

The Juneau Independent

The Voice of Alaska's Capital City

VOL. VI., NO. 44

JUNEAU, ALASKA, WEDNESDAY, JULY 2, 1958

PRICE FIFTEEN CENTS

ALASKA RECEIVES STATEHOOD



Brailing Salmon from a Floating Fish Trap, circa. 1938, Southeast Alaska

Photo by Sean Linehan, NOS, NGS, courtesy U.S. Fish & Wildlife Service, Fisheries Collection

final disposition of the property has been accomplished.

In the Fairbanks commissioner's office alone there were 250 pending cases, 25 of which had been filed between 1905 and 1915, 38 filed between 1915 and 1945, 97 filed between 1945 and 1955 and the remainder filed between 1955 and 1959.

It is entirely possible that title to the property in a great number of these pending cases has never been determined. In some of the

different from Kenai, Palmer, Wrangell, Kodiak, Seward and Cordova. Under the commissioner system the U. S. commissioners kept the fees they earned and paid for facilities out of court "earnings." In some instances U. S. commissioners were given an "allowance" to defray some of the expenses and in some instances direct payments were authorized from Fund C for expenses. In these smaller offices the rental expenses must be considered together with telephone and utility expenses and all of these problems were directly affected by the fact that the old fee system was discarded and all magistrates were placed on a salary.

To attempt to handle separate billings from all out-

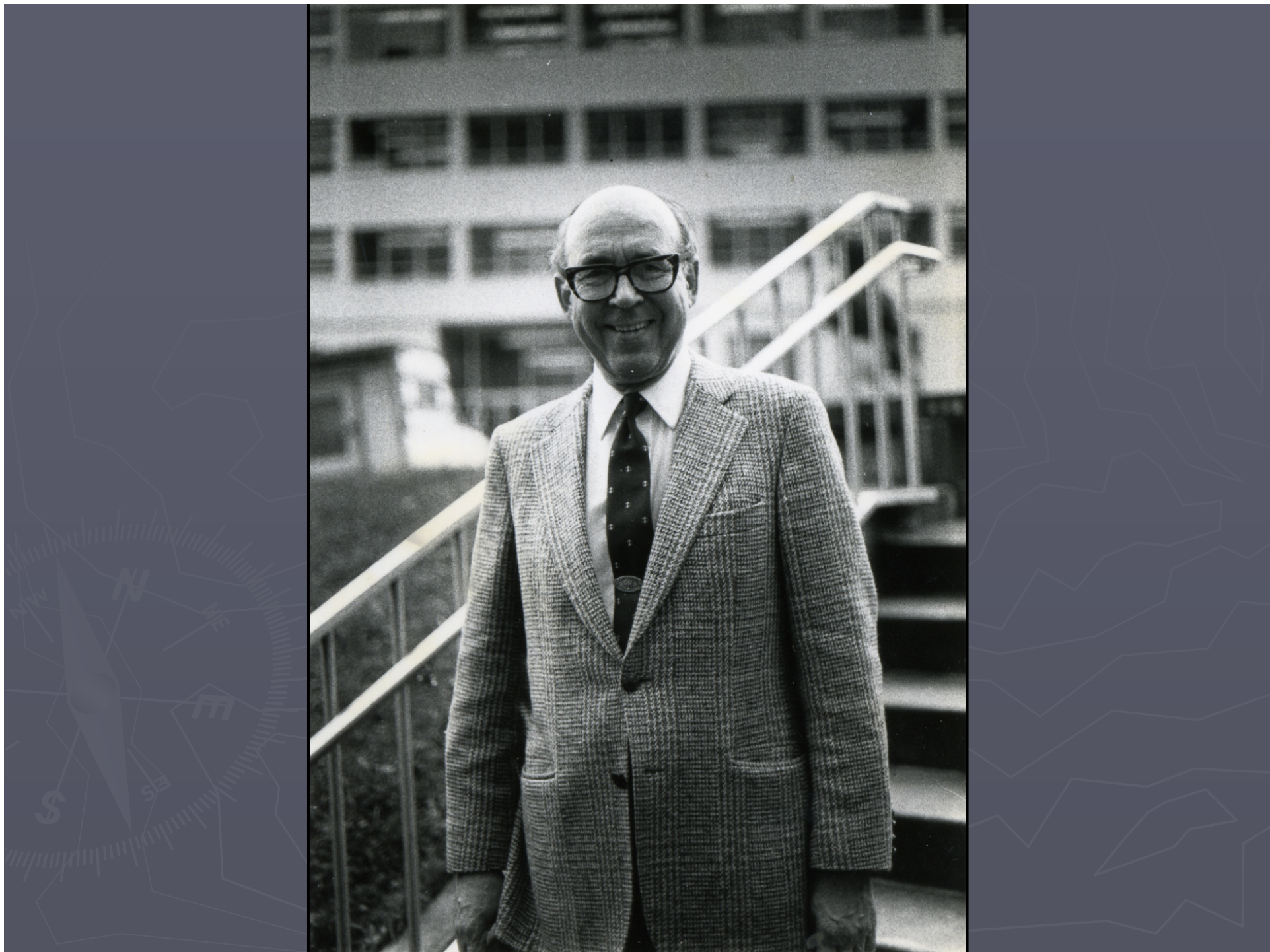
expense involved

THE ALASKA COURT SYSTEM

FIRST ANNUAL REPORT

1960

Prepared in the office of the
Administrative Director of Courts
Lathrop Building
Anchorage, Alaska



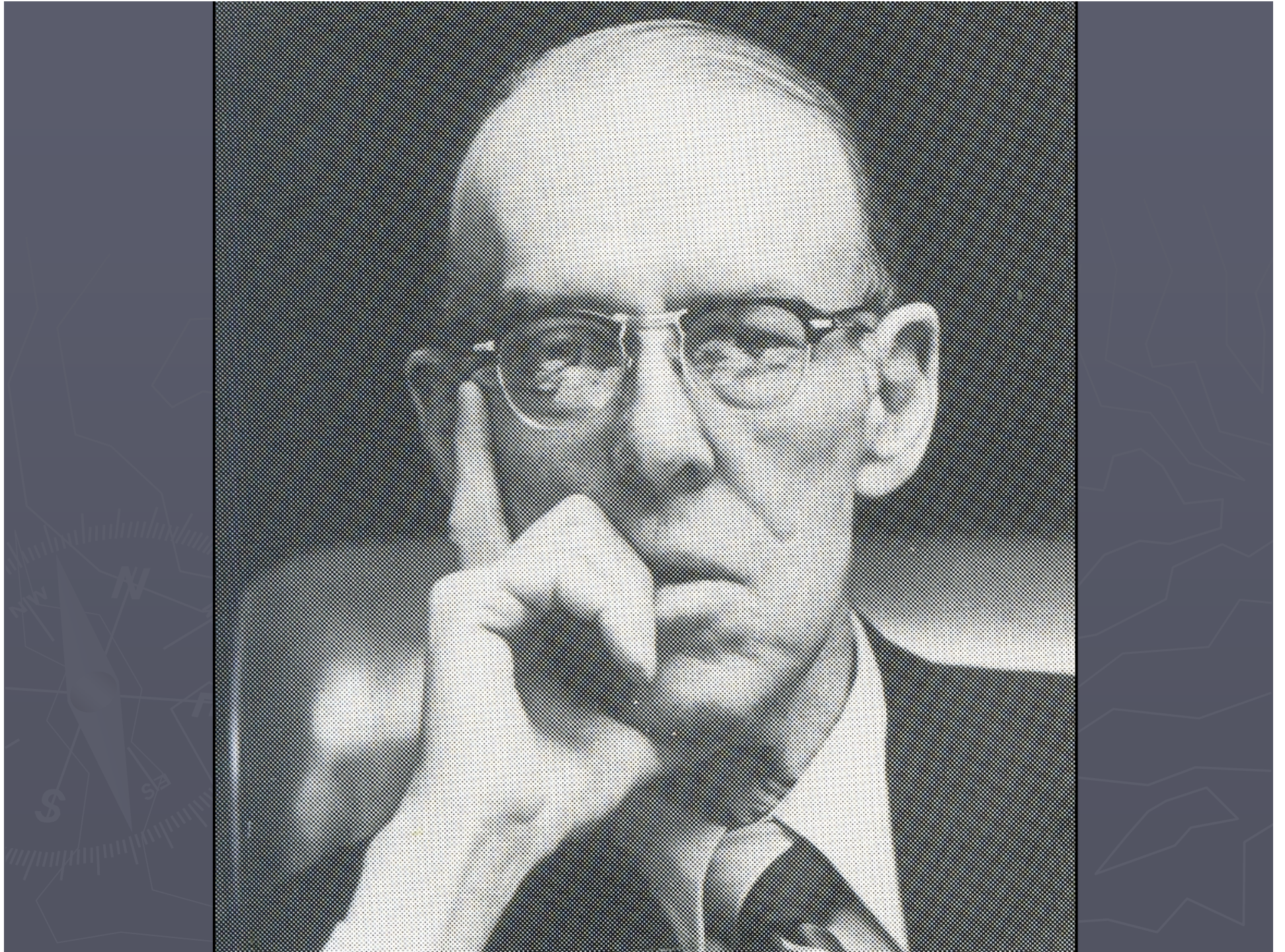


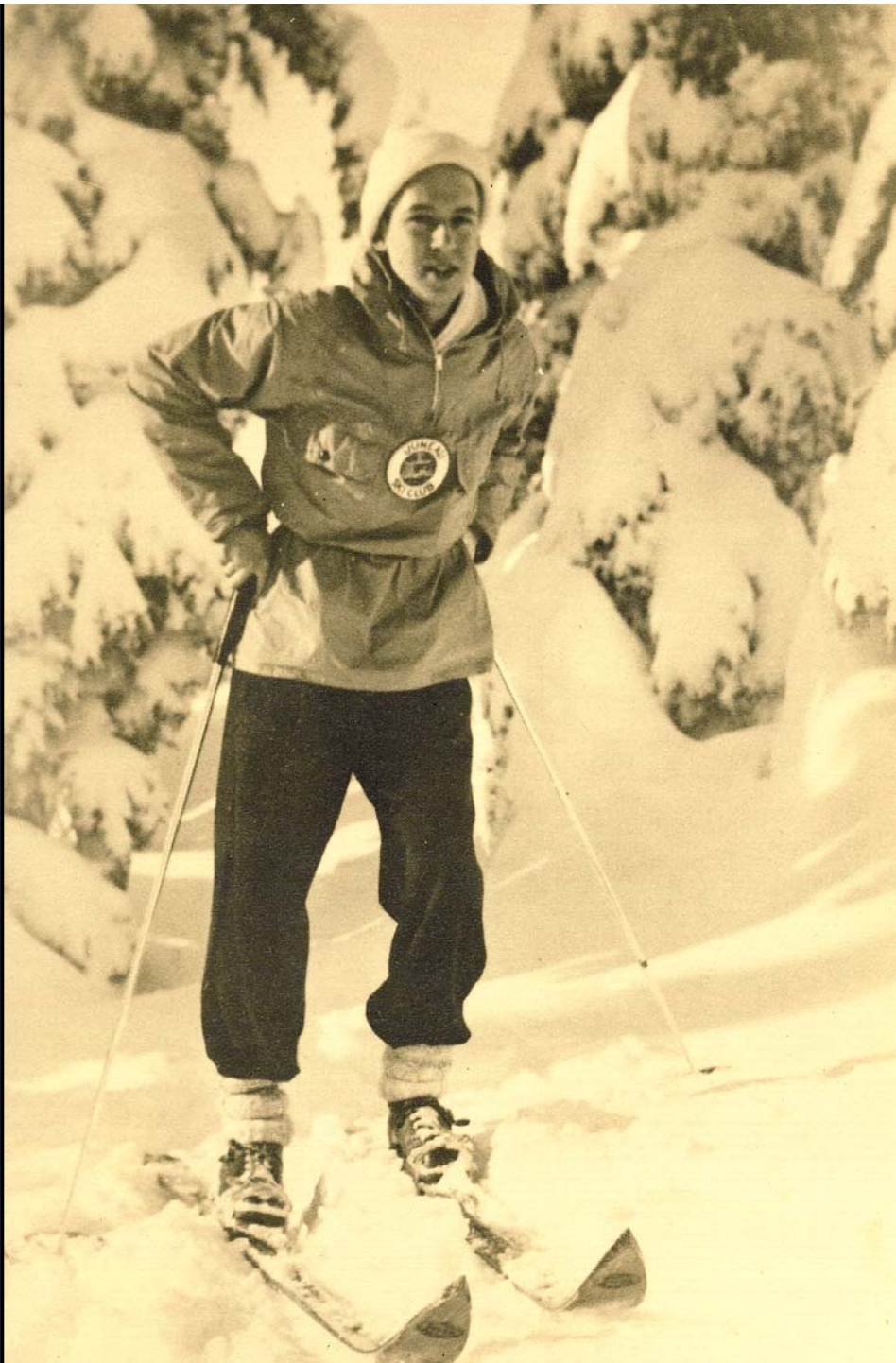






Photo courtesy of Tom Stewart

In preparation for a Juneau Fourth of July parade in 1929, 10-year-old Tom Stewart dressed as Uncle Sam. His sister Mary dressed as the Statue of Liberty.











Judge Tom Stewart is presented with the American Judicature Society Herbert Harley Award from U.S. Supreme Court Justice Sandra Day O'Connor. Judge Stewart also received the Alaska Bar Foundation Jay Rabinowitz Public Service Award.



JUNEAU

Former Judge Honored for His Constitutional Vision



Retired judge Thomas Stewart served as executive secretary of the Alaska Constitutional Convention 50 years ago and is credited with helping make Alaska's constitution a model for others.

One of Alaska's founding fathers and a well-known former judge received a national award in May for his work in promoting high standards for the state's judiciary.

Former Juneau Superior Court Judge Thomas Stewart received the American Judicature Society's Herbert Harley Award at the Alaska State Bar Convention held in Juneau. Retiring U.S. Supreme Court Justice Sandra Day O'Connor presented the award.

Not only did the award honor Stewart's time on the bench, it credited the Juneau resident with a much broader vision for the state's judiciary in creating the state's constitution. According to the *Juneau Empire*, this fall will mark 50 years since Stewart, now 86, served as executive secretary of the Alaska Constitutional Convention that adopted a merit process for the selection of judges long before Stewart was appointed to the Juneau Superior Court in 1966.

Stewart retired in 1981, but is known as more than a judge to many in Juneau. A decorated war hero, he has sung opera, performed in a Juneau Perseverance Theatre play and climbed his last mountain at age 84.

Called "Alaska's Benjamin Franklin" by friend and current state Supreme Court Justice Walter Carpeneti, Stewart spent three months at Indiana University earlier this year, where he was invited to write a book about the creation of the Alaska Constitution.

"There's universal consensus that the Alaska Constitution is the model for state constitutions," Carpeneti told the *Empire*, adding that the document doesn't get bogged down into statutes like so many other state charters. And for that, Carpeneti said, Stewart "is responsible as much as any person is."

MICHAEL PENN./JUNEAU EMPIRE

Statistics

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few

On transition, nearly five thousand cases were transferred to the State courts from the Federal courts.

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Of these, 4370 were transferred to the Superior courts, 570 to the District Magistrate courts, and 41 to Deputy Magistrate courts.

Five hundred of the cases were

Justice Shall Prevail

Until recently, Jess Nicholas of Kenai was using a blazo box for a Judge's bench, (someone had taken back the card table he had borrowed). He explained to us that these boxes were what Standard Oil used to ship cans of gasoline in. He added, "It made such a unique bench for a Judge that two officials of Standard Oil have taken pictures of it to use in publications printed by that Company".

Mr. Nicholas now has a desk.

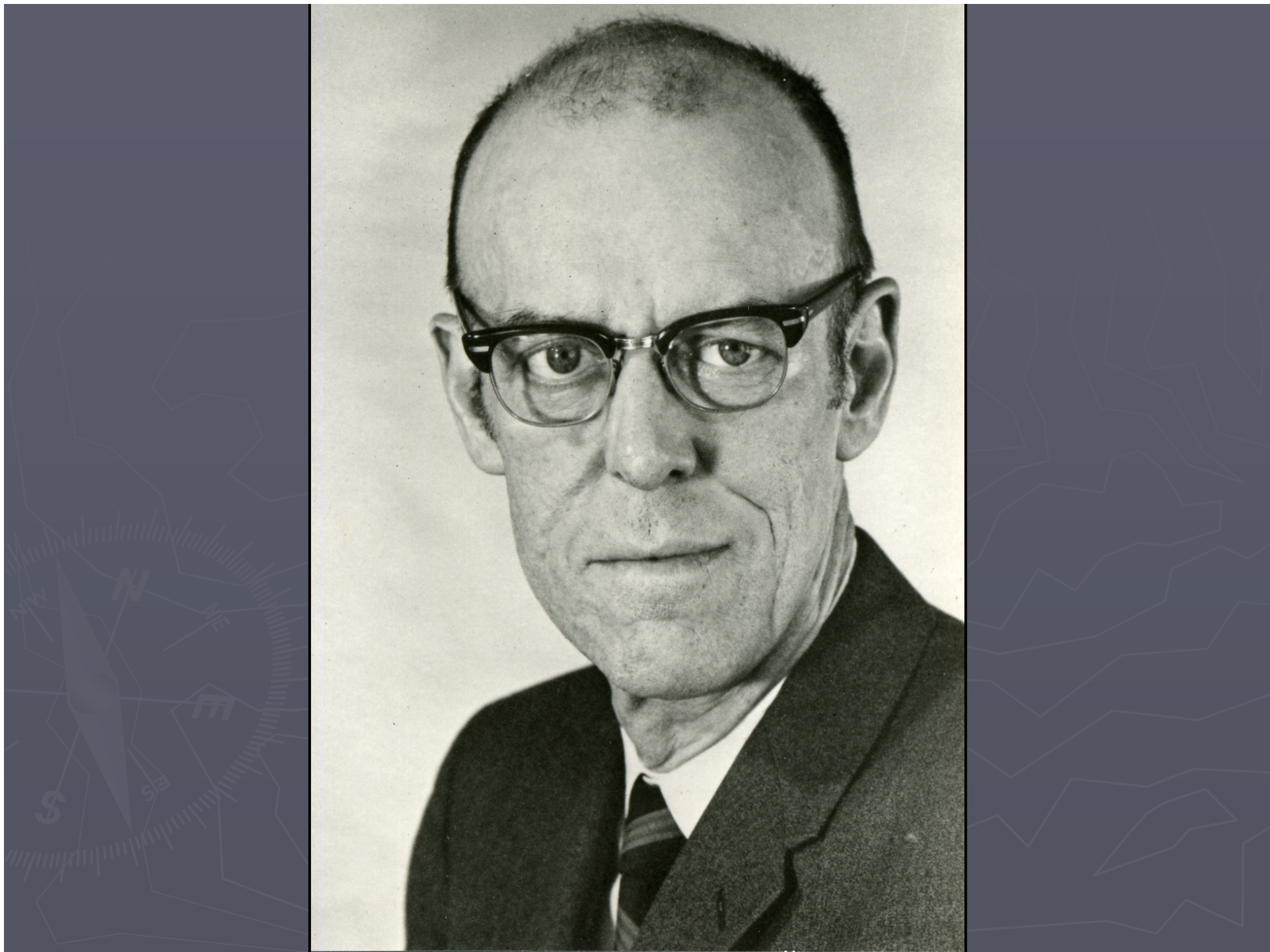
Egan Names Tom Stewart State Judge

DEC 4 1966

JUNEAU, Dec. 3 (AP) — Gov. William Egan tonight appointed Thomas B. Stewart, former territorial and state legislator, as Superior Court judge in Alaska's First Judicial District.

Stewart, now administrative director of the Alaska Court System, stationed at Anchorage, will replace James A. von der Heydt, recently appointed to the





Glacier Priest to Seek Tracks Left in Ice by Giant Beast

*D. C. Youth Is Invited
to Go With Father
Hubbard to North.*

*Party to Take Steel Boat
to Alaska—Scientist on
Speaking Tour.*

An Indian legend of a line of "great tracks" which some prehistoric monster left in the stone of the Barrier Mountains will lure Father Bernard H. Hubbard back to his favorite glacier country when Spring breaks up the ice in Alaska's inland waterways.

The "glacier priest" said yesterday that from year to year, in various sections of the mountains, he has heard the Indians refer to the tracks, regularly spaced, printed with claw marks and extending a hundred years across the ice and rock-capped summit of a mountain near the Canadian border.

In Father Hubbard's party of four veterans of many previous exploring trips to Alaska will be a new addi-



JOHN DIMOND,

Cadet at St. John's Military Academy, who will accompany Father Bernard Hubbard, glacier priest on his next expedition to Alaska.

—Star Staff Photo.

DEATH STALKS GLACIERS

Father Hubbard Tells of Four Narrow Escapes

Priest Boiled Own Hand to Cure Poisoning

Father Bernard Hubbard, Santa Clara University's "glacier priest," arrived in San Francisco yesterday fresh from his summer's trek into the high ice country, and brought with him the story of the trip's three successes and four near disasters.

Last mishap of a danger-studded expedition occurred scarcely a week ago, just before the priest left for the States, when a fishing boat burned with 16-year-old John Dimond, youngest expedition member, aboard, Father Hubbard revealed for the first time.

Young Dimond, son of one of Alaska's delegates to Congress, was severely burned, and escaped with his life, Father Hubbard said, "only by a miracle." After struggling through two miles of mud and icy water, the youth got a chance to ride to the Juneau hospital, where prompt treatment saved his life.

TREACHEROUS RIVER

There were several such miracles during the hazardous trip—the only one in which Father Hubbard has had any accidents in ten years. He said yesterday:

"But this time we had enough trouble to make up for the nine smooth years."

The expedition had one boat wrecked and two others swamped in the treacherous, rapid-strewn Taku river. Camera and scientific equipment valued at \$2000 slithered into the swirling waters, as Father Hubbard and his companions scrambled to precarious safety.

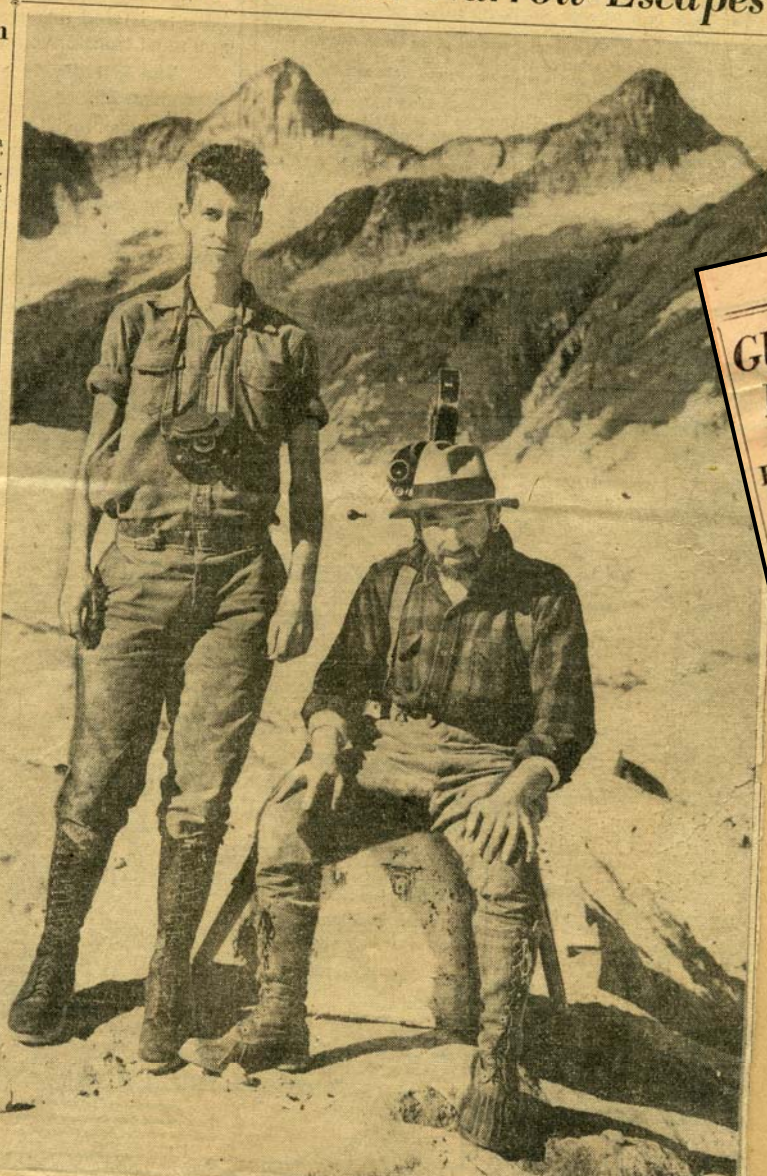
Ed Levin, the priest's first assistant, was the beneficiary of another miracle when he tumbled headlong into a 50-foot crevasse and got off with two broken ribs and some torn muscles.

'IT MAKES ME SHIVER'

Father Hubbard himself was in a bad way when a knife slipped in his hand, and he sliced off the top of a knuckle. Blood poisoning set in and the hand swelled, but the priest saved the injured member his own parian treatment, and it got well. He said:

"You heat a pan of water to a boil, take it off the stove, and as it stops bubbling, thrust the hand into it," he explained. "When the water gets cool, heat it again, and repeat."

Smiling as he noticed the reporter's look of anguish, he added with a grin, "It makes me shiver a little to think of it now, but it's the only way to cure those things when you're off in the wilderness."



John Dimond (left), who had a harrowing escape from death in a burning boat, poses with Nicholas Cavaliere on Taku ice cap in Alaska. Twin Devils' Paw peaks in background.

SATURDAY, JULY, 18, 1936

Father Hubbard Escapes Injury In River Mishap

(Continued from Page 1)

Glacier Priest Reveals Rescue By Alaska's Dog Team Heroine

Father Hubbard, Wrecked in Rapids of Twin Glacier River, Saved When Mary Joyce Brings Aid; Steel Boat Lost in Accident.

By the Associated Press.

Juneau, Alaska, July 13.—The chance arrival of a motorboat fishing party led by Mary Joyce, Alaska's attractive "lady musher," helped save Father Bernard Hubbard when his boat was wrecked recently in the icy rapids of Twin Glacier River, the priest explorer disclosed today.

Miss Joyce, who drove a dogteam 1,000 miles last midwinter to a Fairbanks ice carnival, had sailed with her party in their boat downstream to view the rapids. "She was horrified, she told me later, to see a man on a rock and a wrecked boat in the raging waters," Father Hubbard said. "She ran their boat ashore and found George Gatty, a member of our expedition."

"Safe Below Rapids."

"He jumped in and piloted it downstream. I leaped into it as it swirled past and we soon were safe below the rapids."

Father Hubbard, describing the wrecking of the river boat from which he and Ken Chisholm, former Santa Clara football player, had leaped "by almost a miracle" onto a rock, said it was the first serious mishap in his ten years of Alaskan exploration. He gave great praise to Chisholm.

Father Hubbard's specially built lightweight steel boat and much

valuable equipment were lost in the accident, which occurred last week. He ordered a new one shipped, but planned to return to the scene with a heavily built wooden riverboat he bought here. "With the high water aiding us, we had gone through the rapids both ways several times and all but the last load of our tons of equipment was safe at our island base camp," said the University of Santa Clara priest.

Dogs Are Freed.

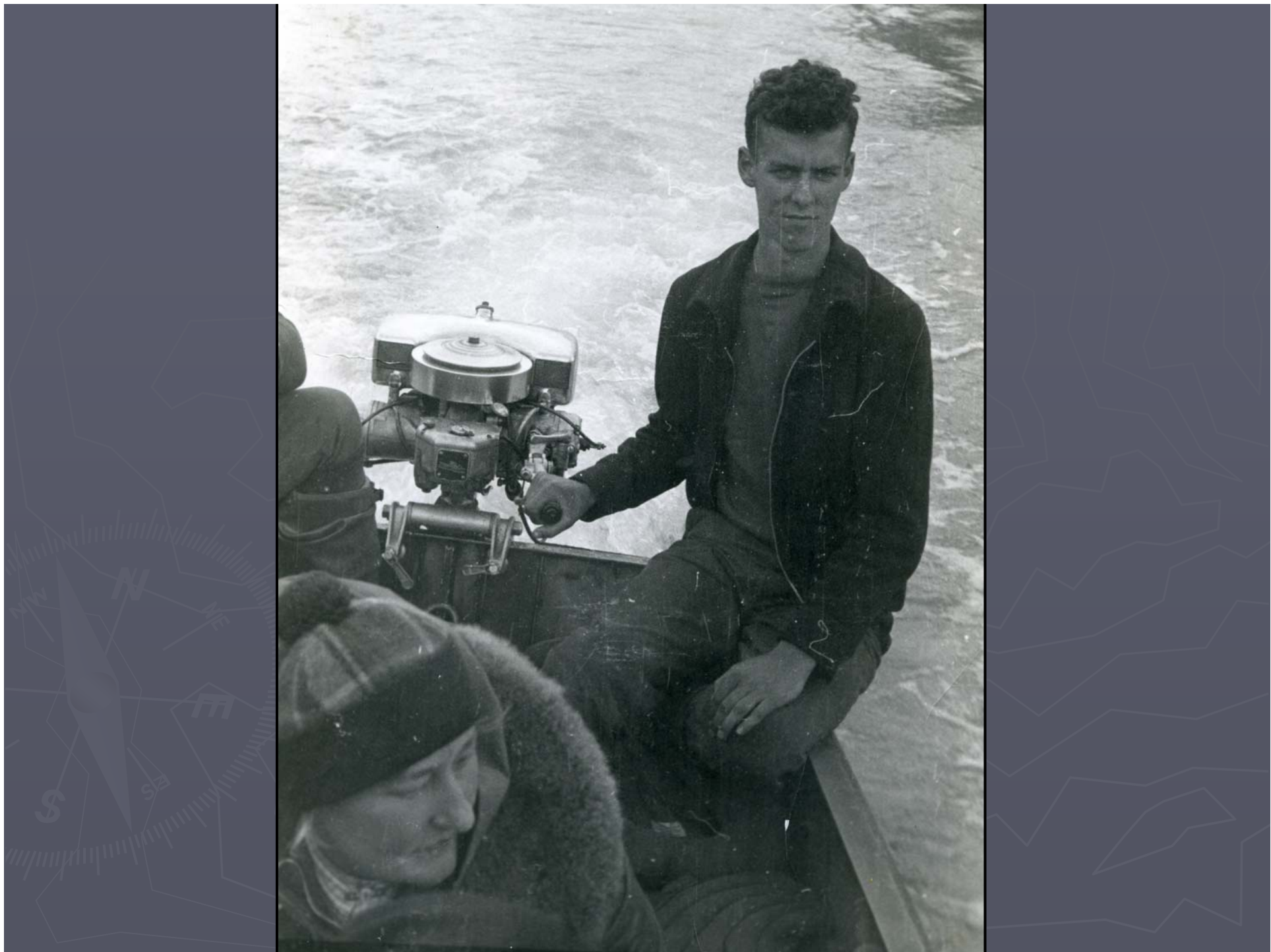
"The last trip our propeller sheared a rock. Our heavily loaded boat hit and turned over. We managed to unsnap the chains of Magelk and Magook, our sled dogs, and jumped."

Ice floes were swirling down the rapids and their position appeared precarious. Chisholm volunteered to try to swim the rapids. Taking off his boots and shirt, he received the priest's blessing and plunged in. "He went under twice, but chilled and numb, made shore and ran through the forest to camp, Father Hubbard related."

His shouts aroused Nicholas Cavaliere, cameraman, and Joseph Dimond, his assistant, and they returned with ropes and axes. With night coming on two hours later, Miss Joyce's boat appeared.

him to gain the and clamber- he licked our ying his tail, he could his The clumsy ged in, fol- ample, and

swimmers," ded, "and ouble, had t I could ing Ma- d-pound is bet- made. o the urged they can man way



John Dimond in Hospital After Boat Accident

Thursday night while alone on a 35-foot fishing boat, belonging to J. E. Smith, of Juneau, John Dimond, son of Anthony J. Dimond, Alaska's delegate to Congress, was painfully burned about the face and hands in a gasoline explosion, following his attempt to start the engine. Young Dimond was a member of the Father Hubbard expedition, and upon the return of the members of the party September 2, was spending some time in Juneau before leaving for the States to enter school.

Towing Logs to Shrine Site

With two other members of the expedition, Edgar Levin and Kenneth Chisholm, he volunteered to tow some log rafts from Eagle River for the Shrine to Saint Terese. The logs were delivered to Shrine site and on Wednesday the boat was being returned to Juneau. About midway in the channel, between Lynn Canal and the Gastineau Channel, the boat went aground on Mendenhall Bar. The next morning Levin and Chisholm walked across the tidal flats to the Glacier Highway and walked into Juneau, leaving John Dimond to watch the boat. They intended to return on the next high tide to bring the boat in.

Attempts to Start Motor

Thursday night at 8 o'clock, the boat started to float, and without waiting for his older companions young Dimond primed the engine and whirled the fly wheel. Unknown to the boat users some gasoline had evidently leaked into the bilge and the revolving wheel splattered the gasoline on a small stove burning nearby. The gasoline exploded and in a moment the whole boat was in flames. The boat burned beyond any hope of salvage.

John Dimond leaped into a small skiff and rowed rapidly away from the raging fire. Suffering from the burns and especially from the shock, he made

(Continued on page 4)

John Dimond in Hospital After Boat Accident

(Continued From Page 1)

towards the lights of a dairy farm on the nearby shore and when he reached shallow water got out of the skiff and started to flounder through the mud and water. He discarded his boots and trousers which retarded his progress and in spite of intense pain he had the grit to stagger on.

Rushed to Hospital

His shouts were heard by Everett Kirschofer of the dairy, and as soon as Kirschofer saw the condition young Dimond was in, he rushed him in his automobile to St. Ann's Hospital. It was providential that Dimond received such prompt assistance on so lonely a road in the darkness of night. Hardly an hour after the accident he was in the hospital and being treated by Dr. W. W. Council. While extremely painful, his injuries are not considered very

dangerous, nor are any serious consequences expected.

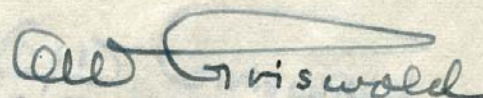
His father will arrive in Juneau today from Ketchikan.

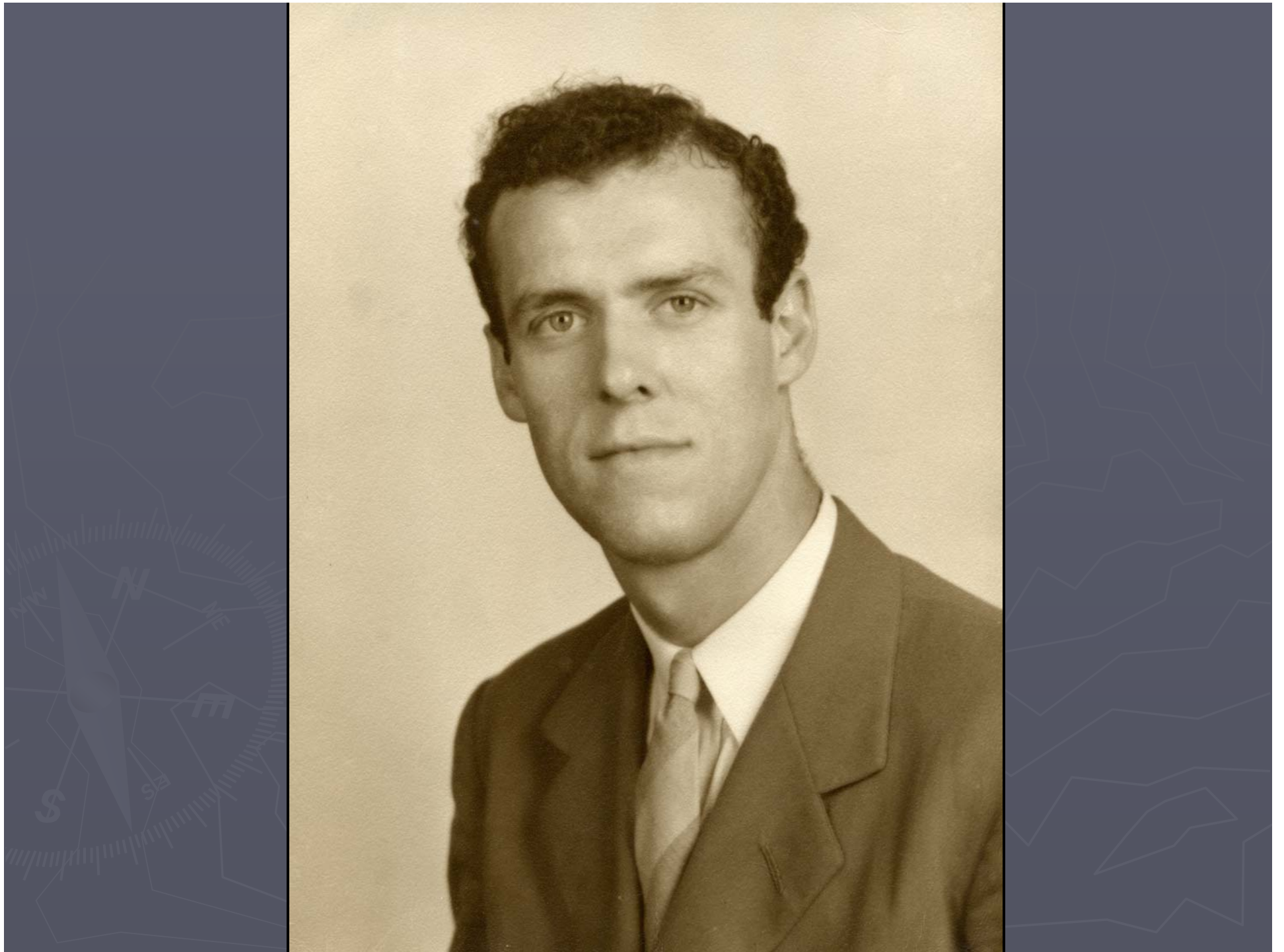


TO ACCOMPANY THE AWARD OF THE SILVER STAR
(General Orders No. 155, Hq XIV Corps
dated 10 December 1944)

First Lieutenant John H. Dimond, O-1103600,
Corps of Engineers, United States Army.

For gallantry in action at Bougainville, Solomon Islands, on 13 March 1944. Upon learning that a carrying party had received a heavy concentration of enemy mortar fire resulting in several casualties, Lieutenant Dimond, without regard for his own safety, advanced 250 yards to assist the fallen men. While aiding a wounded soldier amidst bursting mortar shells, Lieutenant Dimond was hit in both legs by shell fragments. Although painfully wounded, he refused evacuation until all other casualties had been removed. Lieutenant Dimond's courageous action was an inspiration to his men, and exemplifies the highest traditions of gallant leadership.


O. W. GRISWOLD,
Major General, U. S. Army,
Commanding.





Editorial--Let's Get Up To Date

Would you look at a 1959 calendar to determine dates in 1960? Or follow a 1957 tide table to decide when to fish this year? Probably not, but SOME Alaska Courts apparently still apply 1959 laws, or older ones. At least slips have not been received from them indicating that their codes have been annotated.

Bringing your code up to date by marginal notations is a tedious and time-consuming task, but it is absolutely mandatory that only law currently in effect be applied.

ALASKA COURT SYSTEM PERSONNEL

Supreme Court

B. A. Nesbett, Ch. Just, Anchorage
J. H. Dimond, Assoc. Just, Juneau
H. O. Arend, Assoc. Just, Fairbanks
J. McPhetres, Clerk of Court

Superior Court

First District

J. A. von der Heydt, Pres Jdg, Juneau
W. E. Walsh, Jdg, Ketchikan
J. W. Leivers, Clk/Ct, Juneau
A. V. Simonsen, Clk/Ct, Ketchikan

Second District

H. A. Gilbert, Pres Jdg, Nome
G. A. Bayer, Clk/Ct, Nome

Third District

E. V. Davis, Pres Jdg, Anchorage
J. M. Fitzgerald, Jdg, Anchorage
J. E. Cooper, Jdg, Anchorage
A. M. Vokacek, Clk/Ct, Anchorage

Fourth District

E. W. Hepp, Pres Jdg, Fairbanks
J. A. Rabinowitz, Jdg, Fairbanks
O. T. Steger, Clk/Ct, Fairbanks

District Magistrate Court

First District

H. C. Leege, Pres Mag, Juneau
H. Crosby, Mag, Juneau
R. B. Lauber, Mag, Ketchikan
W. W. Knight, Mag, Sitka

Second District

J. G. St. Amour, Mag, Nome

Third District

H. B. White, Pres Mag, Anchorage
R. E. Harris, Mag, Anchorage
R. LaFollette, Mag, Anchorage

Fourth District

H. H. Connelly, Pres Mag, Fairbanks
B. J. Rovins, Mag, Fairbanks

Administrative Office

D. L. Luce, Director, Anchorage
J. R. Peterson, Asst. to Dir., Anchorage

Deputy Magistrate Court

First District

R. C. Miller, Craig
M. S. Hevel, Haines
K. St. Clair, Hoonah
O. M. Lewis, Hyder
R. Bean, Kake
V. A. Counter, Petersburg
M. T. McCann, Skagway
J. Wing, Wrangell
M. O. Avey, Yakutat

Second District

S. Neakok, Barrow
F. F. Gregg, Candle
L. Ost, Fortuna Ledge
J. O. Jones, Kotzebue
G. A. Bayer, Nome
M. E. Bahr, Unalakleet

Third District

A. M. MacNiece, Cold Bay
C. A. Edin, Copper Center
T. Moon, Cordova
J. Samuelson, Dillingham
B. S. Myer, Homer
J. H. Nicholas, Kenai
M. M. Fenner, Kodiak
W. B. Regan, Naknek
D. B. Saxton, Palmer
J. P. English, Seldovia
G. Schaefermeyer, Seward
M. Beach, Talkeetna
M. Harrais, Valdez

Fourth District

L. A. Clay, Aniak
N. Guinn, Bethel
C. M. Cosgrove, Big Delta
L. D. Nordale, Fairbanks
R. Carroll, Fort Yukon
F. R. Pickus, Galena
G. Benson, Manley Hot Springs
J. A. Karella, McGrath
E. Brundidge, Nenana
H. F. Havrilack, Rampart
W. H. Thompson, Tanana
I. C. Nelson, Tok



Birth 15 July 19

Height 6

Weight 170

Hair L. Brown

Eyes Blue

Sex Male



THUMB-PRINT
RIGHT HAND

If Lost
This Pass should be
Returned to
Provost Marshal
1469th AAF Base Unit
ALSD, ATC

BADGE No.

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Northwestern University

ON RECOMMENDATION OF THE FACULTY OF THE
SCHOOL OF LAW
NORTHWESTERN UNIVERSITY HAS CONFERRED THE DEGREE OF
JURIS DOCTOR

UPON
JAMES ARNOLD VON DER HEYDT

WHO HAS HONORABLY FULFILLED ALL THE REQUIREMENTS PRESCRIBED
BY THE UNIVERSITY FOR THAT DEGREE

DONE AT EVANSTON ILLINOIS THIS TWENTY-FOURTH DAY OF JANUARY IN
THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND FIFTY-ONE

Ernest L. Rogers
PRESIDENT OF THE BOARD OF TRUSTEES

Stanley J. Harris
SECRETARY OF THE BOARD OF TRUSTEES



J. Ross Miers
PRESIDENT OF THE UNIVERSITY
W. C. Whitcomb
DEAN

TELEGRAM
ALASKA COMMUNICATION SYSTEM
SIGNAL CORPS, U. S. ARMY
FEDERAL BLDG., NOME, ALASKA
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JAMES A VON DER HEYDT

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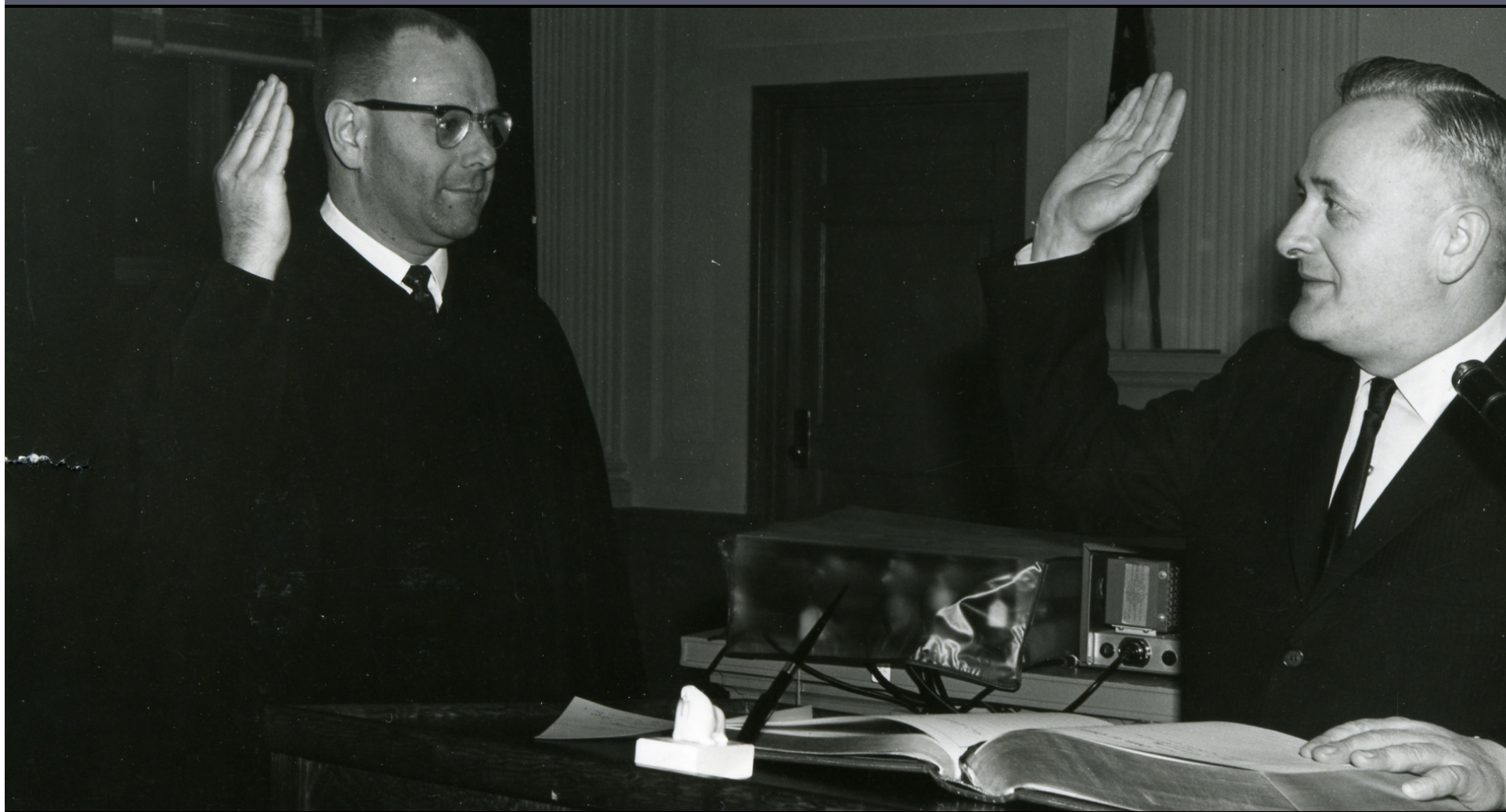
I AM TODAY MAILING NOTIFICATION OF YOUR APPOINTMENT TO SERVE ON THE
SUPERIOR COURT FOR ASSIGNMENT TO THE FIRST JUDICIAL DISTRICT. ASSUMPTION
OF OFFICE SCHEDULED NOVEMBER 27, 1959. CEREMONIES AT JUNEAU. JUSTICE
FOR ALL WILL EVER BE YOUR GREAT RESPONSIBILITY. MY PERSONAL CONFIDENCE
AND GOOD WISHES GO WITH YOU NOW AND THROUGHOUT YOUR JUDICIAL SERVICE

WILLIAM A EGAN GOVERNOR

27. 1959

TELEPHONED:

TO:.....ADSC
TIME:.....936A
DLY INSTRS.....WLC
BY:.....AC

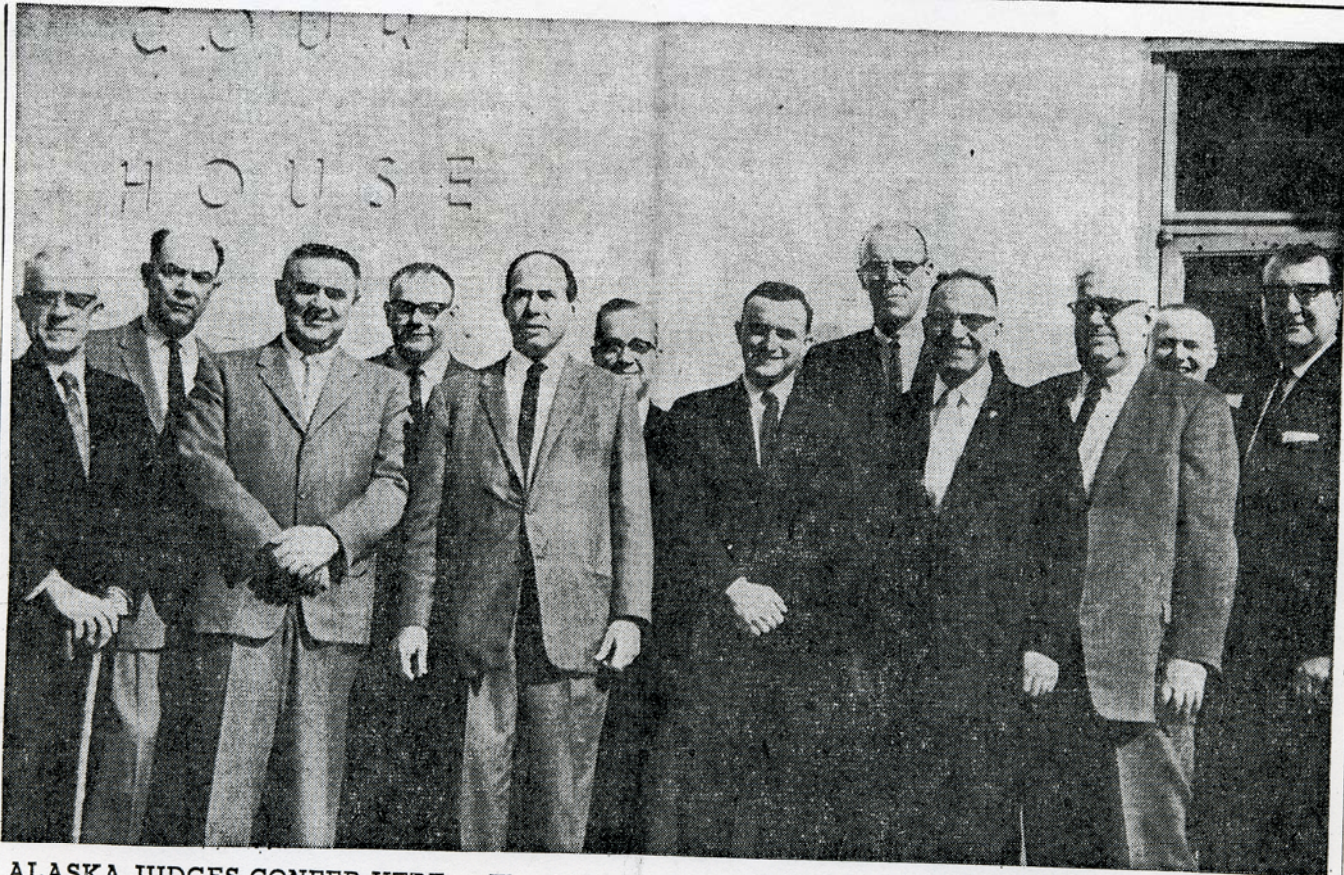






Chorage Daily Times

ANCHORAGE, ALASKA, SATURDAY, MAY 6, 1961



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ALASKA JUDGES CONFER HERE — The three justices of the Alaska Supreme Court and seven of the state's eight Superior Court judges are meeting in Anchorage to discuss progress of the judicial system since its establishment in February of 1960. Shown here, from left to right, are Justice Harry O. Arend, Chief Justice Buell A. Nesbitt, Superior Court Judges Everett Hepp of Fairbanks, James von der Heyt of Ju-

neau, James Fitzgerald of Anchorage, Hubert Gilbert of Nome, Jay A. Rabinowitz of Fairbanks, Justice John Dimond, Superior Court Judges Edward V. Davis of Anchorage and Walter E. Walsh of Ketchikan, David L. Luce, administrator of the Alaska Court System and his assistant, John R. Peterson. Judge Earl Cooper of Anchorage is ill and on leave from Superior Court.

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