they will not be acceptable to us.

"A man who has served your city faithfully for 16 years without a complaint surely deserves more than charges which blacken his name in this city. This body owes Stroh every courtesy you can give him. He not only accepts grand jury investigation but welcomes it. He impounded city money on instructions from an official he had reason to believe was acting with authority and in good faith and at no time has he ever held a cent of the city's money improperly," Sheedy declared.

"Our attorney was sitting right here when we took our action," Councilman Murray interjected. "If we did wrong he should have advised us." In its report of the council session of May 14 The Herald stated: "Babcock asked for a ruling from the city attorney on the civil service requirements and Attorney John E. McCall replied that the ordinance states that when a vacancy exists in the police department, the civil service commission will submit as many as three highest eligibles for such an appointment. The council can then make its selection from the list. Ignoring the attorney's advice, Babcock proposed that Sergeant Frank Schumacher be appointed police chief effective June 1."

Attorney Points Shame  
Councilman Hitecock made his first motion to rescind action discharging Stroh but received no qualifying second. Councilman Babcock then asked the city attorney "if your statement was that according to the civil service ordinance the chief of police was under civil service."

"There's no question about that," Sheedy broke in. "He is under civil service. Unfortunately you have failed to set this in proper order. Litigation will be expensive if you follow what your ordinance says. Why, you don't give the chief of police the same protection you give the lowest member of his department."

"I believe all of you know the real truth of this matter," the attorney continued. "Chief Stroh acted upon instructions not to turn over the money in question—you know that and yet you permit a man's character to be blackened. I can't understand why you, the leaders of your community, can't at least give a man a break. You can at least give Stroh a clean bill of health. You ought to be ashamed of yourselves!" he exploded, looking squarely at Murray.

Murray Fires at Lawyer  
"Your ordinance leaves everything vague—you can hire by it but you can't fire. Our organization will be glad to cooperate with you in drafting a better ordinance," he said.

"The city attorney has been asked several times and he has always said the chief was under civil service," Hitecock reminded his fellow-board members. "You have acted contrary to the whole tenets of the civil service system—" Sheedy began and was interrupted by Murray who fired:

"You have acted pretty strong, standing there telling us off-taking in a lot of latitude, I think! The auditor told us over \$400 was discovered in an envelope in the police station. Later he said he did not mean to give that impression."

"I may have acted pretty strong," Mr. Murray, but you are a public official and we don't want to see political use of the merit system," Sheedy replied.

Can Avoid 'Tail-Spin'  
Attorney McCall offered to give an opinion on the points raised in the discussion at the next council meeting. He stated that the civil service ordinance provides no plan "for the direct councilmanic removal of a chief of police—he is under its provisions and must be accorded a public trial."

"I want Chief Stroh to know there is nothing personal in my remarks," Murray said. "But I did not know he was under civil service. I don't see why we should go into a tail-spin over this."

At this point, the man around whom all of the controversy flared made his only statement at the session. Chief Stroh reminded Murray that "you told me a week or 10 days ago you knew I was under civil service."

"If it is still the council's desire to reduce Chief Stroh to a captain, may I remind you that you have just 10 days left to comply with the ordinance if you desire to make such a change effective June 1," Sheedy said. "You can have his public hearing next Friday after the trial board acts. Then none of us will go into a tail-spin over court litigation and all. You'll save the city a lot of money as well as giving Stroh fair, proper treatment."

All Illegal, Prewett Says  
Mayor Tom McGuire, who had been an interested listener up to this point asked if the council wanted a written opinion from the city attorney.

"Yes, and if things have been done wrong we should rectify them," Babcock replied. One-time Councilman Joseph Wright gained the floor and put in that when the ordinance in question was drawn up "I had nothing to do with it. The city attorney (then C. T. Rippy) said afterward it was unconstitutional in regard to the chief of police."

Biven M. Prewett, supporter of Councilman Powell in the recent election and arch-critic of council actions under former Mayor William H. Tolson, next addressed the council. He was accompanied by Attorney Albert Isen, another of Powell's political advisors in the 1940 councilmanic campaign, who did not speak.

"I want to ask the city attorney if the ordinance was passed by vote of the people?" Prewett questioned and was informed it was. "If Stroh's removal is illegal the abolishment of the office of director of public safety (formerly held by Stroh) is also illegal and the council can't abolish it and Gerald M. Calder is still chief of police and Stroh is still a captain."

No Plan for Dismissal  
Prewett's contribution did nothing to clarify the situation and it was promptly cast aside. Babcock then asked the city attorney for a written opinion on the civil service ordinance. Secretary Gilbert of the P. O. C. S. A. gained the floor once more to cite instances of recent litigation affecting Hermosa Beach and Compton police officials "because of illegal acts of their councils."

"We want a man who has been president of our association for two years, a reputable citizen of your community, to get a fair break that's all," he said. Attorney McCall pointed out that the civil service ordinance "does not set up any plan to dismiss a chief of police or a chief of the fire department" and asked for time to prepare a written opinion. Questioned by Hitecock that "it is your understanding that the chief is under civil service?" McCall continued by saying:

Murray Is Confused  
"Yes, he has been since 1939 when the state legislature passed a validating act for sixth class cities which have civil service ordinances which listed police and fire chiefs as 'public employees.' As to their removal I defy anyone to tell me how to remove a police chief or fire chief under our present ordinance without recommendation of the civil service commission."

Mrs. Nettie Brown of 1008 Cedar avenue urged reconsideration of Stroh's ouster declaring there "is no need for court action to clear this up." She praised Stroh and said "we owe him that appreciation."

"I contend this is a very confusing ordinance," Murray mourned.

"I agree, and we want to help—and we want justice done," Sheedy told him.

Councilman Powell, who had not spoken since he had said he was willing to convey the request for an investigation of Stroh's and Judge Lessing's departments to the grand jury, then made the following statement:

Nothing Personal, Powell Says  
"I'm not going to argue about the ordinance—it's debatable. I made the motions for the removal of Stroh and Lessing. I was interested in protecting the interest of the public and according to our auditor's own statement there was a shortage of

## 'Fireworks' Pop as Council is Faced With Suit If Ouster Not Rescinded

\$1,200 in the judge's accounts and over \$400 of it was located in the police department.

"Four policemen gave receipts out of the police department at various times and the whole shortage was made up. This is not a personal matter with me. There is nothing personal in it. I have been a friend of John Stroh's for years. But it's a matter of public trust," Powell said.

"Mr. Powell, you said in your original accusations you heard something was wrong in the police and city judge's departments. Do you know if it was true?" questioned Attorney Sheedy.

"The auditor told me and then he told a different story after our action was taken," the councilman replied.

Procedure Outlined  
"But how about you—do you know if there was any truth in your accusations, or are you taking someone else's word for charges that defame a trusted employee of your city for 14 or 16 years?" continued Sheedy.

"I'm not a mind reader," Powell replied.

Hitecock then offered his second motion to rescind the council action of May 14 reducing Stroh in rank "and give him a hearing before the civil service board." Considerable discussion followed but the motion again died for lack of a second.

Babcock questioned Attorney McCall as to the procedure to be followed in obtaining a hearing before the civil service trial board and the attorney outlined the formalities—filing of written charges, 10 days notice, testimony taken under oath, followed by a recommendation to the city council which must be adopted by that body.

"How long would it take to start proceedings or action?" Babcock continued.

Different Stories Told  
"Just long enough to prepare and file charges with the civil service commission—took about two hours in the Stevenson case," McCall replied referring to the public hearing conducted by a civil service trial board in 1938 which resulted in the dismissal of one-time Fire Chief A. D. Stevenson.

"Our auditor seems to have two or more different stories to offer about this case," Murray commented and he asked Attorney Sheedy: "Will you help us draft a new civil service ordinance?" Sheedy said he and his organization would be "most willing to assist."

"Why doesn't the chief of police have to take an examination to be chief of police?" questioned Babcock, but no answer was forthcoming as Murray suggested "we should have a conference on this matter with our own attorney."

Babcock Wants Justice  
"Yes, and you should give your chief of police—whoever he is—the same courtesy that you give the youngest rookie in your police department or even a drunken bum . . ." began Sheedy to be stopped by Murray who objected:

"Oh, it isn't that bad, Mr. Sheedy."

"It is that bad, Mr. Murray. By continuing to defend these alleged charges against Chief Stroh you're telling everyone in this town Stroh misappropriated public funds and is not giving him a fair trial to disprove those allegations!" the attorney rapped out.

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motions died for want of a second.

Corrects Probe Motion  
It remained for Councilman John V. Murray, who had tilted with Attorney Sheedy several times during the session, to move that the council hold another adjourned session Thursday (today) at 4 o'clock. This was adopted unanimously. City Attorney McCall was instructed to be prepared to present a written opinion on Stroh's status and the procedure to be followed if charges are placed against him with the civil service commission.

Councilman Vera Babcock, whose motion May 14 resulted in the appointment of Sergeant Frank Schumacher as police chief effective June 1, declared that: "I believe there may have been an injustice done," referring to the manner in which Stroh was ousted, "however, I believe the police department would be better off under a different head. If we did something wrong I want to rectify it."

Early in the session, before Attorney Sheedy launched his examination of the council's action in reducing his client in rank, Powell read a statement to the effect that he moved that the city clerk be instructed to request a grand jury investigation of the city judge's and police chief's departments "this letter to include reference to the motion passed by the council May 14 authorizing this investigation."

Powell to Carry Request  
Altho the council went on record then as asking the grand jury probe, no official was formally "instructed" to contact the county inquisitorial body regarding the request and it was not transmitted.

Powell's motion was seconded by Murray who questioned the

civil service commission, who had listened intently to the discussion, told the council that the ordinance was favorable with other city's statutes but it "is ambiguous and not very clear on a number of points and should be clarified by a vote of the people." He reaffirmed Attorney McCall's verbal opinion that action of the civil service trial board is final in regard to dismissals from duty or reduction in rank and the meeting came to an end.

It will be resumed this afternoon at 4 o'clock.

## Get Your New Driver's Licenses Now Before Rush

Local motorists who must secure new driver's licenses—and the deadline is July 1—may obtain them by calling at the Hawthorne police station Thursday and Fridays from 9 to 4:30. The driving permits are also available at the Long Beach headquarters of the Division of Motor Vehicles, corner of Broadway and Atlantic.

"I offer a substitute motion," Hitecock interjected, "that Powell be authorized to contact the grand jury in regard to this investigation, authorized by the city council on his allegations. Let him take the job."

"That is acceptable to me," Powell said, "and I'll be glad to do it if the city clerk will give me a letter to the grand jury." Murray said the substitute proposal was also acceptable to him and seconded it. The motion carried unanimously.

Stating that he "was inquiring for information," Powell said he called on City Clerk A. H. Bartlett, requesting a copy of the auditor's report on the accounts of the city judge in regard to "the shortage in city funds."

"Bartlett told me he didn't have it, that Rambo (the auditor) had it in his brief case," Powell continued. "I believe those records should be in possession of the city at all times."

Clerk Bartlett stated that Rambo had taken the report out of the city files "because he

wanted to refresh his mind with the contents and he intended to have it here today at this meeting. However, he was held up by a grand jury investigation in San Bernardino."

Order Copies Made In Future  
"Has the report been officially turned over to the city?" Mayor Tom F. McGuire asked.

"I don't know if it was," Bartlett replied.

"Hereafter I believe it would be a good practice to make copies of all reports when they are given out," the mayor instructed.

"Rambo promised to have the report ready for me yesterday and it still isn't here," Powell continued.



## NO EXTRA RAIL FARE!

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