

Press-Herald

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Some Facts on Taxes

Everybody talks about taxes, and some people do something about them. But it always is interesting to know just how the people who pay them really feel. Assemblyman Hale Ashcraft of La Jolla has undertaken to get a partial answer, at least, to what kind of taxes the average citizen prefers, if you can use the word "prefer" in connection with taxes. Of the 1559 who answered his questionnaire, 615 said they would prefer any necessary tax increase to come from cigarette levies. The sales tax was the preference of 512; personal income tax 94; property tax, 42, and so on. Asked which tax they would prefer to see reduced, 996 respondents said the property tax, only 54 the sales tax and 17 the cigarette tax.

As to Governor Brown's pet state personal income tax withholding proposal, 58% of those answering said they would object to it even if the bill embodying it also included exemption of household goods, 25% reduction in school property taxes, elimination of business inventory tax, and tax relief for those over 65 with limited income.

Although the Ashcraft poll is far from definitive, it provides some interesting food for thought; something the tax makers may talk about, but probably not do much about.

OTHERS SAY:

Diversity Is Strength

It used to be that when you wanted something, you worked to earn it. Now, it seems, you stage a demonstration to get it at government expense.

It used to be if you lost your job, you took whatever work you could find or you went where there was work to be done. Now many of those drawing unemployment compensation turn down a job unless it suits their fancy.

It used to be that a family would work and save for a lifetime to earn a taste of security. Now more and more people are demanding that the government guarantee them an annual income without any effort on their part.

We seem to have lost sight of the fact that, throughout our history, the great advances have come, not from paternalistic government but from the venturesome and creative individual. Henry Ford did not adapt the assembly line technique to auto production in response to a government directive. Nor did Thomas Edison develop the incandescent lamp with the help of a government subsidy. These achievements were the product of individual initiative, of strongly-held minority views, of a social climate not of conformity, but of variety and diversity. In my view, we would do well to work toward a revival of such a climate in our country.—George Champion, board chairman of Chase Manhattan Bank, in an address to the Colorado Association of Commerce and Industry.

The young people who treat their parents with courtesy and respect are the ones who were told the first time they said "I won't" to either mother or father: "Yes, you will. And you had better be quick about it." A child brought up that way knows who is boss around the house, and it is reassuring to him to know that he isn't it.—Petersburg (Tex.) Journal.

The role of the free newspaper is misrepresented perennially by politicians who lose elections. Often the distorted picture is deliberate because experienced public officials know better. They know that the press attempts to be as fair as possible in its news columns. But a public which does not always understand the various functions of its newspaper may be misled by half-truths. Traditionally, the free editor reserves the right to express his own opinion in editorials. The "stand" of the newspaper is judged by editorial expression. Yet, its news section, and in letters to the editor, more space often is given to an opposing viewpoint.—Sikeston (Mo.) Standard.

As a newspaper goes about the task of publishing the news fairly without favor, criticism can be expected from time to time from just about all the "publics." As long as John Q. and his neighbors are back of you, any storm can be weathered. We won't go into a re-counting of the responsibilities of the press in a democratic society. Let it be said that your support is gratifying. It makes us want to work harder than ever in bringing you the best possible newspaper every week.—Graylake (Ill.) Times.

Morning Report:

For a country full of people who will call the cops to stop a dog fight and who have made killing bulls in public a crime by law, I can't understand how professional boxing is allowed to remain.

Floyd Patterson is complimented by experts in the field because he stayed in the ring with Cassius Clay even after his injured back prevented him from sitting down between rounds. The contest was over. But he let Cassius continue beating him. This permitted the people who had bought tickets to get their money's worth of Patterson's blood and pain.

I was not among them. But as a liberal who feels every citizen should be allowed to go to hell in his own hand-basket, I'm not calling for prohibition. Even though I am a little sick.

Abe Mellinkoff

The Substitute Police Reporter



HERB CAEN SAYS:

'Dolly's' Piano Player Really Knows His Score

THE PIANO PLAYER in the "Hello Dolly!" orchestra REALLY knows the score, baby. During the performances, he read the New Yorker, Time, Newsweek, and paperback books without ever missing a note! . . . Comedian Woody Allen got \$5,000 a week for his hungry stint and was worth every nickel of it. In fact, judging from his recent performances, he has to be the best comic around these nights (when you see him, hollar and stomp until he tells "The Moose Story," a classic) . . . Of course, one reason he had to work so hard was to keep the show from being stolen by his co-headliner, Singer Noel Harrison who no longer needs to be identified as Rex Harrison's son. Along with a wicked charm, young Harrison sings everything with rare style from Bob Dylan to Aznavour to show tunes to Jockney. Besides, how can you knock a man who wears a black turtle-neck sweater with his dinner jacket? . . . Of relative importance: Big bearded William Crosby Miller, a leader of the Viet Nam Day Committee, is Bing Crosby's nephew. But hardly Bing's favorite relative.

A MESSAGE OF DOTAGE: Horace Stoneham hopes to start the Giants' Sunday doubleheaders next season at 10:30 a.m. — and he will if the churches don't raise a fuss . . . John Robertson, dismally fingering one of those miserable new 25-cent pieces. "Where are they making these — in Japan?" . . . Sidney Poitier, an anticlotting crusader, trying to get Mike Connolly to cut down on the cigarettes: "Just name me ONE person who has benefited from smoking." Mike: "Uh—Doris Duke?" . . . Joan Baez' Institute for the Study of Non-Violence in non-violent Carmel Valley has been closed on a bldg. inspector's beef, and I guess there's nothing left for her but violence.

WHADDAYA MEAN, whatever happened to Tab Hunter? The answer, such as it is: he opens here Jan. 11 in "Barefoot in the Park" . . . And the hotly controversial "The Deputy," heading for our town this month, won't make it; the national company was shot down in the box-offices somewhere in the Southwest where the natives probably thought it was a Western . . . Shtop der pweases: "Franklin Murphy, UCLA's brilliant Chancellor, has the inside rail for

ROYCE BRIER

Job Corps Leaders Under Fire at New Jersey Camp

When President Kennedy announced the Peace Corps, it appeared visionary. But it caught on in America, and proved of benefit to undeveloped countries.

When President Johnson announced a War on Poverty, it also appeared visionary. The problems presented were colossal compared with the limited Peace Corps problem.

Whether it is visionary, time will tell. So far it is no success. Funds available, running to millions in some metropolitan areas, proved subject to a selfish political scramble by local wheeler-dealers, ranging from mismanagement to scandal. Nobody is satisfied with the crusade, least of all those it is designed to help.

An auxiliary activity of the War is the Job Corps. This was conceived by the Office of Economic Opportunity, Sargent Shriver, director, to prepare poor youths, most of them school dropouts, for jobs.

Several residential training centers were established across the country, and selection of candidates for

the centers was full of pitfalls. It was found expedient to turn the centers over to private industry for administration. One of these centers, with a muster of about 1,500 youths, was established at an abandoned army post in New Jersey named Camp Kilmer. The center was administered under contract with a subsidiary of International Telephone, and Rutgers University had a sub-contract to advise on educational method.

An obvious trouble-maker in this contract was a provision that no news release regarding operation could be made without the contractor's approval. This is in accord with the government's tendency to impose secrecy on its activities, particularly those subject to embarrassing criticism. Embarrassing criticism immediately began to fog activities at Camp Kilmer.

the cushy \$100,000-plus a year job as head of the Ford Foundation (the current chief, Henry Heald, is retiring) . . . In case you missed it on "Hollywood Palace," Bing Crosby asked Willie Mays: "How do you feel batting against Sandy Koufax?" Willie: "That's the onliest time I wish I was Jewish!"

THE LITERARY LIFE: Niven Busch is off to beat the drums for his very hot new political novel, "The Gentleman from California," which he researched by conducting long interviews with Pat Brown, Unruh, Artie Samish and Tom Kuchel. "But," he says in an awed tone, "the central character came out sounding like Nixon anyway. That guy has a life of his own!" . . . Novelist William Saroyan, being sued (in the local Muni Court) for \$3,920 in unpaid rent by the owner of a N'York apt. house, is countering for \$50,000 in Superior Court. Saroyan wrote the complaint himself, charging that leaks and noise "made the meditation and fantasy so necessary to a writer's work out of the question" — and that's why he moved out before the lease had expired.

MAYOR YORTY SAYS

Court Rulings Diminish Protection for Society

Has the judicial pendulum swung too far toward the protection of the individual criminal and too far away from the protection of society?

An increasing number of concerned Americans are convinced that the welfare of society has been relegated to a secondary role through recent high-court opinions which appear to erect a legal shield around the confessed slayer and convicted criminal.

Los Angeles Mayor Sam Yorty has expressed a deep concern about the trend, saying the situation created through court decisions "is not only of great concern to law enforcement officials. It is also of the utmost importance in the lives of all citizens."

To press his point, Mayor Yorty has cited three leading California cases which are reported below, cases which he said were among the many that have been overturned on "technical grounds" despite overwhelming evidence of guilt of the accused.

In this connection, Yorty cited FBI data to show that 225 police officers were killed by criminal action in the last five years, and that of the 293 persons responsible for the police killings, 78 per cent had previous records of arrest. More than half of the criminals had been arrested for crimes of violence, and six of the officers were killed by previously convicted murderers. The FBI compilations cited by Yorty also showed that a third of the killers were on parole or probation at the time of the murders, and over 25 per cent had been paroled on two or more occasions after committing serious crimes.

Three of the leading cases cited in Yorty's study are:

The following are facts in the Anderson case as reported in the Official Advance Sheets of the California Supreme Court, published Oct. 15, 1965.

MURDER . . . PEOPLE V. ANDERSON, 61 A.C. 903—October 1, 1965.

On December 7, 1962, Kenneth Hammond, age 13, returned from school and found the defendant, Robert Anderson, in the blood-smeared kitchen of the Hammond home, where Anderson had been living for about eight months. The defendant was clad only in slacks, and stated that he had cut himself.

Later, Kenneth discovered the body of his 10-year old sister, Victoria, under some boxes and clothing in her room. He ran screaming from the house and called the police.

When the police arrived, the defendant, first failing to open the door, finally did so. Next to the bed, the police found the nude body of the child, pierced by numerous stab wounds; they found a knife on the bed and blood throughout the premises. Bloody footprints approximately the size of the victim's feet stained the hallway between the master bedroom and the victim's room. Her dress appeared to have been ripped off and the undergarment slashed.

The defendant admitted that he had been drinking, and that he must have killed the girl, but did not remember. He stated that he remembered looking down at the victim's bleeding body, and dragging it into the bedroom.

The autopsy report showed that the child had died from the result of stab-wounds of the left lung. The report listed 41 wounds

Quote

The only way to keep this country free is to fight for our freedom and to help others keep theirs. — R. D. Cope, USN., San Diego.

The goal of life is the satisfaction of knowing you have done your best.—Chris Storm, Menlo Park.

ranging over the entire body from the head to the extremities. The tongue had been cut. The sexual organs had been mutilated. Cigarette traces were found in one wound, and a cigarette butt in another. Additional superficial cuts brought the total of wounds to over 60. Anderson was convicted of murder and sentenced to death.

On October 1, 1965, the California Supreme Court in a 4 to 3 decision REVERSED the conviction and death penalty because of improper instructions to the jury, improper admission of incriminating statements made by the defendant at the time of his interrogation, and other technicalities.

The high court said that there was insufficient evidence that the defendant intended to commit mayhem or to torture.

In his dissenting statement, Justice J. Schauer observed: "On each and all of the theories presented by the State, the record before us, disregarding the defendant's admissions, appears to me to overwhelmingly establish that the defendant sexually attacked, mutilated and killed the 10-year old daughter of the woman with whom he had been living. The little girl's body mutely evidenced the grisly facts; there was no substantial issue as to the identity of the perpetrator. Nothing said in the majority's discussion of the technical procedural questions casts doubt on the stated proposition.

"The majority's discussion does, however, leave me with the impression that they are failing to honor the long established principle of the appellate review which Mr. Witkin thus articulates: "After the jury (and the trial judge ruling on the motion for a new trial) have found the defendant guilty, the presumption of innocence is replaced by the presumption in favor of the judgment, and a reversal can be ordered only if, upon no rational hypothesis, is there substantial evidence to support the judgment."

"In the circumstances of this case I do not find that the defendant's conviction and sentence constitute a miscarriage of justice . . . I would affirm the judgment."

The defendant is waiting retrial in Santa Clara County.

The following are the facts in the Modesto case as researched by the Los Angeles Police Department.

MURDER — PEOPLE V. MODESTO, 62 A.C. 452. — February 11, 1965.

On October 29, 1961, their parents left two sisters asleep in bed and went to the father's place of employment. When they returned later that night, they found the younger sister, age nine, dead on the floor of her bedroom and the older sister, age twelve, missing. There was blood in the room and on the bed of the missing girl.

The defendant was arrested later that night at his home. There was blood in and on his car, and the blood on the rear seat was smeared as though a body had been dragged across it. The defendant's sledge hammer with a four-pound head was removed from the trunk of his car, and a chemist found that the hammer had been heavily smeared with blood and had been washed.

At the time of his arrest, defendant was wearing only a pair of shorts. There was blood on his hands, on his shorts and other clothing.

Later that night the defendant confessed to killing the two girls by hitting them with the sledge hammer. He picked up the older girl, took her to his car and drove down to a drainage ditch. She was moaning loudly when he threw her into the water.

The conviction and death penalty were reversed by the California Supreme Court in 1963 because the trial judge did not instruct the jury on the issue of

manslaughter as well as murder. The defendant was tried, convicted and sentenced to death at a second trial, and the California Supreme Court in the present case reversed his conviction again, this time because defendant was not advised of his right to remain silent before he made his confession.

The following are the facts in the case of the People V. Price as reported in the Official Advance Sheets of the California Supreme Court, published October 15, 1965.

MURDER — PEOPLE V. PRICE (Crim. No. 7646) — October 1, 1965.

On March 15, 1963, the defendant, Richard Price, accompanied by a juvenile accomplice, entered a service station in the city of Lodi, shot a customer in the leg, and drove off with a car belonging to the station owner.

Officer Charles Sorensen of the California Highway Patrol, answering the call, pursued the defendant at speeds of 85 to 90 miles per hour. During the chase, the defendant shot at automobiles passing in the opposite direction, apparently hoping to cause an accident and thereby halt Sorensen's pursuit. The defendant crashed the car, and with his accomplice fled on foot around the side of a vacant house. As Officer Sorensen, following on foot, rounded the side of the house, the defendant fired two shots at close range, killing the officer instantly.

The defendant then took the dead officer's pistol, and with his accomplice took the patrol car. Deputy Sheriff Hale Humphrey and others set up a road block across Highway 12. Defendant deliberately drove the patrol car at a speed estimated to have been in excess of 100 miles per hour into the vehicles blocking the road, killing Deputy Humphrey.

The defendant was tried and convicted of first degree murder, robbery, auto theft, and grand theft of a pistol.

On October 1, 1965, the California Supreme Court, IN A 4 TO 3 DECISION, REVERSED the conviction because of improper instructions by the court, in receiving into evidence incriminating statements made by the defendant, and other technicalities.

In dissenting from the majority's opinion, Justice J. Schauer stated: "I cannot find ground in fact or law for doubting that this defendant deliberately murdered California Highway Patrol Officer Charles Sorensen, or that he likewise murdered Deputy Sheriff Hale Humphrey, or that he committed the other crimes of which he was found guilty by a duly impaneled jury. Nor do I find any tenable basis for doubting the defendant was accorded full measure of due process of law, or for believing that any miscarriage of justice occurred in the trial court. The only miscarriage of justice I find in this case is the reversal in this court."

Justice J. McComb, also dissenting, observed: "This court should not give the semblance of cheapening its function by even an implication that a reversal can be automatic. The issue is important to the defendant because his life is at stake; it is more important to the people of California because their lives are at stake every day and every night, in their jobs, in their homes, and upon the streets, unless potential killers are deterred by fear of the law. They will fear the law only in proportion to the fidelity of its enforcement."

The defendant is waiting retrial.

Because of the special feature published here today, Stan Delaplane's travel column and William Hogan's book review will be found elsewhere in your newspaper this week.