



## Golden Welcome In Des Moines

The autumn sun gleaming off the state capital's gold-leaf dome proves to be a welcoming sight for visitors to Des Moines.

Shown here at left, the majestic dome, flanked by two of the four smaller domes which surround it, hints of the splendor that can be seen inside. Tour guides say November is a good time to plan a visit to the capitol.

Another one of the city's highlights in November is the exhibit of chrysanthemums at the city greenhouse. One of the golden beauties is seen at right.

For more details about the variety of offerings in Des Moines see the story and pictures on page 5A.



Golden Photos by Paul Jensen

ASSOCIATED PRESS  
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NEW YORK TIMES

# The Cedar Rapids Gazette

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## Product Liability Suits: Business Worry

**WARNING:** This newspaper is for informational purposes only. Though food for thought, it should not be eaten. Rolling in to the shape of a ball bat could be dangerous to somebody's health.

By Dale Kueter

So far, publishers have not affixed such a cautionary statement to newspapers, but given the climate of product liability suits, it may not be so far-fetched.

It certainly is no exaggeration to say that product liability suits and resulting settlements or jury awards have been dangerous to the health of many small businesses.

Some have already succumbed to

multi-million dollar jury awards. Others, either unable to get product liability insurance or going without it because of high premium costs, are in high-risk predicaments.

In the past 15 years, more than 50 liability awards made by courts have topped \$1 million. But, the big increase

(First of Two Stories.)

in product liability suits has occurred since 1970, approximately the same time that medical malpractice and general liability claims have jumped dramatically.

Why? One national business group generalizes the situation by calling it a "switch in judicial climate." Others attribute it to rising consumer action, and

a society which is "compensation minded."

Ought To Be Liable

Reputable manufacturers will frankly agree that if a product is defective, and it causes injury, its maker ought to be liable for damages. "Any shoddy manufacturer ought to be put out of business," said Robert Bevenour, executive vice-president of Nissen Corp. in Cedar Rapids.

Bevenour has been outspoken, both locally and nationally, about the need for legislative remedy. He has good reason to be concerned. Nissen, which manufactures gymnastics equipment, is "going bare."

That's the term applied to companies that no longer have product liability in-

urance. Since Jan. 1 of this year, Nissen has been self-insured. That is, any damages resulting from liability claims will have to be paid out of general revenues.

So far, said Bevenour, there has been one suit filed against Nissen under its self-insured status. There are 17 other lawsuits outstanding against the firm for which claims sought a total of \$66 million. These are covered under previously held insurance policies.

Nissen decided to go without product liability insurance coverage when it found out that it would have to pay a minimum premium of \$375,000 for basic coverage of \$500,000. Such a premium would have forced Nissen to raise its prices by 5 percent.

"Going Bare"

Nissen and many other similarly sized companies "going bare" are particularly vulnerable because one giant claim or several large claims could consume all of the firm's assets. That has already happened to a St. Paul, Minn., company.

Ralph Murdock, corporate counsel for Clay Equipment Corp. in Cedar

Falls, a firm that has been going self-insured since 1974, said the problem is centered in the evolution of the tort claim system.

For many years, individuals seeking damages had to prove the manufacturer was negligent or violated a warranty. But now, according to the Conference Board, a national non-profit research group, "even consumers who've improperly used products have received sizable awards."

In California, two men attempted to use a lawn mower to trim a hedge. One suffered serious injuries to his hand, and has sued the manufacturer of the lawn mower.

Murdock has his own story involving Clay Equipment, which manufactures silo unloaders, grain elevators and other agriculture equipment.

A farmhand perilously stepped over a silo unloader six times while the auger was running. The seventh time he tried to step over, his foot landed in a one-foot wide opening and was amputated. Clay still had product liability insurance then. The man sued, and the insurance

Please Turn to Page 13.

### Weather

Partly cloudy today and Sunday. Highs today in upper 40s. Turning colder tonight with lows in teens. Sunday's highs in 30s.

### Don't Miss

#### Walking Off Pounds

A University of Iowa professor has devised his own exercise scheme — vigorous walking has helped him lose over 50 pounds since last December. And he's still walking. Not only has he lost weight but no longer does he fear not being able to find a parking place right in front of the door.

(Story and Picture on Page 7A.)

### Brotherly Effort

This year's high school football team at Postville had seven sets of brothers on the roster. As might be imagined football was a big topic in all seven homes.

(Picture and Story on Page 7A.)

### Not Tobacco

The flavor that cigaret smokers praise about individual brands may not be tobacco but an added "flavorant." The added taste has become important as part of the campaign to reduce the tar content in cigarettes and to make them safer from a health standpoint.

(Story on Page 4A.)

### In the News

#### Carter-Ford Meeting?

WASHINGTON (AP) — Aides to President Ford and President-elect Jimmy Carter discussed the possibility Friday that the incoming and outgoing Chief Executives will meet late this month as part of the transition of administrations, Carter representative Jack Watson said. Watson disclosed the projected White House conference between Ford and Carter after he and other aides of the two men met jointly for the first time to discuss preliminary arrangements for the transition of power. Earlier story on page 13A.

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### Today's Chuckle

A mother entered the supermarket with her four bouncing boys and pleaded: "Isn't there a cereal that will sap their energy?"

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## Clift Suggests, Colton Okays More Police Personnel Moves

By Staff Writer

It's a good thing that no one made any name plates for the desks at the police department following Thursday's switch of department heads.

The apple cart tipped again Friday afternoon.

Thursday, Assistant Police Chief Wallace Johnson was replaced as head of the detective bureau by Capt. James Barnes. Johnson was to head the crime prevention bureau, officials had said. The move was instigated by Safety Commissioner Ed Colton.

Friday at 11 a.m. Acting Police Chief Gareth Clift met with Colton to present some suggested changes of his own. The meeting was called by Clift. At 2 p.m. Colton gave the nod for the following changes.

Johnson Moved Again

Wallace Johnson was moved again to the position of assistant chief of the uniformed division. Assistant Chief John Erger was moved from command of the

uniformed division to the newly created position of administrative assistant to the chief.

Erger retains his assistant chief classification and in effect will be considered number two man in the chain of command.

Sgt. Tom Gillen will head the crime prevention bureau as a replacement for Barnes, who until Friday was in charge of that unit. Gillen also handled operation of the department's helicopter unit, and will continue to do so, Clift said at a 2:45 p.m. press conference Friday.

The command staff is in a state of flux to put it mildly. Johnson remains an assistant chief, but now is acting head of the uniformed division. Barnes is acting head of the detective bureau and Gillen is acting head of the crime prevention bureau.

Acting Chief

Then consider Clift has been acting police chief since former Chief Wallace LaPeters was fired in August. And Ray

Baker has been an acting assistant chief, replacing Clift, ever since Clift became acting chief.

Clift said that the changes made Friday should be the end of it for awhile.

There has been speculation that Clift could be the next police chief, but if he isn't there certainly would be another "CRPD shuffle."

Colton said Thursday, after he dropped the bombshell on the detective bureau, "I really haven't been confident that we've been getting top quality performance from the detective bureau."

Please Turn to Page 3.

## After 10 Years, Suspect in Iowa City Murder Lost

By Ford Clark

IOWA CITY — A woman believed to be the one sought for more than ten years in connection with an Iowa City murder was arrested in California last week.

But the woman was free again before she could be returned to Iowa for questioning, a situation that has Iowa City and Johnson county law enforcement authorities upset.

The case involves the death of Ronald P. Lipsius, 30, of Iowa City, who was shot to death May 16, 1966, as he attempted to catch a woman who had robbed his grocery store of \$35.

Eyewitnesses gave police detailed descriptions from which a composite drawing of the bandit was made, but the woman could not be located.

Then, last August, more than ten years after the crime, Iowa City police received an anonymous letter from a person in the Quad Cities area who said she had recognized the woman from the composite drawing. The writer, still unidentified by police, said the knowledge had bothered her conscience all these years so she had finally decided to give the name of the suspect to the police.

The letter also said the female suspect had been placed on probation by a

"Plainly Labeled"  
"Turkey hams are plainly labeled as being turkey products," Taylor responds.

Please Turn to Page 3.

Please Turn to Page 3.



Gazette Photo by Duane Crook

## Another Challenge

It seems young boys are always on the lookout for anything that will put a little excitement in their day. Nine-year-old Mike Wendling and a couple of his friends decided Friday afternoon that a dead-end barricade along Carlisle street NE presented a challenge to their balancing skills. Mike is the son of Mr. and Mrs. John Wendling, 2112 Brookland drive NE.

# Continued from Page 1:

## —Police Shuffle—

Of Johnson's removal, he said, "There is just not enough supervision there."

No one at the police department knew anything of what had been brewing in Colton's mind until Thursday.

### No Request

Cliff said Johnson did not request that he be moved from the crime prevention spot, where he was placed Thursday, to the uniformed division, where he was placed Friday. The acting chief said that was his decision and his alone.

Asked about Johnson's capabilities for handling the uniformed division, Cliff said, "You don't get to be an acting chief without earning it." He said Johnson's investigative ability will add strength to the uniformed division.

Although nearly all of the high-level command positions are "temporary," the acting chief said, "This is the best utilization of all my people and I hope

this will put us back on a plane of productivity."

Cliff explained that when positions become other than temporary, they will become so on the recommendation of the safety commissioner and the city council.

Asked if he felt there was really a need for the job created for Erger, Cliff answered, "Oh, you bet there was. We've been short in the general services area for some time." That area includes administrative support functions, records, communications, computer, building and grounds, vehicle purchase and maintenance, training (in service and academy), budgeting, payroll and other.

He said he hopes Erger will be able to work in the areas of research and development of progressive programs for the department.

"It won't happen overnight. We'll learn as we go along and his duties will become more defined."

## —Murder Suspect—

Scott county judge in 1962, following a conviction on a charge of attempted murder.

Subsequently, an Iowa City police officer and assistant Johnson county attorney went to the Quad Cities and obtained official records which allegedly verified the anonymous tip, and an Iowa City detective has confirmed that a photo of the woman closely resembles the composite drawing made after the 1966 shooting death of Lipsius.

Iowa City and Johnson county authorities quickly reactivated a 1963 probation violation warrant on the woman. The suspect, still unnamed, was apprehended Oct. 29 for a traffic violation in Norwalk, Calif. She paid the fine

on the traffic charge and was promptly arraigned on the fugitive warrant from Iowa.

But three days later, on Monday, the woman posted ten percent of her \$10,000 bond and disappeared.

Johnson County Attorney Jack Dooly said he would be in contact with Scott county authorities as to a follow-up on possible means of getting the woman back into custody.

Johnson county authorities cannot extradite the woman as a murder suspect, because she has not been charged with the crime, but she could be returned to the state on the fugitive warrant for the previous Scott county charge — if she is found again.

## —'Turkey Ham'—

ed. "Consumers won't be disappointed if they buy turkey hams instead of pork by mistake."

"There are a number of meat products that may appear confusing to consumers. There's no ham in hamburgers, for example, but I don't hear pork producers objecting to that."

Garner, in a press release, called the sale of turkey hams "deceitful labeling." "Consumers have fought for years for truth in labeling laws," Garner said. "It seems almost unbelievable to pork producers that the USDA would allow this sort of thing."

### Promoting Whole Bird

Taylor was asked if the poultry industry is promoting the sale of turkey hams instead of whole turkeys in conjunction with the Thanksgiving season which is rapidly approaching.

"Oh, no, no," she said. "The best meal is the traditional whole turkey bird on Thanksgiving."

Taylor pointed out that some 137 million turkeys will be raised in the U.S. this year, and 52 percent will be sold as processed products, such as turkey ham.

"You should try our leaner weiner," she added. "The leaner weiner is a turkey frankfurter which does not have as much fat in it as a traditional weiner."

The agriculture department also permitted frankfurters, hot dogs, wieners, vienna, knockwurst and other similar products usually identified with pork to be made entirely from poultry meat.

Pork and turkey producers and consumers have until Nov. 24 to file comments with the USDA hearing clerk in Washington D.C., about making the sale of 'turkey ham' permanent.

# Obituaries

## Edward Schoder

Edward Schoder, 87, of 1722 Grande avenue SE, died Friday in a local hospital.

He was born Jan. 18, 1889, at Monticello, and lived in Cedar Rapids most of his life. He was a member of the First Congregational church, Washington lodge 22, AF and AM, at Green Bay, Wis., and a veteran of World war I.

Services at 3 p.m. Monday in Turner chapel east by the Rev. William Harnish. Burial: Oak Hill cemetery, with military services by Hanford post, American Legion. Visitation between 1 p.m. Saturday and 2:30 p.m. Monday at the funeral home. The casket will not be opened after the service.

## Memorial Services

Pettis, Sadie M. — Services 10 a.m. Saturday at the Murdoch chapel in Marlon, by the Rev. Wayne Ryan. Burial: Hazelton cemetery.

Magnuson, Mary N. — Services noon Monday at Cedar Memorial Chapel of Memories, by Pastor Lee Griffiths of the Four Square Gospel church. Burial: Cedar Memorial park cemetery.

Radtz, Bernice — Services 10 a.m. Monday at the Cedar Memorial Chapel of Memories, by the Rt. Rev. Canon D.A. Loferski, St. John's Episcopal church. Burial: Cedar Memorial park cemetery. The deceased was a member of the Shrine auxiliary, not the White Shrine as reported in her obituary.

Milner, Roland E. — Funeral mass Monday noon at All Saints church, celebrated by the Rt. Rev. Msgr. Edmund J. Becker. Burial: Mt. Calvary cemetery. Mr. Milner's mother, Mrs. Archibald Milner of Marlon, was accidentally omitted from the list of survivors in Friday's obituary. The obituary also said Mr. Milner had worked for the city of Marlon for 23 years and the city of Cedar Rapids for two years, but the reverse is true. Friends may call at the Stewart funeral home Saturday from 6 p.m. until 9 p.m. and Sunday from noon until 9 p.m. The Christian Wake service will be conducted by Msgr. Becker Sunday at 4 p.m. in the funeral home. Friends may contribute to the Leo B. Sedlacek memorial fund at Mercy hospital.

## Myrtle Sumner Courtney

Myrtle Sumner Courtney, 97, of 1400 Second avenue SE, a longtime resident of Cedar Rapids, died Friday night.

She was born March 17, 1873, in Clarksville, and there married Samuel G. Courtney. Following the death of her husband in 1929, Mrs. Courtney operated their grocery store at 820 Sixteenth avenue SE for several years.

She was a member of St. Paul's Methodist church, the Philathea Class, Irene Douglas Circle of King's Daughters, and a charter member of the Chi Omega Mother's club.

She is survived by two daughters, Mrs. Forest S. (Gail) Rutgers, Alexandria, Va., and Mrs. Harold J. (Beth) Miller, Manchester, four grandchildren, four step grandchildren, eight great-grandchildren, 14 step-great-grandchildren and six step-great-great-grandchildren. Arrangements are pending at Turner's east, where friends may call after 4 p.m. Saturday.

## Iowa Deaths

Williamaburg — Carrie Boland, 80, Monday at 1:30, First United Presbyterian church. Friends may call at Uhlmann's after 9 a.m. Sunday.

Iowa City — James F. Burke, 81, Monday at 11, St. Patrick's Catholic church. Rosary Sunday at 7, at Donohue's, where friends may call Sunday.

Vinton — Laverna Jones, 65, Services Monday, 1:30 p.m., Campbell-Russell funeral home. Visitation after 7 p.m. Saturday.

West Union — John Hershinger, 89, Services Monday, 1:30 p.m., at Bethel United Presbyterian church. Burial: West Union cemetery. Visitation after noon Sunday at Burnham-Wood funeral home.

## UAW, Deere Co. Reach Tentative Agreement Friday

MOLINE, Ill. (UPI) — The United Auto Workers Friday reached tentative agreement with Deere and Co. on a new three-year contract covering 27,000 union members who have been on strike since Oct. 1.

UAW vice-president Pat Greathouse announced the agreement in Moline, where Deere is headquartered. Deere spokesman Ray Bruno confirmed it, saying "we're obviously pleased."

Few details of the pact were released, but a UAW spokesman in Detroit said the contract includes improved wage and cost of living provisions, "vast improvements in the pension plan," a better dental plan and a new vision program.

Greathouse said, "I think it is a good contract for both the company and the union and we should have no trouble getting a ratification of the agreement."

He said exact wording must be worked out before the contract is submitted to rank and file union members for ratification Sunday and Monday.

## Judge Okays Move in Bus Kidnap Trial

MADERA, Calif. (UPI) — A judge Friday ordered the trial of three wealthy young men accused of kidnaping 26 children, and a school bus driver moved out of the farming area where the victims live.

The court decided that a trial in the vicinity of Chowchilla, Calif., where the kidnaping took place, might be used by the defense as the basis for an appeal.

Madera county Superior Judge Jack Hammerberg also ruled that evidence and documents which led to the indictment of the three — and which might contain reference to a motive for the bizarre crime — will remain sealed, at least until a new judge gets the case.

Attorneys for the defendants, Richard Schenfeld, 22, his brother, James, 24, and Fred Woods, 24, had asked for the change of venue and for the gag order. They said pre-trial publicity, including emotional television interviews with the parents of the children after their kidnaping, made it impossible to get a fair trial here.

# Iowa Rainbow Units To Form State Group

DES MOINES (UPI) — In an attempt to overcome a controversy brought by the admittance of a non-white member, the state executive board of Iowa Rainbow for Girls said Friday it will establish a separate state-wide organization by Dec. 31.

L. Ray Chamberlin, acting chairman of the board, said officials are "interested in seeing Rainbow or a comparable organization continue in Iowa which has a policy of non-discrimination by reason of race, creed, color or national origin."

Iowa's 136 Rainbow chapters, which have about 5,000 teenage members, are sponsored by the Masons and the Order of the Eastern Star. The subassemblies were temporarily suspended Monday when a black Indianola girl was allowed to join. The Indianola chapter was disbanded.

Officials at Rainbow headquarters in McAlester, Okla., said the Iowa chapters

will be dissolved by Dec. 31, because the organization's rules have not been followed. One of the 54-year-old organization's unwritten rules is only white girls are allowed to belong.

Chamberlin said the executive board on Oct. 10 requested that the supreme assembly, the controlling body of the international organization, reconsider its stand on "what appeared to us to be discriminatory practices regarding membership."

No formal response has been received by the assembly and Chamberlin said that unless the international organization discontinued the practice, "we will initiate action to establish our own state-wide organization."

Chamberlin said in the interim, the local assemblies in Iowa will operate under the jurisdiction of the executive board.

# C.R. Weather, Daily Record

C.R. Weather	
High Friday.....	41
Low Friday.....	33
Rainfall.....	None
Total for Nov.....	None
Normal for Nov.....	1.84
Normal through Nov.....	34.09
Total for 1970.....	22.83
Barometer, falling.....	29.96
Humidity at 10 p.m.....	59%

Wind direction and velocity at 10 p.m., SW at 9.

Sun rises Sunday, 6:46; sun sets, 4:54.

Year Ago Today — High, 66; low, 52; precipitation, 0.18.

Extended forecast — Generally clear and cold Monday, fair with warming trend Tuesday and Wednesday. Lows in the teens Monday, highs in the 30s and 40s.

## Births — St. Luke's

Nov. 5 — To Mr. and Mrs. Mark Hogen, 2431 G avenue NE, a son; Mr. and Mrs. Philip Wheatley, 4711 Twin Pine drive NE.

## Johnson County Supervisors Reverse Rezoning Decision

IOWA CITY — The Johnson county board of supervisors in a surprise move Friday reversed a previous decision and granted approval in two rezoning requests.

Fifteen acres in Big Grove township and 100 acres in Jefferson township were the applications approved for rezoning from agricultural to residential use.

Voting in favor of the two controversial requests were supervisors Jerry Langenberg and Robert Lenz. Supervisor Lorada Citek continued her previous vote against the rezoning measures.

At issue is an interpretation of county zoning regulations which allows the construction of residences on farm land.

Previously homes have been built on agriculturally zoned tracts of ten acres or more without rezoning them to residential classifications. The construction has been based on the interpretation that any tract of ten acres or more can be classified as a "farm" whether actual crop cultivation takes place.

The county attorney's opinion, earlier this year, stated the land must actually be put to farm use in order to be classified as farm land for zoning purposes.

At a meeting on July 30 the supervisors denied the Lako Macbride rezoning request while questioning "the fairness" of their vote seeing that construction was already

taking place at that location. Residents living near the two areas in question have protested any extensive construction on the two sites. Those present at Friday's meeting said a further clarification of county zoning requirements may be requested at a future supervisors' meeting.

## Utah Court Rejects Man's Execution Request

SALT LAKE CITY (UPI) — The Utah supreme court Friday rejected convicted killer Gary Gilmore's plea that he be allowed to die before a firing squad in 10 days. After reading a letter sent by Gilmore from his cell at Utah State prison, the court issued a brief 4-2 ruling opening the way for a stay of execution and a review of his conviction and death sentence.

The court said it would grant a stay if it were requested. The justices did not indicate who would be in a position to ask for a stay, but it was acting on an appeal filed by two attorneys later fired by Gilmore.

## Judge Dismisses Discrimination Suit

IOWA CITY — A sex discrimination suit brought by the city of Iowa City against Westinghouse Learning Corp. last July has been dismissed.

District Judge Harold Victor's decision did not deal with the merits of the case. His dismissal Friday was based, rather, on legal inconsistencies between the city's human relations ordinance and state law.

The suit was brought by the city on behalf of Mary Jane Akln of Solon. Akln claimed the firm discriminated in not paying accident and sickness insurance benefits to pregnant employees. She claimed such action is in violation of the city's human relations ordinance, which prohibits sex discrimination. At a Sept. 17 hearing, Westinghouse attorneys requested the suit be dismissed, claiming the city's ordinance was invalid. Victor ruled Iowa City's ordinance was inconsistent with the Iowa civil rights law, in that the city's law does not specifically provide for a hearing on such discrimination charges.

30 YEARS AGO — The Veterans Administration prohibited putting posters, calendars and photographs of pin-up girls on the walls of government property.

# Chrysler, UAW Reach Agreement

DETROIT (AP) — United Auto Workers and Chrysler Corp. reached tentative agreement Friday on a three-year contract, just minutes before the deadline for an unprecedented second national auto strike this year.

The UAW and company officials said the agreement covers some 109,000 U.S. and Canadian hourly workers.

Negotiations on a separate accord covering 9,000 white collar employees will continue, they said.

The two sides announced the settlement in a statement less than 10 minutes before the 6 p.m. EST strike deadline set for Chrysler workers in 22 states and Canada.

Despite the tentative settlement, six Chrysler plants were shut Friday by wildcat strikes involving an estimated 22,000 workers who jumped the gun on the strike deadline.

Chrysler Vice-president William O'Brien said the 6 p.m. EST strike deadlines for lo-

cal contracts and the white collar agreement would be extended.

The two sides were "very close" to a settlement on the white collar agreement, O'Brien said. He termed the hourly accord one which "we believe we can live with and reasonably close to Ford's."

An agreement was expected because the two sides had agreed earlier on an economic package based on the industry's pattern formula adopted at Ford following a month-long walkout by 170,000 workers.

The UAW has not conducted two national auto strikes in the same bargaining year since it first won recognition at Chrysler and General Motors following lengthy sit-down strikes in 1937.

Traditionally, the economic pattern set by the lead automaker is adopted at the other makers, although the union often attempts to sweeten the package as it makes the rounds from company to company.

## Japanese Rift Deepens: Deputy Premier Resigns

TOKYO (UPI) — Deputy Premier Takeo Fukuda resigned Friday, openly challenging Prime Minister Takeo Miki's leadership and deepening a rift in the ruling Liberal Democratic party.

"In so much as I advocate a change in the leadership, it is improper for me to stay in the cabinet led by Mr. Miki," Fukuda said.

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