

APPEALS COURT FREES 11 REDS

52nd Year MEDFORD TRIBUNE JANUARY 20, 1958 No. 232 Price 10 Cents

Grand Jury Asked To Indict KKK Wizard

Inciting Riot Charge May Lead To Man's Arrest

Action Follows Saturday Melee

Maxton, N. C. — A sheriff who had warned that the Klu Klux Klan might cause violence if it staged a rally here asked the Grand Jury today to indict KKK Wizard James W. Cole for inciting a riot.

Some 300 whooping Indians, some of them with paint streaked on their faces, touched off a mild melee at the rally Saturday night, scattering a group of 40 Klansmen and several hundred spectators. Four persons were nicked by pellets or bullets. There were no serious wounds.

The Klansmen fled in disorder. Highway patrolmen and deputies with riot guns and tear gas broke up the demonstration and cleared the field of the milling, yelling throngs. Indians snatched up Klan banners and paraphernalia as the Klansmen fled. One Klansman, arrested as a drunk, was also charged with inciting a riot. When he sobered up, he renounced the Klan.

Fire At Newsman The flurry of shooting was followed by a roadside incident in which men believed sympathetic to the Indians fired on a car occupied by three United Press newsmen and a radio reporter.

Sheriff McLeod appeared before the Grand Jury at midday and Solicitor Maurice Braswell said an indictment against Cole may be returned later today. If indicted, Cole would be subject to arrest the next time he enters North Carolina from his South Carolina home, or the state might seek to extradite him.

Cole, contacted at his home in Marion, S.C., said he planned to bring suit against McLeod for failing to guarantee his constitutional right to free speech and assembly.

Police Sunday moved into the area where members of the Lumbee tribe make their home, searching for Klansmen who may have been left behind. Two were picked up and held for possible charges of inciting a riot.

An estimated 300 Indians fired more than 1,000 shots when the 20 to 30 armed Klansmen arrived for a cross-burning and rally. Nobody was killed but at least four persons were wounded.

The Indians had been setting over the cross-burnings staged earlier last week by Klansmen who said the Indians had been trying to mingle intimately with whites. When the Klansmen arrived Saturday night the Indians were ready.

Six Injured In Accidents Reported This Week End Oregon state police reported two accidents during the week end which injured a total of six people and involved three cars.

Four people were injured in a collision three miles south of Rogue River on Highway 99 Sunday about 12:40 a.m. when cars operated by Donald Raymond Merritt, 27, of Merlin, and Ronald G. Rogers, 21, of 317 Charlotte Ann rd., collided head-on, according to police. Merritt suffered a sprained ankle and Rogers a broken finger.



HEAVY SMOKE—Dense clouds of smoke poured out of the doorway leading downstairs to the old Medford bowling alley near the Bear creek bridge when fire broke out in an area under the street about 6:30 p.m. Saturday. Above, fireman Elmer Tompkins feeds out a guide rope and fire hose to Ray Minger and Carl Ricke, who have gone into the smoke-filled basement to search out the flames. The men were wearing self-contained oxygen masks as there was not enough oxygen in the air to sustain life, Minger said. Even with powerful search lamps, visibility was cut to about two feet and the rope was used for signaling and to help the men find their way out of the building. The fire, burning in trash and old lumber, never got above ground level, and little damage was done to buildings in the area, firemen said.

New Road Out, Engineer Reports

High costs and demand for road improvement in other parts of the state make it probable that a new highway from Selma to Gold Beach can be constructed in the near future, according to W. C. Williams, state highway engineer.

The road, much-discussed in southern Oregon as an outlet to the sea better than the present Highway 101 from Grants Pass to Crescent City, has been proposed by a number of sources.

Williams gave his view in a letter to Congressman Charles O. Porter recently, in response to a letter from Porter asking about the possibilities of having the proposed route placed on the forest highway system.

Williams estimated cost of such a highway at \$250,000 per mile, or a total cost of about \$15,000,000, plus another \$2,000,000 for improving existing portions of the route. He added it would take about \$80,000,000 to complete the existing forest highway system, not including those on the interstate system.

This means, he said, that "with present appropriations, it would require some 20 years to bring the present system to an acceptable standard."

In reply, Congressman Porter acknowledged that the cost would be high but pointed out: "When we consider this road will have to be built some day as that area develops and the longer we wait the more expensive it will be both in terms of increasing costs and delayed benefits, then it seems plain the sooner it is built the better."

Porter's letter regarding the route is being considered by members of the highway commission, Williams said.

Quakes, Tidal Waves in Ecuador Guayaquil, Ecuador — Earthquakes and tidal waves ravaged the coast of Ecuador Sunday, killing at least 14 persons and destroying hundreds of homes and other buildings.

It was South America's second tragic wave of quakes in a week, following one that killed at least 24 persons and left 1,500 homeless in the Peruvian city of Arequipa.

Dynamite Stick Found in School At Little Rock

Attempt Seen To Scare Officials

Little Rock, Ark. — Police found a stick of dynamite today in the basement of Central High school, which nine Negroes integrated last Sept. 25 under the protection of paratroopers.

Little Rock Superintendent of Schools Virgil T. Blossom said he thought it was an attempt to scare officials into closing the school, though the dynamite had no fuse and was relatively harmless without interruption.

The second semester started today at Central, still under the guard of a handful of federalized national guardsmen. There was no attempt to molest the nine Negro students as they entered.

But a few minutes after school began, Ray Bartlett, manager of radio station KNLR got an anonymous telephone call that there was dynamite in a locker in the Central High basement.

Bartlett immediately advised the FBI and Little Rock police. Police and a school custodian found the dynamite in the locker about 10 a.m. Police took the dynamite out.

Acting Police Chief Gene Smith said he thought it was stolen from a construction project.

Blossom, saying he thought the dynamite was put in the locker in an attempt to scare officials into closing Central, said at the same time that he doubted any person would go so far as to blow up students.

Every necessary precaution is being taken by school, police and FBI officials to protect the children," he said.

Many Will Attend Leaders' Confab

Sixteen residents of Jackson county will attend the state 4-H leaders conference to be held at Oregon State college, Corvallis, Jan. 22 through 24.

Those attending the adult section that will begin Wednesday afternoon include Mr. and Mrs. Francis Krouse, Applegate, Mr. and Mrs. Sam James, Talent, Mrs. Don Bradshaw, Mrs. John Bohnert, Mrs. Everett Gibson, Miss Nancy Barnes, all Central Point, and Mrs. Perry Strom, Medford.

They will leave Medford Wednesday morning with Miss Marilou Garner and Glenn Klein, Jackson county 4-H agents.

Attending the older youth conference to be held Friday will be Miss Mavis Strom, Medford, Miss Carolyn Tiegs, Talent, Phillip Krouse, Applegate, Miss Penny Sampert, and Miss Nyla Murray, Medford. They will leave Medford Thursday afternoon. The entire group will return to the county Saturday.

Smith Act Said Destroyed by Supreme Court

Yates Reversal Basis for Action

San Francisco — The U. S. Circuit Court of Appeals today freed 11 Communists convicted under the Smith act because a U. S. Supreme Court decision made "a virtual shambles" of the anti-subversive law.

The court reversed the conviction of seven Hawaiian and four Seattle defendants by denying a government petition for a new trial.

Based on Interpretation The circuit court based its decision on the high court's interpretation of the Smith act.

Among the defendants was Jack Wayne Hall, 41, Hawaii director of the International Longshoremen's and Warehousemen's union.

The court here said it would have affirmed the convictions in line with its decision in the case of Olletta O'Connor Yates, Los Angeles Communist, whose case later was thrown out by the Supreme Court.

The appeals tribunal said its decision in the Yates case "is no longer the law."

In an opinion written by Appeals Judge Michael H. Chambers the court said, "one may as well recognize that the Yates decision leaves the Smith act, as to any further prosecution under it, a virtual shambles."

Besides Hall, the Hawaiian defendants were: Charles K. Fujimoto of Honolulu, former chemist and one-time Communist party chairman in Hawaii; his wife Eileen, an ILWU secretary; Koji Ariyoshi, editor of the weekly newspaper Honolulu Record; Jack D. Reinecke, a former school teacher; and Jack Kimoto, a Record reporter.

The Seattle defendants were Henry P. Huff, Washington state chairman of the Communist party; John H. Daschbach, chairman of the Washington state Civil Rights Congress; Paul W. Bowen, Washington leader of the Communist Negro movement; and Harry Petrus, Northwest editor of the Peoples World.

The seven Hawaiians were convicted June 19, 1953, after a seven-month trial for conspiracy to teach and advocate violent overthrow of the U.S. government.

This decision was carried to the appeals court here, which waited for determination of precedent by the U.S. Supreme Court before handing down a decision on the Hawaiians' appeal.

Reversed in June The Yates conviction was reversed last June 17 when the high court freed five California Communist leaders and ordered new trials for nine others. The Supreme Court declared that the Smith act does not forbid advocating overthrow of the government as an abstract principle, so long as the idea is not coupled with efforts to bring about actual revolution.

The court stressed that mere proof of membership or even leadership in the Communist party is not enough for a Smith act conviction.

Ke Urges Caution On Price, Wage Boosts

Military Men Said Obligated To Give Views on Budget

Knowland Voices Testimony Opinion

Washington — Senate Republican Leader William F. Knowland said today military officers "have an obligation" to give Congress their frank views on the defense budget even if it means differing with their superiors.

Knowland, a member of the Senate Armed Services Committee, told reporters, "that is the only way that Congress can keep itself fully informed."

Knowland was commenting on recently released testimony before the Senate Preparedness Subcommittee by Gen. Nathan F. Twining, chairman of the Joint Chiefs of Staff. Twining in effect said that by forcing officers to give their views about the adequacy of military budgets, the subcommittee was requiring them to choose between insubordination and perjury.

But Knowland said the officers should express their sentiments honestly "regardless of whether they coincide with the budget as submitted."

He said "Congress under the Constitution has a responsibility to appropriate funds" and has a "responsibility to get the facts."

Therefore, he said, "members of the military forces have an obligation to testify and to be responsive to questions asked by proper committees of Congress."

Sen. John C. Stennis (D-Miss.) a member of the Senate Preparedness Subcommittee, voiced similar views Sunday.

Toboggan Mishap Injuries Riders

Two persons were injured, one critically, in a toboggan accident at Union Creek at about 3:40 p.m. Sunday, according to reports of the Medford Ambulance Service.

Charles H. Dailey, Box 133, Prospect, was reported in critical condition by Sacred Heart hospital attendants Monday morning, after a toboggan carrying Dailey and Delores Tibbils, 32, Grants Pass, apparently flipped over. Dailey is suffering from neck injuries and Miss Tibbils from a fractured wrist and a back injury, hospital attendants said. Miss Tibbils was reported in fair condition Monday morning.

Both were taken to the Sacred Heart hospital by Medford Ambulance Service.

Meunier was arrested on Jan. 13 by city police after he admitted to fooling a number of Medford residents into believing he was a doctor of medicine, boy's town official or youth worker at one time or another. He was released from the British Columbia, Canada, prison on Dec. 13, according to police.

Fuchs Arrives at Pole; To Continue

South Pole — Dr. Vivian Fuchs arrived at the South Pole today with 11 companions and said he had never considered for a moment any suggestions he call off his historic overland journey from one side of the frozen Antarctic to the other.

Fuchs, smiling through his frozen grey beard, was met by Everest conqueror Sir Edmund Hillary who won an unofficial race to this midway point from Scott Base on the opposite coast and suggested that Fuchs' attempt to go on would be "foolhardy."

Fuchs, head of the British Antarctic expedition, told newsmen after covering the 950 miles from the Weddell Sea: "I have never considered for a moment concluding the present season's work at the Pole. I have been delayed in the Spring by weather and vehicle trouble, but this has not broken the back of the trek."

Fuchs arrived with several snow vehicles and two dog teams which he said had slowed him down. He said he would leave the two teams at the Pole to be flown out under a suggestion made by Rear Adm. George Dufek, commander of the American polar expedition.

30 Miles Daily Expected "With lighter loads, no dog teams and fewer vehicles, we should make a steady 30 miles daily over the 1,250 miles to Scott Base," Fuchs said.

'Denuclearized' Zone Veto Seen Washington — The United States is expected to turn down a top-level Soviet bid for a "denuclearized zone" through the middle of Europe.

Government officials have said such a plan would leave American troops with only "second class weapons" against a Russia assault on Western Europe.

These officials want U.S. and allied troops to have nuclear arms-bearing a global disarmament agreement outlawing atomic weapons.

The Communist plan was first put forward by Poland and later supported by the Soviet Union. It calls for banning nuclear weapons from a zone beginning in Poland and extending through Western and Eastern Germany, Czechoslovakia and perhaps farther south.

Refueled Wood Stove Causes Fire Alarm A general fire alarm was sounded about 2:15 p.m. yesterday when smoke was reported on the second floor of the San Luis rooms, 33 South Front st.

Firemen on arrival found no blaze. They said that the smoke had escaped from a wood stove while it was being refueled.

Two Persons Hurt In City Collision Two persons were taken to Rogue Valley hospital by Medford Ambulance at 12:35 p.m. today following an automobile accident at Third and Holly sts., according to city police.

Treated in the emergency ward at the hospital were Mrs. Lilah Goodman, 38, of 332 Mary st., and Lee Garrett, 26, of 335 West Second st. Extent of injuries were not known at press time.



Report Optimistic On Economy for Balance of Year

No Need Seen for Prolonged Recession

Washington — President Eisenhower coupled a generally optimistic report on the nation's economy today with a new warning to business and labor leaders to go slow on price and wage increases.

"As we look ahead in 1958," he said, "there are grounds for expecting that the decline in business activity need not be prolonged and that economic growth can be resumed without extended interruption."

Essential to Economy The President, in his annual economic report, said that stable prices are essential to a sound, prosperous economy.

Business leaders must hold price increases to amounts warranted by increased production costs, the President said. And labor must limit its demands for higher wages to gains in productivity per man-hour, he said.

Otherwise, he said, recovery from the present business slump could be slowed down.

Asks Wage-Price Restraint The new call for self-restraint on prices and wages highlighted the annual economic report to Congress. He had sounded such warnings previously when administration economic policies were directed to combating inflationary pressures. This was the first time he had spoken out along this line since inflationary pressures lessened with the decline in business activity.

It came only a few weeks before a start of negotiations on some major new wage contracts, including those for the aircraft and auto industries.

Report Optimistic The overall tone of the President's report was optimistic about the economic outlook, both for the near future and the long run.

They reported record overall prosperity for 1957 despite the economic decline in the latter part of the year. But he said about four-fifths of the year's business gains in dollars was eaten up by inflationary price rises. And some segments of the national economy didn't do quite as well as in 1956.

Looking to the future, the President stressed the importance of an expected business pickup being based on a sound dollar and reasonably stable prices.

Sees Business Pickup The president noted several factors favorable for a business pickup later this year. They included high personal income and consumer spending, low inventories, increased defense spending, easier credit with lower interest rates, higher expenditures for research and development. He also cited the outlook for increased home building and larger expenditures by state and local governments for public services, such as highway construction.

Oregon Delegation Asks Holmes Visit Washington "If it's possible for five politicians to eschew politics, we eschewed it today." The delegation was stirred up last week over a story leaking out that at the last breakfast conference members discussed politics, mainly their feeling that Governor Holmes was in trouble politically as he faced reelection.

WEATHER

FORECAST — Clearing this evening, becoming foggy or low overcast in the valley Tuesday morning. Generally sunny Tuesday. Low tonight 28. High Tuesday 48. Temp. Highest Yesterday 41. Lowest This Morning 30. Prec. to 10 a.m. Today. Trace.

Our Skies Tonight

Sunrise 7:36 a.m. Sunset 5:09 p.m. Moonset 6:35 p.m. Tonight 28. High Tuesday 48.

EVENING STAR

Venus, seen near the Moon tonight, will soon disappear in the rays of the setting Sun. Early in February it will reappear as a morning star, rising a few minutes before the Sun.

DOW-JONES AVERAGES

New York — Dow-Jones final stock averages: 30 industrials 447.29, up 3.17; 20 railroads 106.87, off 0.23; 15 utilities 1.64, up 0.26, and 65 stocks 152.11, up 0.70. Sales today were about 2,310,000 shares compared with 2,200,000 shares Friday.