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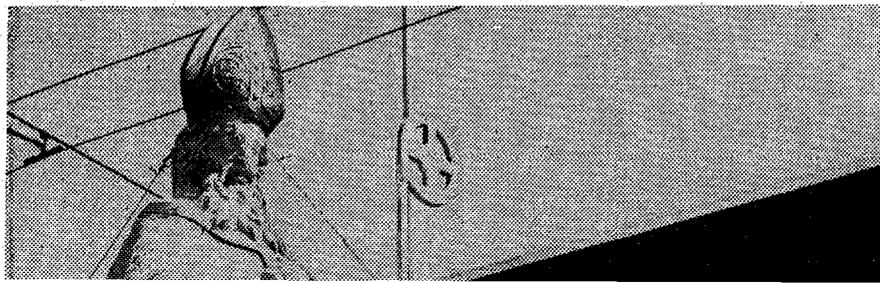
MONDAY, MARCH 16, 1959

72 PAGES —3 SECTIONS

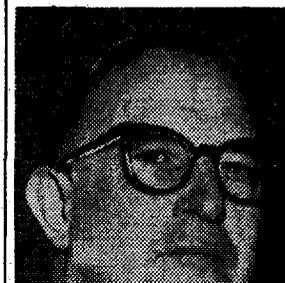
Daily 10¢, Sunday 20¢

JUSTICE CARTER DIES

Twisters Kill 2, Hurt 20



End Comes To Jurist In Sleep
Praised as



Storms Blanket Midwest
Heavy Rains

Reds Charge Berlin Arms Sent to NATO

End Comes To Jurist In Sleep

Praised as Able Judge

Jesse W. Carter, Associate Justice of the California Supreme Court, died in San Rafael General Hospital yesterday morning.

The 70 year old jurist, stricken with a heart attack Feb. 11, had seemed to be on the road to recovery until he developed virus pneumonia Thursday.

His condition became critical early Saturday when a blood clot formed in a main artery to his right lung, causing additional strain on his already weakened heart.

Five specialists were called and a tracheotomy was performed to assist his breathing. Doctors said he died in his sleep about 7:15 a.m.

FOR INDIVIDUALISM

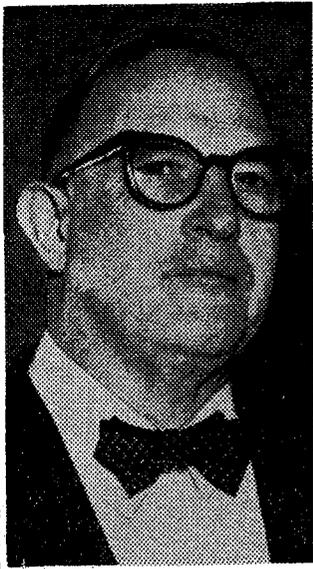
A vigorous champion of individual rights, Judge Carter often found himself in the minority during his 19 years on the State Supreme Court bench.

Time after time he was the lone dissenter, issuing stinging opinions which not only argued the legal points at stake, but frequently denounced fellow justices who disagreed with him.

He was the only Justice, for example, who attacked the loyalty oath for State employes as unconstitutional and a violation of the Fifth Amendment.

In 1957, the State Supreme

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JUSTICE CARTER

.. victim of pneumonia

Carter: Praised for Courage, Liberalism

(Continued from Page 1)

Court held that it was legal to take a blood sample from an unconscious drunk driving suspect for possible use against him in the future.

Judge Carter alone contended that this constituted "unlawful search and seizure" and violated the Constitutional provisions against self-incrimination.

Judge Carter granted Caryl Chessman a stay of execution in July, 1954, which eventually enabled the San Quentin convict-author to appeal his case to the United States Supreme Court.

At the time, the judge said he agreed with Chessman's contention he had been denied due process of law. The Supreme Court ordered a new lower court trial for Chessman 15 months later.

The vigorous jurist frequently defended his opinions at luncheon and dinner meetings of civic organizations. He stumped the State in 1956 in support of the controversial "Cahan decision," which barred evidence obtained by "unreasonable search and seizure" from criminal trials.

For that decision, Judge Carter voted with the majority and came in for a full share of the criticism with which law enforcement officials greeted the ruling.

OUTSPOKEN

The judge was just as outspoken in his private life.

He became embroiled in a heated local controversy last year when a dam on his Marin County property sprung a leak and spilled mud and water onto neighboring homes. A prolonged legal battle was avoided when he agreed to keep the water at a safe level.

Upon learning of his death, Chief Justice Phil S. Gibson said:

"Judge Carter was an able and courageous jurist, always fighting hard for what he be-

lieved to be right. We shall miss him very much."

Attorney Jake Ehrlich praised the judge as a man who "will be remembered for his continuing fight for equal justice for all men regardless of race, color or creed.

"He vitalized the principle that all men are equal before the law. The Nation has lost one of its great liberal judges, and I have lost a good and dear friend."

NATIVE SON

Judge Carter was born in 1888 in Trinity County, where his family had settled some years earlier after a cross-country trek in a covered wagon.

He attended public schools there and was graduated from the Golden Gate College School of Law in 1913.

He served as district attorney of Shasta County from 1919 to 1927 and then became city attorney for Mount Shasta.

In 1939 he was elected State Senator from Shasta and Trinity Counties and served in that position until he was appointed to the State Supreme Court by Governor Olson in July, 1939.

He was a former member of the Board of Governors of the California State Bar and served as its vice president.

MANY INTERESTS.

Judge Carter was a member of the San Francisco, Los Angeles and American Bar Associations, the Redding Rotary Club, the Shasta and Marin County Sheriff's Posse, Western State Lodge No. 2, F&AM, and the California State Horsemen's Association, of which he was former president.

He was married in June, 1952, to Jean Woodward of Oakland, one of his legal secretaries, who survives him. Two previous marriages ended in divorce.