

DEVIN FILES KIMSEY CHARGE

Mayor William F. Devin today filed with the City Council formal charges against Police Chief Herbert D. Kimsey, accusing the chief of failing to exercise control over the police force, of failure to maintain "the peace and quiet of the city" and of failure to halt prostitution and gambling.

The mayor filed his removal notice, containing two legal-size sheets of charges against Kimsey and letters he wrote to the chief at various times, in the office of City Comptroller W. C. Thomas.

It now is up to the Council to conduct a public hearing on the accusations against the chief. It requires six Council votes to sustain them.

The mayor also sent his secretary, David Shanahan, to the Public Safety Building, to deliver a copy of the removal notice to Chief Kimsey. The chief declined to comment.

Charge Listed
The mayor charged Kimsey is "unable or unwilling to manage the Police Department in an effective manner" and said the laws of the city and state, with particular reference to the control of vice, prostitution and gambling have been continuously and openly violated.

In particular, the mayor said, he has called upon the chief of police many times to enforce laws and ordinances covering "the vice known as prostitution." The mayor said he had collected evidence of the violation of laws and ordinances and furnished such evidence to Kimsey without tangible result.

"The peace and good order of the city have been seriously disturbed by inaction on the part of Kimsey," the mayor stated.

Enforcement Vital, Says Mayor
Enforcement of the laws and ordinances prohibiting vice, gambling and prostitution is vital to the war effort, Mayor Devin said, and it is inconceivable that the large numbers in the armed forces should not be protected in Seattle against social vices.

Mayor Devin listed 28 dates on which he reported gambling establishments to Kimsey. He said one place was reported ten times, three reported eight times and three reported six times. He told the chief he was not content with simple arrests, but wanted closing.

The State Health Department, the mayor said, had written five letters last year to the chief, reporting houses of prostitution.

Mayor Devin cited a letter he received from a citizen reporting gambling, saying "from this letter it would appear there is protection money being paid by gamblers to members of the Police Department."

Letters Included
Devin's exhibit listed letters from the State Health Department, from the Federal Security Agency and one from the mayor to the chief asking for investigation of the area around 12th Avenue South and Jackson Street, which the Army declared "out of bounds."

Included with this letter was one to the mayor from the State Health Department, naming seven houses of prostitution the state said were operating. Addresses were given.

The mayor concluded by including the letter from the Paine Field commandant establishing an out-of-bounds rule for Paine Field men on 74 city blocks here; another letter, from Maj. Gen. Robert H. Lewis, commanding the Northwest Sector of the Western Defense Command, threatening to invoke the federal May Act here, and a statement by the mayor that he had received "from another military commandant" a letter similar to the Paine Field letter.

Spokane Aluminum Union Vote Ordered
WASHINGTON, June 3.—(AP)—The National Labor Relations Board reported today it has ordered an election within 30 days from May 31 to determine a collective bargaining representative at the Aluminum Company of America's Mead plant at Spokane.

Employees will decide whether they will be represented by Local 29, Aluminum Workers of America, Congress of Industrial Organizations, or the Spokane Aluminum Trades Council (American Federation of Labor), or by neither.

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No Ousted Police Officer Restored to Duty — Elliott

Henry Elliott, Seattle attorney and member of the Civil Service Commission, announced today that no ousted policeman has been restored to duty by action of the commission during the past seven years.

Elliott made the statement in a letter to Elmer E. Todd, publisher of The Times. The letter follows: Dear Mr. Todd:

In The Seattle Times, Friday, May 28, 1943, there appeared a front-page editorial on the Police Department crisis. In the course of this editorial it was said: "For years, ousted policemen have been restored to their jobs through the kindness of the Civil Service Commission or the courts, or changes in police administration."

The identity of the editorial writer, of course, is unknown to me, and therefore I write to you, as I am sure you are particularly desirous that statements of fact contained in editorials shall be true and accurate. As to what occurred more than seven years ago, I do not attempt to speak, as I have not had occasion to review the records.

Sure of Records
In the last seven years, I am sure that the records will show that no ousted policeman has been restored by action of the Civil Service Commission.

In the same period of time, the Civil Service Commission has consistently voted to sustain the dismissal of every policeman except one. In this single case, the commission found, upon investigation and hearing, that the officer in question had maintained an unblemished record in the department for over 20 years and that the chief of police had acted hastily and without full investigation in dismissing and deciding that a 90-day suspension without pay was a sufficient disciplinary penalty for the officer's indiscretion.

Common Conception Denied
The decision of the commission was concurred in heartily by the chief of police after he heard the facts developed at the hearing. I know there has been a common

conception prevalent in the community for a long period of time that an ousted policeman can be restored to the department by a change of administration. What ever may have been the situation in the past, I can assure you from personal knowledge that no such course of conduct has been countenanced within the past seven years. I am confident that you will be quick to make amends for the mistake which The Times made in informing the public to the contrary.

In fairness to the courts, also, I should like to point out that within the same period of time there has been no court decision overruling the Civil Service Commission in sustaining the dismissal of any member of the Police Department. As you doubtless know, the courts are not called upon to review matters of this kind unless an appeal is taken from the decisions of the Civil Service Commission.

Yours very truly,
—HENRY ELLIOTT.

Williams Lands Plan
Another letter referring to The Times editorial—which proposed a thorough reorganization of the Police Department under an independent Police Commission—was received from David J. Williams, also a Seattle attorney:

Dear Sir:
I do not know who wrote the editorial appearing on the front page of the May 28th Times, but I think it has a lot of merit.

Some years ago I did considerable reading on the history of police commissions. I found that some had worked out well and some had not. It depended, of course, in part on the law under which they operated, and more on the personnel of the commission. Sometimes they worked out well for a time and afterward declined in value.

Certainly, at the moment the very best of our citizens would be willing to serve and give any amount of time necessary.

Yours very truly,
—DAVID J. WILLIAMS.

Chief Kimsey, if Ousted, Will Have No Police Job
At stake in the battle between Mayor William F. Devin and Police Chief Herbert D. Kimsey is not only the chief's job, but Chief Kimsey's very connection with the Police Department, it was shown today.

Under the City Charter, if the chief is ousted, he is out of the Police Department. This was reported to be giving some concern to City Council members who must judge the mayor's charges against the chief. These councilmen heretofore had believed the chief would go back to a captain's rating if he were ousted. The Charter bars this.

Kimsey said he believed his pension rights also would be lost, but the state law setting up the pension system provides that when a policeman has put in 25 years of service, he has accumulated a right to a pension. There is nothing in the law that says an ouster proceeding would change this.

Council in Secret Talk About Vice
(Continued From Page One)
Mayor Devin is seeking dismissal of the chief "for cause," and quoted from numerous past letters he has written Kimsey asking for the suppression of vice and the elimination of commercialized prostitution.

Chief Kimsey, informed of the mayor's plans, reiterated his determination to fight the ouster.

WARDENS GIVEN POLICE POWERS

OLYMPIA, June 3.—(AP)—A new order covering the authority of air-raid wardens and auxiliary policemen and two orders backing up earlier regulations concerning dimouts and public gatherings were announced yesterday by the Washington State War Council.

The dim-out and public-gathering regulations are unchanged from those proclaimed by Lieut. Gen. John L. De Witt of the Western Defense Command, but now will be enforceable under specific law. Violations are described as misdemeanors.

The council said the regulations were effective immediately.

"The warden and auxiliary police order covers only the period between the air-raid warning (red) and the ending of the emergency. Failure of the civilian public to obey instructions, directions or commands of wardens or auxiliary police, the regulations said, shall constitute a crime.

When necessary for the protection of life and property and to prevent a breach of the peace, the wardens and police are empowered to arrest violators within the areas for which they are appointed.

Meeting with the council yesterday were Lieut. Comdr. Warren Dewar and Lieut. Comdr. O. W. Fisher of the United States Navy; Richard Everest, assistant secretary, Office of Civilian Defense, and representatives of the Army.

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Drafted Men Soon Will Get 14 Days
SALT LAKE CITY, June 3.—(UP)—Selective Service draftees throughout the Ninth Service Command will be granted 14-day furloughs after June 13, it was announced here today by Col. A. E. Merrill, liaison officer with the Ninth Service Command Selective Service.

However, Merrill said some 14-day furloughs would be put into effect immediately, with about half of the inductees up to June 13 receiving the extended furlough period and the other half getting only the seven-day pass.

Truck Kills Child
MOUNTAIN HOME, Idaho, June 3.—(AP)—Lonnie Janousek, 3-year-old son of Mr. and Mrs. Otto Janousek, was killed yesterday by a truck on a residential street.

U. Seniors Set Annual Dinner, Dance at Hotel

University of Washington seniors will hold their annual banquet and dance (on Monday night at the Edmond Meany Hotel as the second event of the graduation week program. It was announced today.

Dr. Henry T. Buechel of the College of Economics and Business will talk on "Thoughts and Actions for Wartime."

Graduation exercises will be held June 12 at Meany Hall.

War Plan Pleases Curtin
SYDNEY, Australia, June 3.—(AP)—On behalf of the Australian people, Prime Minister John Curtin expressed today to President Roosevelt and Prime Minister Churchill appreciation for what he described as their assurance that the war in the Pacific would be prosecuted with the same vigor as the war in Europe.

A human being consumes a daily average of 10 milligrams of manganese.

DON'T FREE JAPS, ENFORCERS ASK

SACRAMENTO, June 3.—(AP)—The Pacific Coast International Association of Law Enforcement Officials yesterday adopted a resolution urging the government to keep the Japanese in relocation centers on the ground their release to take jobs in California might "incite riots which would sorely try the depleted ranks of peace officers."

James S. Egan, chief inspector of the Federal Bureau of Investigation, Washington, D. C., was elected association president, succeeding T. W. Parsons, Vancouver, commissioner of provincial police of British Columbia.

Other officers elected included Martin T. Pratt, sheriff, Multnomah County, Oregon, second vice president; Capt. Shirley R. Marsh, assistant attorney-general, Olympia, Wash., fourth vice president; Carl C. Donough, United States attorney, Portland, Or., secretary-treasurer.

Orphans, Victims Of Nazi Bomb, Buried

A SOUTHWEST COAST TOWN, England, June 3.—(AP)—Eight orphan girls, who were among the 20 children killed in the German bombing of a Sunday school last Sunday, were buried today in a communal grave.

The services were conducted by the Bishop of Exeter and were attended by hundreds.

The girls, aged 10 to 12 years, were from a nearby church army home. The other 12 children killed in the attack are being buried individually.

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A combination of fine oils that will delight you. Not a drop of alcohol that with some folks makes their hair harsh and hard to live with. A small 50c bottle should last you a long time. Apply very little and massage a lot—then note how fine your scalp feels—and how long the product lasts. A new war-time item made by LUCKY TIGER MFG. CO. — KANSAS CITY, MISSOURI

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