

High Court Overturns Convictions Of Balky Witnesses

Grand Jury Indictments Ruled Faulty

WASHINGTON (AP) — The Supreme Court overturned today the contempt convictions of six persons who balked at answering questions from congressional committees investigating Communist activities.

The high tribunal, in an opinion by Justice Stewart, said the convictions had to be set aside because the indictments returned by the grand jury against the six failed to identify the subject under congressional subpoena in the inquiry at the time each witness was interrogated.

Stewart said Congress had expressly provided that no one could be prosecuted for refusal to answer questions of congressional investigators except upon indictment by a grand jury.

Court Hasn't Decided
"This court has never decided whether the indictment must identify the subject which was under inquiry at the time of the defendant's alleged default or refusal to answer," Stewart continued.

He then stated that the court today was holding that the indictment must contain such an averment, and for this reason the judgments against the six had to be reversed.

During the congressional hearings, none of the six invoked the Fifth Amendment protection against self-incrimination, but emphasized First Amendment guarantees of freedom of speech and press.

They also contended the investigators, the House Committee on Un-American Activities and the Senate Internal Security subcommittee, exceeded their authority.

Appeals Named
The appeals decided today were by:

Norton Anthony Russell, an engineer of Yellow Springs, Ohio, who was sentenced to 30 days and \$500 fine.

Robert Shelton, a copy editor on the New York Times, six months and \$500 fine.

Alden Whitman, a copyreader on the New York Times, six months and \$500 fine. The jail sentence was suspended.

Herman Liveright, former program director of New Orleans television station WDSU, three months and \$500 fine.

William A. Price, former reporter on the New York Daily News, three months and \$500 fine.

John T. Gojack, trade unionist of Columbus, Ohio, nine months and \$200 fine. Gojack was formerly general vice president of the United Electrical Workers Union.

The union was expelled from the CIO in 1949 on grounds it was Communist-dominated.

The court vote in the cases of Russell, Shelton, Liveright, Price and Gojack was 5-2.

The vote in the case of Whitman was 4-2.

Two Judges Dissent
Justices Harlan and Clark wrote dissenting opinions in all six cases.

Justices Frankfurter and White took no part in any of the cases. Justice Brennan disqualified himself in the case of Whitman.

The six appealed to the high tribunal from rulings by the U.S. Court of Appeals here upholding their convictions.

The Court of Appeals had put off decisions in the cases pending the Supreme Court's decision on June 8, 1953, on an appeal by Lloyd Barenblatt.

The Barenblatt decision affirmed the broad powers of Congress to investigate subversion and to cite witnesses for contempt if they refuse to answer questions without the clear constitutional grounds for the refusal.

Rural Firemen Win Top Honors
A six-man team from the Roseburg Rural Fire Department walked off with top honors Sunday during firefighting exercises at the Rhododendron Festival in Florence.

The drill team, with Gene Merk as captain, took first place in the water ball and hose evolution exercises to win a traveling trophy and \$35 prize money.

Four teams competed in the event.

The six-man drill team included Merk, Harry Harryman, Bob Berger, Bob Triplett, Bob Sullivan and Ron Harrington.

The team intends to enter the state drill team contest to be held soon.

Pilot Reported Missing Is Safe
DENTO, Nev. (AP) — An Oklahoma pilot reported missing on a weekend flight to Southern Oregon turned up safe, and the Nevada Civil Air Patrol called off a scheduled search for him.

The News-Review

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Child Dies, 30 Injured In Bus Crash

TORREON, N.M. (AP) — At least one child was killed and a large number were injured today in a school bus accident in the Indian country of northwestern New Mexico.

State police said 15 or 20 injured were being brought to Albuquerque hospitals by ambulance. Mrs. E. E. Storr, wife of the doctor in nearby Cuba, N.M., said at least 30 had been injured.

She said the body of one child was in Cuba. First unconfirmed reports placed the death count at six or seven.

The Cuba Elementary School identified the dead child as Dorothy Toledo, a fourth grader. The school spokesman said the bus apparently turned over, injuring 30 or 35 children and breaking the leg of the woman driver, Miss Elizabeth Jones.

The San Juan County sheriff's office estimated the number of injured at 30, and said several were dead.

All of the injured apparently were Indian students, the sheriff's office said.

Ambulances were dispatched from Albuquerque and Farmington. Six planes from nearby communities also were on hand to aid in evacuation of injured.

Site of the accident is in remote northwestern New Mexico Indian country about 80 miles northwest of Albuquerque.

State police said the accident, of an undetermined nature, took place south of Johnson's Trading Post on the Star Lake Road.

Formosa Offers Safe Haven To Red China's Refugees

TAIPEI, Formosa (AP) — Nationalist China announced today it is ready to accept all refugees from Red China wishing to come to Formosa from overcrowded Hong Kong, where thousands of hungry fugitives are being herded back across the border.

World criticism has rained down on Nationalist China and British authorities in Hong Kong alike because of the human tragedy of hungry Chinese being forced to return to Red China after escaping.

The United Nations and various countries have contended the refugees should go to Formosa. And the British, who say they simply cannot handle any more refugees, have been assailed on all sides for sending them back behind the Bamboo Curtain.

Rice Allocated
The Chinese Nationalist Cabinet announced the decision and allocated 1,000 tons of rice for immediate emergency relief for refugees now in Hong Kong.

The government also decided to ask other countries welcoming refugees, such as Brazil, to help handle the tide of refugees.

Nationalist China has taken some of the refugees after careful screening since the influx into Hong Kong began shortly after the Red Chinese conquered the mainland in 1949.

The Free China Relief Association agents in Hong Kong are now screening 1,000 refugees for resettlement in Formosa. But taking 1,000 refugees will make hardly a dent in the thousands upon thousands of refugees in Hong Kong.

It may take some time before any substantial numbers of refugees arrive in Formosa.

Security Measures Taken
The government plans security measures to safeguard against any influx of Communist agents trying to come to Formosa in the guise of refugees.

A joint meeting of Chinese Nationalist Interior Ministry officials and the Free China Relief Association was held today.

Ploix said he had been convicted and sentenced by the Vichy government during World War II for rallying to the Free French forces led by De Gaulle. Ploix said that just as De Gaulle had sought to save France in World War II, Salan was trying to save Algeria in 1961 when he took over leadership of the secret army.

Salan is on trial for his life for leading the secret army and for taking part in the 1961 Algiers generals' putsch.

Technicians Check Aurora Spacecraft
CAPE CANAVERAL, Fla. (AP) — Technicians checked Aurora 7, the Mercury spacecraft of Navy Lt. Cmdr. Malcolm Scott Carpenter, and its Atlas launching rocket in detail today.

If they find no more "bugs" in capsule or missile—if the weather holds—if other factors all are favorable, then the Aurora 7-Atlas combination will blast off next Thursday between 7 a.m. and 2:30 p.m., Eastern Standard Time.

A successful launch would fling Carpenter into the same type of 100-mile high, three-orbit flight that Marine Lt. Col. John H. Glenn Jr. made Feb. 20—but with several new experiments to be performed.

The National Aeronautics and Space Administration had planned last week to launch Aurora 7 Tuesday. Discovery of a possible defect in an electrical device that keeps the Atlas flight control system from freezing up forced a postponement of at least two days.

Carpenter's backup pilot is Cmdr. Walter M. Schirra Jr.

Golden Gate Bridge Scene Of Suicide

SAN FRANCISCO (AP) — Two women climbed over the rail of the Golden Gate Bridge in the pre-dawn Sunday. One leaped to her death.

Jane Timmerman, 18, Sonoma, was coaxed back by highway patrol Sgt. Walter Pudinski, on his promise that he would take her to her doctor and not to a hospital psychopathic ward.

About two hours later an older woman walked onto the bridge, climbed the rail and jumped.

Her body was found by the Coast Guard. There was no identification in her handbag. She was listed as the bridge's 224th known suicide.

Woman's Purse Stolen From Parked Auto Here
Mr. and Mrs. Donald F. Johnson complained to Roseburg City Police that Mrs. Johnson's purse was stolen while the couple was in a hotel obtaining room accommodations.

The couple said they were only away from the car about 15 minutes. The purse contained \$75 in cash, a check book, car keys and personal papers. Their car was parked in a hotel parking lot, police said.

Dutch Slate Hollandia Evacuation

HOLLANDIA, West New Guinea (AP) — Dutch authorities today prepared to evacuate Dutch women and children from this island's western tip following an invasion by 120 Indonesian paratroopers.

Gov. P. J. Platteeuw announced that 120 women and children would be moved from the town of Teminabuan to the east coast of Vogelkop, the island's westernmost peninsula, and to the nearby island of Biak.

The announcement gave the first disclosure of the size of the paratroop landing Saturday.

Reinforcements Rushed
It said some of the paratroopers dropped near Teminabuan have withdrawn under attack and that the Dutch garrison had rushed up reinforcements.

The Dutch said an army unit station in Teminabuan "launched a rapid aggressive action," killing the Indonesian commander and another paratrooper and wounding three. The Dutch said they had no losses.

Reinforcements were sent to the area for "further neutralization of the demoralized and scattered paratroopers," the Dutch said.

The Indonesian news agency Antara claimed Indonesian guerrillas had captured the town of Demita, 50 miles west of Hollandia.

Antara said heavy fighting continued around Fakfak, south of Vogelkop, and Kaituma, on the south coast. It said Fakfak was under continuous guerrilla harassment and most of its population had been evacuated.

Life As Usual
However, AP correspondent Hal McClure reported from Fakfak that life was proceeding there as usual.

Antara claimed 18 Dutch marines were killed last Tuesday in a clash near Fakfak after hundreds of Indonesian paratroopers had been dropped in the area. The story was denied by G. W. J. Vandyk, chief of the Netherlands Defense Ministry's information department. He said there had been no Dutch losses since the Indonesians began dropping paratroops into West New Guinea three weeks ago.

According to information obtained by Mrs. Selby, Henry Buck, owner of the Idlewild Park store, was headed west toward Roseburg. He attempted to pass a car, operated by Mrs. Donna Young, as she started to make a turn off the highway. Mrs. Young, of Rt. 1, Box 591, Roseburg, is a first grade teacher at Dixonville school.

Mountain Fall Fatal To Youth

EVERETT, Wash. (AP) — A 15-year-old Seattle youth slipped and rolled down an icy mountain 2,000 feet and over a 100-foot cliff to his death Sunday on Big Four Mountain, 19 miles east of Granite Falls in the Cascades.

The young climber, Steven W. Skubi, 15, a sophomore at Roosevelt High School in Seattle, survived the fall but died late Sunday night as help was approaching.

A doctor from Snohomish, Wash., with a party of trained mountaineers was being sent to bring the youth back down the mountain to a hospital.

The Snohomish County Coroner's Office said Skubi, John Wolf, 31; Dick Springgale and Dan Davis, all of Seattle, set out to climb the mountain early Sunday and were returning down when Skubi in some manner slipped.

He catapulted down the side of the mountain, traveling about 1,000 feet before tumbling over an 80 to 100 foot high cliff, then sliding another 1,000 feet.

They estimated it took him four minutes to fall the 2,000 feet and the climbers three hours to climb down to reach Skubi.

Two of the party went to the Forest Service Station at Verlot for help while the fourth remained with Skubi until help arrived.

The Everett Mountain Rescue Council was among units taking part in the effort.

Salan Followed De Gaulle Path, Says Admiral

PARIS (AP) — A French vice admiral today told the court trying to convict Salan for treason he is convinced the same path Gen. Charles de Gaulle followed in 1940.

Vice Adm. Andre Ploix, a former commander of naval air forces in Algeria, refrained from approving Salan's action in leading the terrorist Secret Army Organization in Algeria. But he said he could understand the moves of anyone who went underground to honor previous promises to keep Algeria under the French flag.

The gray-haired admiral, who is still on active duty, said he personally would be bound by discipline and that if he had received orders to fight the secret army he would have done so.

Ploix said he had been convicted and sentenced by the Vichy government during World War II for rallying to the Free French forces led by De Gaulle. Ploix said that just as De Gaulle had sought to save France in World War II, Salan was trying to save Algeria in 1961 when he took over leadership of the secret army.

Salan is on trial for his life for leading the secret army and for taking part in the 1961 Algiers generals' putsch.

Europeans Flee Algiers Terror

ALGIERS (AP) — Driven by Secret Army Organization terrorism and the fear of Moslem reprisals, 2,600 Europeans fled Algeria by plane over the weekend.

So great was the demand for air passage that military authorities had to add four planes to 12 flights previously scheduled for Sunday.

In the five days preceding the weekend, officials said about 2,000 persons departed with no apparent intention of returning to terror-plagued Algeria. Outgoing flights normally carry 1,600 passengers a week.

A similar rush for ship passage was reported along the Algiers docks, as alarm spread over increasing slaughter by killers of the Secret Army Organization and the threat of reprisals by Moslem commandos.

All week the airport was jammed, mostly by women, children and elderly persons.

Those with police priority tickets were allowed to board outgoing planes first.

About 15 seats per plane were generally reserved for officials and military personnel and their families. Medical patients and other special cases were also given priority. The rest had to wait their turn.

Kennedy Requests Funds For Tests

WASHINGTON (AP) — President Kennedy asked Congress today to appropriate additional money to help cover costs of nuclear weapons tests and to produce atomic weapons.

Kennedy sent Congress a proposed change in the 1962-63 budget, including \$120 million to restore current funds now being spent in connection with the test program. He recommended an increase of \$44.5 million for production and for a detailed study of a new approach to the design of nuclear power reactors.

White House press secretary Pierre Salinger told newsmen he was unable to say whether the request for production funds resulted specifically from findings obtained in the Pacific tests which began last month.

Family Survives Boat Explosion

MIAMI, Fla. (AP) — A cabin cruiser exploded in Biscayne Bay, throwing a 4-year-old girl as high in the air as a three-story building.

The child, Maria, fell into the water unharmed. She was sitting on the engine cover plate when the explosion occurred Sunday.

After the blast, the father, Alan Rothstein, threw two older children overboard. The mother, Betty, jumped out of the boat with a 16-month-old child in her arms. The parents received minor burns.



RUBY ERICSON of San Francisco is walking from Sacramento, Calif., to the Seattle World's Fair. A veteran of both world wars, he lost his leg in 1944. Ericson expects to cover about 10 miles every 24 hours, taking breaks for roadside naps. He is pictured as he stopped in Roseburg Sunday. (UPI Telephoto)

Two Injured Seriously In Umpqua Auto Crash

Two Roseburg area men suffered serious injuries in a one-car accident on the North Umpqua Highway 2.2 miles west of the Steamboat Inn Sunday at 2 p.m. according to information obtained by Mrs. Arthur Selby, Glide correspondent.

John Keel, 25, of 1032 SE Court Ave., Roseburg, listed by investigating sheriff's deputies as the driver, and Mike Dunstan, 19, Roseburg, are both in Douglas Community Hospital.

Keel's attending physician said he had a fractured and crushed lower right leg, three broken vertebrae in his back and some concussion. Dunstan suffered less serious injuries, but is hospitalized from shock, facial cuts and possibly other injuries. Both were under sedation.

According to the sheriff's office, the car traveling west, struck a slick place in the road, where there had been a recent slide. The car spun into the north bank, then went out of control back across the road and over a 60-foot bank, coming to rest at the edge of the river.

Dunstan was able to get out of the car and climb the bank. He was taken to Steamboat Inn, and Wall's ambulance and towing service was summoned to take the men to the hospital. The vehicle was listed as a total loss.

Both men are employees of a project crew for Steamboat Ranger Station.

Two cars were damaged but no one was injured in a second accident at 8 a.m. today at the Dixonville cutoff on the North Umpqua Highway.

According to information obtained by Mrs. Selby, Henry Buck, owner of the Idlewild Park store, was headed west toward Roseburg. He attempted to pass a car, operated by Mrs. Donna Young, as she started to make a turn off the highway. Mrs. Young, of Rt. 1, Box 591, Roseburg, is a first grade teacher at Dixonville school.

Fisher Protests Ruling On Labor

MEDFORD (AP) — State Rep. Carl Fisher, R-Eugene, Republican candidate for Congress, protested today a Labor Department ruling barring use of Mexican nationals to harvest pears.

He called the ruling arbitrary in remarks prepared for the Chamber of Commerce Roundtable in Medford. He said, "There is cause for concern when an administrator in any federal department is endowed with arbitrary life and death powers over an industry..."

He said if even a small portion of the Jackson County pear harvest is lost because of the ruling the department will be asked some searching questions on the use of administrative power.

Portland Woman Held In Slaying

PORTLAND (AP) — Portland police jailed a woman on a second degree murder booking after the fatal stabbing of her husband at their home Saturday night.

The victim was John Horace Banister, 39, City detective James Harvey and Gordon Morgan quoted his wife, Marjorie Jean, 44, as saying she stabbed him with a butcher knife in self defense after he had struck her with a baby bottle and a coffee cup.

AMA Plans Nationwide Appeal To Counter JFK's Care Effort

By THE ASSOCIATED PRESS
The Kennedy administration, with the President leading the assault, has carried a plea for its medical care for the aged program across the nation in an attempt to bring pressure to bear on Congress. The American Medical Association goes on nationwide television tonight to counter the move.

While President Kennedy addressed 17,500 persons at New York City's Madison Square Garden Sunday, Vice President Lyndon B. Johnson and other administration spokesmen sounded calls for support of medical care for the aged under Social Security at more than a score of rallies across the country.

Many listeners, including some gray-haired prospective recipients of benefits under the King-Anderson bill, chanted "We will, we will" when the spokesmen told them to write their congressmen and urge support for the measure.

Kennedy, whose speech was carried on nationwide television, predicted that the bill would pass Congress "this year, or, as the tide comes in, next year." He noted that Britain adopted similar legislation 30 years ago.

The American Medical Association, which vigorously opposes the Kennedy-backed measure, takes to the air at 7 p.m. (EST), tonight in a network television program (NBC) designed to answer the administration.

The president of the association, Dr. Leonard W. Larson, blasted the bill and the rallies saying the U.S. Treasury is being looted "in a massive propaganda blitz designed to pressure Congress" into enacting the program.

In a statement after the Kennedy speech, Larson said: "Giant Madison Square Garden rallies cannot conceal this fact: The King-Anderson bill would force an immediate 17 per cent payroll tax increase on workers earning \$5,200 or more and their employers."

The Weather

AIRPORT RECORDS
Increasing cloudiness tonight and Tuesday. Chance of a few showers on Tuesday. A little warmer tonight.

Highest temp. last 24 hours — 57
Lowest temp. last 24 hours — 37
Highest temp. any May (54) — 85
Lowest temp. any May (54) — 29
Precip. last 24 hours — T
Precip. from May 1 — 1.18
Precip. from Sept. 1 — 31.90
Excess from Sept. 1 — 3.80
Sunset tonight, 7:37 p.m.
Sunrise tomorrow, 4:43 a.m.