

Clark Explains Prayer Ruling

SAN FRANCISCO (AP)—Misunderstanding of the U.S. Supreme Court's decision barring the New York state public school prayer stemmed mainly from pressure on newsmen to communicate the ruling rapidly with other decisions, says Associate Justice Tom C. Clark.

Clark, here for the American Bar Assn. convention, said the court's 6-1 verdict provoked the heaviest flow of critical mail in years. When news agencies began to interpret the decision later, the mail became favorable, he added.

The justice noted he was going against custom in commenting on a specific decision, but said he felt it was appropriate to deal with the prayer issue in an address to the Commonwealth Club yesterday.

"Here was a state-written prayer circulated to state-employed teachers with instructions to have their pupils recite it in unison at the beginning of each school day," Justice Clark said.

"The Constitution says that the government shall take no part in the establishment of religion. No means no," he emphasized.

"As soon as the people learned that this was all the court decided—not that there could be no official recognition of a divine being or recognition on silver or currency of 'In God We Trust' or public acknowledgment that we are a religious nation—they understood the basis on which the court acted."

Clark also pointed out that the decision came down with 15 other cases on the final day of the court's term.

"The news announcements were not complete, most of them reciting the content of this 22-word prayer and the fact that the court had held it unconstitutional for a teacher to have her pupils recite it."

Mistakes often happen in interpreting court opinions because of "the haste with which news agencies are obligated to move our announcements," the justice said.

Since as many as a dozen opinions are given from the bench on the traditional Monday decision day, "the news media, naturally, is pushed to even get the result, much less the reasoning back of each judgment," Clark commented.

"The court might be blamed for this situation. One might ask why not spread the announcements over several days as do other courts."

"My only answer," he explained, "is that this would break the Monday tradition."

In another matter relating to the press, the Association Board of Governors urged that a decision on suggestions to modify the Canon 35 ban on courtroom photography and broadcasting be put off at least six months.

It noted that in Texas and Colorado photography and broadcasting in courts is up to each judge. The board supported a recommendation by a special study committee that these states should be further studied before a decision on revision of Canon 35 is reached.

A uniform national policy on pictures and broadcast reports of courtroom proceedings should be decided on eventually, the committee said.

(See Story Page 1A)

Swim Classes Start Monday At Oakridge

OAKRIDGE — A swimming program will start here Monday under direction of the Upper Willamette Youth Recreation organization at Green Waters Park.

Regular class times will be announced Monday. However, sessions for the first day will be as follows: Advanced swimmers, 8:55 a.m. standard, 9:55 a.m. daylight; advanced intermediates, 9:55 a.m. standard, 10:55 a.m. daylight; intermediates, 11:05 a.m. standard, 12:05 p.m. daylight; and beginners, 1:25 p.m. standard, 2:25 p.m. daylight; and beginners, 2:35 p.m. standard, 3:35 p.m. daylight.

Adult lessons will start at 4:30 p.m. standard, 5:30 p.m. daylight. Junior life saving classes have been postponed until Aug. 20-31.

Springfield PO Regional Winner

The Springfield Postoffice has been presented a certificate for having won a two-month Savings Bond award.

Springfield won the Seattle regional Group D award for having the greatest increase in bond purchases and in the number (up to 72 per cent) of employees buying bonds.

The contest ran from May 1 to June 30, with Springfield recording an increase from four to 23 employees taking part in the bond program.

Postoffices were judged on the basis of comparable sizes for the contest.

Hotels Being Built

POINTE-A-PITRE, Guadeloupe (AP)—Two luxury hotels are being built on this French Caribbean island. Developers say the \$2 million La Caravelle and the \$1.6 million Fort Royal will provide U.S. comfort coupled with French treats.



(Register-Guard photo by Phil Grenon)

Fatal Mishap

The body of Melvin Earl Mather, 52, of 3050 Alder St., Eugene, lies on Highway 58, one-half mile east of Pleasant Hill, following a Friday accident when a truck-trailer jackknifed and struck him. The dead man was a State Highway Department employee and had been mowing grass on the shoulder of the highway. State police said Mather pulled out around some mail boxes and the truck rig, driven by George C. Munsell, 38, of Cottage Grove, swerved to avoid him, causing the trailer to jackknife.

California's Gas Chamber Awaits 3 on Wednesday

By LEONARD MILLIMAN
Of the Associated Press

SAN FRANCISCO—A doting mother is scheduled to die Wednesday because she couldn't bear to share her son with another woman.

If the courts don't interfere, Elizabeth Ann (Ma) Duncan will be executed in San Quentin prison's gas chamber three hours before two young killers she hired to get rid of her pregnant daughter-in-law.

At 58 the much-married Mrs. Duncan still protests she had nothing to do with the November 1958 murder of Olga Duncan, 30-year-old Canadian-born nurse.

But Augustine Baldonado, 28, and Luis Moya, 23, say she promised them \$6,000 and actually paid \$360 for the death of the bride of her beloved youngest son, Frank.

Baldonado and Moya expect to die for kidnapping, pistol whipping, beating, choking and burying Olga Duncan in a shallow grave beside a Ventura County road. Nobody knows whether Olga was alive or dead when she was buried.

Ma Duncan doesn't expect to go to the gas chamber Wednesday.

Twice federal courts have postponed her execution—the Supreme Court in June 1960 and the Appellate Court in San Francisco in August 1961.

Clemency Refused

Her attorneys—they include her son Frank, now 33 and married—are trying again.

Gov. Edmund G. Brown turned down a clemency plea last

Thursday. A few hours later the California Supreme Court refused a stay of execution and a writ of habeas corpus.

If her attorneys run true to California form they'll keep trying right up to her 10 a.m. execution hour Wednesday.

She would become the fourth woman to die in the 25-year-old gas chamber. Juanita (The Duchess) Spinelli, 52-year-old gang leader, was executed in 1941; Louise Peete Judson, six years and secretive about her age, in 1947; and Barbara Graham, 33-year-old gang moll, in 1955.

Ma Duncan, a onetime San Francisco madam, is the most tempestuous of the murderous lot.

Her four-week trial was so sensational that would-be spectators bought and sold places in line in the corridor of the Ventura courthouse, where vendors peddled hamburgers at inflated prices.

Witnesses testified: Ma Duncan went to pieces when her son married. She got her boy home again after two weeks of marriage. Thereafter she shuttled back and forth like a yo-yo, trying to keep bride and mother happy.

Shopped for Killers

Ma shopped for hired killers. She favored acid in the face and choking or pushing her daughter-in-law off a cliff.

With a hired impersonator she went into Superior Court, posing as Frank and Olga, and obtained an annulment of the June 1958 marriage.

Ma shouted denials to most of

the testimony. But she admitted to being married so many times she could remember the names of only 11 of her husbands; to serving a jail sentence for running a San Francisco bordello, and to assorted minor law-breaking. She said she looked on Frank, youngest of her five children, as her baby.

Prosecutor Roy Gustafson said, "She is a mean and wicked woman... she'd rather lie than look at you."

Frank, who testified in his mother's behalf, said, "She has never been able to hurt anyone or anything."

Ma Duncan called her conviction "a rotten deal." Later in the women's prison at Corona where she is also serving 1 to 14 years for the annulment masquerade, she said, "I'm not guilty. I know I'm not going to die. I've just talked too much."

Took Barbiturates

None of the half dozen attorneys who have tried to save her life argued that she was innocent. Their latest plea says she consumed so many barbiturates in jail she didn't know what was happening during her trial.

Paradoxically, it was an overdose of barbiturates that started the whole thing. Frank met his first wife, then nurse Olga Kupczyk, when he took his mother to a Santa Barbara hospital because she had taken an overdose of sleeping pills.

Baldonado and Moya are scheduled to die three hours after Mrs. Duncan because the gas chamber will hold only two people.

This Week in Business

Dip in Jobless Ranks Dims Chance for Quick Tax Cut

By JACK LEFLER
Of the Associated Press

NEW YORK—The income tax cut issue took on the suspense of a "whodunit" this week.

The developing question was whether the July economic statistics will cause President Kennedy to ask Congress to slice taxes immediately instead of next year as he had promised earlier.

Time of decision is little more than a week away.

The first, and one of the most important, indicators—the job situation—came out, and its improvement was interpreted as tending to reduce the possibilities of a quick tax cut.

Secretary of Labor Arthur Goldberg reported the number of unemployed declined by 450,000 in the last month. This cut the unemployment rate to 5.3 per cent of the work force, lowest since May 1960.

Both employment and unemployment showed an improvement of about 1.1 million over a year ago.

Goldberg, who is believed to be among the Kennedy advisers urging a tax cut now, said the figures were encouraging.

Kennedy stood pat on his announced intention to wait until mid-August to make a decision. He wants to see reports on retail sales, expenditures and production.

He told his news conference that he wasn't satisfied with current conditions because "there is still a gap between what we are doing and what we could do, based on our manpower and on our plant capacity."

Kennedy also was taking into consideration the attitude of Congress and its time schedule.

The House Ways and Means Committee, inquiring into the state of the economy at a closed hearing, was reported to have heard divergent views on the necessity for rapid action on a tax cut.

The business outlook was being widely debated. On the optimistic side was the First National City Bank of New York, the nation's third largest bank. It said "the weight of the evidence available does not support the view that a recession is at hand."

"There seems little likelihood that business is suddenly going to fall out of bed. There is no apparent reason to expect additional shocks like the steel price controversy or the stock market break."

Reports on several phases of the economy painted a rather pretty picture. They included:

• Sales of manufacturers, wholesalers and retailers in June totaled \$67.4 billion, a drop of \$1 billion from May. Retail sales were off nearly 2 per cent.

• The annual rate of construction activity declined from \$82.5 billion in June to \$61.7 billion in July.

• Manufacturing and trade inventories increased by \$300 million to \$97.7 billion between May and June.

• Consumer installment purchases increased by \$318 million in June but this was slower than the June pace of \$413 million.

• Corporate earnings reports continued to flood out of directors' meetings, and indications were that second quarter profits would be close to the record peacetime rate of the two preceding quarters.

Steel firms, however, did not fare well in the second quarter. U.S. Steel Corp., for example, reported its earnings of \$40.2 million were below the \$55.8 million of the 1962 first quarter and the \$59 million of the 1961 second quarter. Nevertheless, big steel declared its usual 75-cent quarterly dividend although the earnings amounted to only 63 cents a share.

Steel production last week rose for the third consecutive

week but amounted to only about 50 per cent of capacity. Output of 1,504,000 tons was 7.6 per cent above the previous week.

A metalworking industry publication, Iron Age, predicted a gain of 10 to 15 per cent this month. It said the key to future improvement lies with the automobile industry.

The automakers cut back sharply on production this week to change over to 1963 models. Only Ford and General Motors built cars. Output was estimated at 114,000 passenger cars, compared with 136,341 last week. Almost all assembly lines will be shut down by the end of next week.

In July, domestic auto manufacturers built 589,001 cars, a 79 per cent increase over July 1961 and 25,000 more than in June.

Briefly around the business scene: About 1.5 million Americans traveled overseas in 1961 while 624,000 persons from abroad visited this country... Chrysler Corp. received a \$222.6 million contract to build boosters and equipment for the Saturn space vehicle... Americans bought 963,600 domestic cars in the first six months of this year, a gain of 12.7 per cent over the 1961 first half.

'Mass Executioner' Shoots Four of Family, Kills Himself

COLUMBUS, Ohio (AP)—A shooting authorities said looked like a mass execution wiped out a family of four Saturday and the toll reached five when a teen-age son, blamed for the slayings, died of a self-inflicted bullet wound.

Authorities now say that with the death in Riverside Hospital of Ray Lanker, 14, they may never know exactly what prompted the shooting.

It took the lives of Ohio Highway Patrol Cpl. Ralph F. Lanker, 45; his wife, Virginia Fern Lanker, 36; a daughter, Bea, 12; and a son, Thomas, 9.

All four bodies, dressed in night clothing, were discovered in the bedroom of the parents on the second floor of their frame home in suburban Grove City. Officers said at least 14 bullets were found in the bodies.

Ray fired a bullet into his temple a few hours after the shooting. He had been found unconscious beneath a freeway

exit, a pistol by his side. Nearby was a culvert where officers believe he had hidden for a time after abandoning his father's patrol cruiser on the freeway.

Some kind of domestic trouble probably preceded the shooting in the home, police theorized. One report being investigated was that Ray and his parents had been at odds over a girl friend.

The boy's speeding on the freeway, noted by a civilian driver, led to the discovery of the bodies. When the cruiser was abandoned, police traced it to the patrol corporal. A call to his home failed to get an answer, and patrol officers went to the house to investigate.

They found the bodies.

Police said they believed that after the shootings, Ray apparently ran out of the house, used a screw driver to remove the red flasher light atop the patrol cruiser, then drove off.

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