

# It takes two to scale the heights



## Oregon Supreme Court has taken something it may not have had

Oregon's Supreme Court ruled 6-1 Thursday that hospitals and other charitable enterprises can be sued for the negligent acts of their employees. You can be sure that a vast majority of Oregonians trained in or interested in the law will find the decision unpalatable. The reason, however, is not the lifting of immunity from hospitals and charitable organizations.

The charitable immunity doctrine is one of long standing. In Oregon it dates from statehood. Its origin is found in English common law. And there is no doubt it has become outmoded. Until Thursday a non-profit hospital, for example, was pretty clear of liability. If a nurse performed a negligent act, she could have been held responsible. The hospital could not. More likely than not the nurse would have no substantial assets to satisfy a judgment, if a jury had found her negligent. The hospital, with adequate funds and the ability to buy adequate insurance, would have been free of legal blame. As a result, the wronged patient had no effective means of recovery if the damage was serious.

At least, this is what the Supreme Court found. Relatively few persons will disagree with the finding. But the method to arrive at the conclusion was, in our opinion at least, in fault.

The immediate effect of the decision will be to raise hospital rates. And this is all right. Hospital patients will, in effect, be insuring themselves against negligent treatment in hospitals. Since we now insure our automobiles, our lives, and our property by paying premiums into a common pool, we probably cannot complain too greatly about doing the same thing in regard to liability for hospital care.

## UF always worthy

Few United Fund organizations in the state of Oregon have records as successful as the two in Deschutes County have had since their foundation a little over 10 years ago. With drives getting under way, leaders are confident the high standards of past years will be met again.

The UF is always a worthy cause. UF budgets here, made up of requests from member agencies, are

## In the same fix

Property owners frequently find themselves in the position of disagreeing with the assessments, for tax purposes, placed upon their property. Property is supposed to be carried on the tax rolls at a figure reflecting its true cash value, or what it would bring in the course of a normal sale. With some regularity, persons checking the "asking" price of a piece of property against the assessment find a variation.

Deschutes County Assessor Robert E. Lyons now finds himself in the same fix as many others. The difference is that Lyons is in a position to do something about it. Lyons is attempting to sell his home, so he can build a new one and move. His asking price for his present house is more than \$4,000 above the true cash value which can be ob-

A bill taking away hospital and charitable enterprise immunity was put into the hopper in the 1963 legislature. It was heavily lobbied, particularly by hospitals and the organizations which run them. It did not pass.

There also was under consideration by the 1963 legislature a new constitution for the state of Oregon. It, too, failed of passage. One of the things in the new constitution which drew the most fire and which was discarded the quickest was a section which gave the Supreme Court the right to review laws on the basis of what is called substantive due process. This drew the fire of lawyers, legislators, and others.

The Supreme Court, until Thursday, had not had that right. It could have decided cases on the basis of procedural due process, but not on substantive due process. The latter authority the Supreme Court assumed in its decision on Thursday.

Thus, we have no quarrel with the court's finding, insofar as its correctness in findings is concerned. We do argue with the manner in which the court assumed powers it had not previously held, and which no one had given to it, so shortly after the legislature — rightly or wrongly — had failed to act in the field in which the court acted.

The people in Oregon have reserved to themselves the supreme legislative power. Most of the time they have allowed this power to be exercised for them by their elected representatives in Salem. They have not, recently or in the past, given legislative power to the Supreme Court. And the court should not assume such power until the people, through the new constitution or an amendment to the present one, give it to the court.

carefully scrutinized and judiciously pruned by committee members who remember their obligations to givers as well as to recipients. Budget requests have advanced over the years, and budget grants have increased; both have been worked out in a spirit of responsibility. Residents of the area have done their part in the past; they will do it again.

Two points of logic were brought to bear against permitting Slayton to make a one-man Mercury flight. 1. So little was known at that time of the physical stresses that might confront a man in orbit; and 2. Slayton would have had no one with him in case anything really did go wrong.

But months have passed and manned space flights have come and gone. Medical data generally indicates that stresses in space amount to little more than those undergone by pilots in jet airplanes. And Slayton still flies Air Force jet fighters regularly—and without a bit of trouble.

He doesn't think his heart would cause any trouble in orbit. But should it do so, Slayton still has another point in his favor. There will be a second pilot aboard the Gemini capsule, which is being built so that one man can fly it in a pinch.

And if you want odds on whether Deke Slayton will ride a rocket into space, 50-50 would be a safe bet today.

# Astronaut faces critical test of his heart

By Alvin B. Webb Jr.  
UPI Staff Writer

CAPE CANAVERAL (UPI) — One day within a few weeks a doctor will press a silver stethoscope to the chest of Deke Slayton—and listen, intently, to the thumping of a controversial heart.

Thus will begin perhaps the most critical "routine" physical examination in the 39-year-old life of this anxious young man.

What the doctor hears through the twin tubes of the stethoscope, and what he interprets from the electrocardiograph tests that will follow, should have a major bearing on the future of the U.S. man-in-space program.

"Deke" is Air Force Maj. Donald Kent Slayton, U.S. astronaut—one of the seven men selected five years ago to make this nation's first flights into space.

The other six have gone on before, into space, fame and history books. But for Deke Slayton, there has been no thunderous rocket blast-off, no awesome views in space. A tiny quirk of nature has marked him as a man apart.

Slayton is an astronaut with heart trouble.

To be sure, it doesn't amount to much as coronary ailments go. Doctors call it "arterial fibrillation," a minor offkey heartbeat that causes the upper chambers of the heart to tremble—a "murmur" of the sort that millions of Americans live with normally every day.

### Demands Perfection

But Deke Slayton, by definition of the word "astronaut," is hardly an ordinary man. His is a profession that demands the physically perfect because it leaves so little margin of error for the possibility of mistakes by human frailties.

Slayton's heart tends to flutter. It was worry that such a flutter might occur before or during blast-off, or at a critical point in space, that led the National Aeronautics and Space Administration (NASA) to remove him as the pilot for the second U.S. manned orbital flight. Fellow astronaut M. Scott Carpenter went on to make the three orbits last year.

Then, after more examinations, NASA made Slayton's grounding permanent, as far as the one-man Mercury flights were concerned, on July 11, 1962.

Slayton was stunned. The space agency and its doctors had known about the heart defect a full two years even at the time, late in 1961, that Mercury project director Robert R. Gilruth announced that John Glenn would get the first crack at orbital space and that he would follow.

### Decision Not Popular

The decision was neither unanimous among the doctors that ran the tests on Slayton (one top physician left NASA as a partial result), nor popular among scores of Mercury officials who regarded this intense, intelligent man as one of the most capable and certainly one of the most likeable of the original seven astronauts.

The question of whether Slayton's heart murmur would affect his ability in space is a controversy that has never been settled.

He may yet get his chance. Project Mercury is dead, but ahead is Project Gemini, which will send two-man teams of U.S. astronauts into orbit starting in another year or so.

Slayton himself contends he is fully competent for a ticket into orbit, heart murmur or no. His first major step in that direction should come this fall, when all 16 Gemini astronauts undergo a checkup in Houston.

Dr. Charles Berry, head of NASA's center of medical operations in Houston, said this will be a regular medical examination for the spacemen-elect.

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By Robert A. Smith  
Bulletin Correspondent

WASHINGTON — When Gov. Mark Hatfield was asked about his political future by Charles Collingwood on the CBS-TV show, "Portrait," the other night, there was an element of unreality in his reply.

The governor said there was talk that "my congressman might run for governor," in which event Hatfield suggested he might run for the House when his gubernatorial term expires in 1966.

His congressman is Rep. Walter Norblad — but it's been a long time since anyone has talked about Norblad for governor. That's part of the unreality.

Norblad had a demoralizing fling at the governorship in 1956, after Gov. Paul Patterson died in office. Elmo Smith took over in February. That spring Norblad decided to seek the Republican nomination for governor to determine who would finish out the last two years of Patterson's term.

The congressman flew to Oregon without advance fanfare and began a lightning circuit of the state, mostly to shake hands with key persons such as editors and seek their support. The tour was a bust. Norblad was treated like an unwelcome intruder by GOP leaders and financial backers who wanted Elmo Smith. Instead of challenging these conservative forces, Norblad retreated to Washington — and the GOP lost the governorship that fall when Smith was defeated by Robert D. Holmes.

This outcome proved beneficial to Hatfield, for two years later he ousted Holmes from the governorship and has been in office ever since. It also proved to be Norblad's last bold venture. Elected

# Capital Report

## Not much reality in Hatfield's reply to the teevee questioner

to Congress at the age of 37, in 1946, he is an 18-year veteran of that office today at age 55 with no visible sign of planning a shot at any other public office.

He had yearned to move up to the Senate some years ago but the Morse-Neuberger grip on Oregon's Senate seats for the past decade discouraged such ambition. In a word, Norblad has made political security rather than political ambition the key to his activities these days, and he is likely to remain a congressman as long as he can get re-elected, a practice in which he has been notably successful against well-known challengers, such as Attorney General Robert Y. Thornton, and unknowns.

The idea of Hatfield running for Norblad's seat was doubly unreal because it is evident to everyone the governor has his sights on something bigger. He flatly denies he is interested in a place on the Republican national ticket next year; and he has announced he will stay out of Oregon's presidential preference primary next spring and let the major candidates slug it out, if they wish.

Because no one ever admits he's a candidate this far in advance, and because Hatfield continues to gain abundant national publicity, there is a tendency among politicians and others to take with a grain of salt his professions of disinterest.

By renouncing any wish to be Oregon's favorite son, Hatfield is playing 1964 very carefully. A favorite son is often an artificial contender, gaining a little extra public attention at the convention until the main contenders take charge. A favorite son with a sizable delegation has bargaining power before he throws his

votes to a main contender, but he can easily look silly in the process and even blunder badly by tossing his votes to the wrong contender. In 1964 Hatfield in that position would certainly make Goldwater Republicans in Oregon sore if he threw in with Rockefeller or anyone else, and if he threw in with Goldwater he would have trouble explaining that to his more liberal supporters, especially in the labor movement.

In short, Hatfield apparently has determined to relinquish any possible advantages of the favorite son role as far as securing a place on the ticket is concerned in order to avoid the dangers inherent in that role which might hurt the base of his support in Oregon. It's not that Hatfield would reject a place on the ticket, but he won't gamble in hopes of getting it.

Hatfield's base of support in Oregon is more important because he figures to find his future, beyond the governorship, in events in Oregon rather than the 1964 presidential convention and election. The most probable event will be the 1966 senatorial election when Sen. Maurice Neuberger's term expires and so does his.

For anyone who remains convinced that Hatfield has his eye only on the White House or the vice presidency, a veteran political writer who covered the recent annual governors' conference at Miami reports that one of Hatfield's closest associates was candid in discounting such ambitious notions.

"We're running for the Senate in 1966," the writer was told.

The governor obviously thought it a little premature to be this candid with Collingwood with a national television audience looking on.

## Washington Merry-go-round

### This Greek is familiar with U.S. traffic troubles

By Drew Pearson

ATHENS — On a hill opposite the Acropolis in this ancient Greek city is the office of an architect who is probably the No. 1 city planner of the world. He is Constantine Doxiadis, who has been helping revamp out-of-date cities or build new cities in sixteen countries of the world.

Doxiadis has worked out new plans for the waterfront area of Louisville, Ky., Eastwick in south Philadelphia; is unscrambling the problems of Khartoum in the African Sudan; drafted plans for getting rid of the slums on the hills surrounding Caracas, Venezuela; and is now working on a traffic plan for the city of Accra, capital of Ghana.

One of his most spectacular plans is for Islamabad, the new capital of Pakistan, which in 15 years will have a population of 2,000,000.

"The problem of the modern city," Doxiadis told me, "is the fact that the more highways you build, the more automobiles they attract and the more congested cities become. The city of London today is full of modern, high-speed vehicles. Yet they can cross London only at the speed of a horse-drawn bus.

"The city of Los Angeles has built some splendid new thruways, but every one of them has attracted more cars and increased the traffic problem."

### West Coast Megalopolis

To offset this, Doxiadis has laid out the new city of Islamabad with resident areas in which vehicles can travel at only ten miles an hour, with traffic lanes at which the speed will be 100 miles an hour. The approaches to the 10-mile residential areas from the 100-mile speed zones, will be by way of access highways at 30 miles an hour.

"We have studied 6,000 years of city planning," explained the Greek architect, who lives near some of the oldest cities in the world, "and we find that man cannot live next to noise and fast speed without developing mental problems. Ten miles an hour he can live with. Modern speedways must be removed from the residential areas."

Doxiadis has also worked out a map of the world showing what will happen to man by the end of the 21st century. It shows a vast mass of population extending from Richmond, Va., to Boston on the Atlantic Coast — one vast city.

"But the megalopolis of the West Coast will be even greater," said Doxiadis, pointing to the map. It showed five times as many people living in the area between San Diego and Seattle. "That's best bet today."

cause the West Coast climate is better and there is more space to spread out," Doxiadis explained.

This brought a word of concurrence from Chief Justice Earl Warren, who also called on Doxiadis. As governor of California longer than any other man in history, Warren had helped that state to grow to be the biggest in the union. But he remarked: "Our universities should have set up some careful studies regarding California's future development. Otherwise we will grow not like an ordered garden but like weeds."

### Politics Vs Planning

As the Athenian city planner talked, I thought back to the recent hit-and-miss city planning of Washington, and the efforts of congressmen to modify the beautiful plans of the original Washington planner, Major L'Enfant. Representative Mike Kirwan, the Youngstown, Ohio, Democrat, has now foisted a \$10,000,000 aquarium on the nation's capital simply because he is chairman of the House Appropriations Committee for Washington and he happens to like fish. Meanwhile, Washington has no opera house, though every medium-sized city in the Soviet has its opera house.

I recalled also the efforts of Sen. Claiborne Pell, D-R.I., to awaken the nation to the importance of helping the railroads develop new fast transportation between Washington and Boston. The Japanese have done this in the dense area between Osaka and Tokyo, but Pell got nowhere with his far-sighted plans for the United States.

I remembered that Richardson Dilworth, when mayor of Philadelphia, was one man who understood city planning and worked with the railroads to modernize commuter service to the Philadelphia suburbs. He was defeated for governor of Pennsylvania as a reward.

In New York, the Atomic Energy Commission ok'd a nuclear reactor one mile from the United Nations in the heart of a population of 8,000,000, without consulting New York authorities. Yet, by long range planning, much cheaper power could be brought by power lines from the coal mine mouth in West Virginia and Pennsylvania.

Then there is Houston, Texas, which is spawning government electronics laboratories and defense contracts chiefly because a powerful member of the House Appropriations Committee, Albert Thomas, comes from Houston. He can get what he wants from other congressmen.

And there are the air and naval installations around Charleston, S.C., largely because Rep. Mendel Rivers of Charleston occupies potent places on the Armed Services and Appropriations Committees.

This is politics, not planning. To many congressmen, planning is a dirty word. But if there is one thing that could defeat our political system, it is the failure to plan.

The Communist countries I have visited are planning. We may not like their plans. But they are looking far ahead of us.

## My Nickel's Worth

"When men differ in opinion, both sides ought equally to have the advantage of being heard by the public." — Benjamin Franklin.

### Sir Harry does love race horses

To the Editor: In an article published in your excellent paper of 20th August it states that "Sir Harry" (Thomas R. Dawson) isn't particularly fond of horses.

As one of the horses tipped by "Sir Harry" — and I won at 100-7 — I would like to correct such a completely erroneous impression. In fact he is very devoted to us and never writes in his paper, even when we lose, that we should be sent to the glue factory!

He is so kind that he often tells trainers that they should give their horses more oats. He is a welcome visitor to my stable at any time.

So please Mr. Editor, let everyone know "Sir Harry loves British racehorses and we love him."

Yours sincerely,  
Winner of St. Nicholas Plate at Haydock Park Manchester, Eng.  
Sept. 1, 1963

### FISH RETURNS CHOP

FLEETWOOD, England (UPI) — A halibut returned a pork chop to the English fishing trawler Gavina, mate Barnard Birley reported Sunday.

Birley said the ship's cook threw the chop overboard, and 18 hours later the fish hauled aboard was found to have eaten it.

"It was definitely the same chop," Birley said. "I've never heard of anything like that happening before."

### Answer to Previous Puzzle

1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	31	32	33
34	35	36	37	38	39	40	41	42	43	44
45	46	47	48	49	50	51	52	53	54	55
56	57	58	59	60	61	62	63	64	65	66

# It's Another World

## On return to school and dating

By Elizabeth Chenoweth

Being the last week before school, everyone is trying to get as much done as possible.

Teenagers are buying school clothes for this winter. Some of us are trying to do as much as we can in the way of having fun. Others are doing as little as they can get away with. Some of us are looking forward to school, and some of us dread it.

For a lot of us it is going to be a complete change. The 6th graders going into the Junior High, and the 9th graders going into the Senior High. We are the ones that will have to adjust. We are the pip-squeaks of the school. After being the big shots the year before, we are down at the bottom again. We have to prove that we are worthy of belonging.

As for the adults, they are overjoyed! Mother will be able to keep the house in a decent condition. She will have the phone to herself, and have as many coffee breaks as she wants. Father is happy because he will have an excuse to get rid of us teens, "go do your homework."

All said and done, with the great student officers, the terrific student body, and the tremendous athletes, this year will be the greatest.

Let's all get in there and do our part to make it even greater than that.

Should teenage girls go out with older boys. This question has people fighting on both sides. You can't just say yes or no.

Some people believe that if an older boy asks a girl out he is just trying to take advantage of her. Others think that this is how a girl should be treated. She should be able to take care of herself.

Still others think that it is better to go with boys that are in the same class with you.

Really the answer to this question depends on the girl. If the girl is mature she should be allowed to go out with an older boy if she knows him and he is a nice boy.

Usually girls mature faster than boys so that they usually enjoy the company of older boys better than that of boys their own age. Also older boys usually have better manners which is very important to a girl.

To end this long debated question, parents should let their daughters go out with older boys even if father does go along.

## President Tito to visit U.S.

MEXICO CITY (UPI) — Yugoslavian President Tito will visit the United States, Mexico, Brazil, Chile and Bolivia during his projected Western Hemisphere tour, the Yugoslavian Embassy announced Sunday.

The embassy said Tito will visit Brazil, Chile and Bolivia before coming to Mexico at the invitation of President Adolfo Lopez Mateos. It was believed he would then continue to the United States.

## Barbs

A taxi in Chicago hit a fire plug when the passenger faintly. Meters should be kept out of sight.

During hunting season a gun should be loaded with caution as a hunter not at all.



Some traffic snarls are caused by men who push carts in supermarkets.

A bad reputation is much harder to get rid of than it is to get.

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