

Chessman Lawyers Set 16th Appeal Convict 'Virtually Certain' To Die

San Francisco—UPI—Attorneys for Caryl Chessman, 38, planned to appeal to the U. S. Supreme Court Friday for the 16th time in 12 years in efforts to save the convict-author from execution May 2.

But the twice-condemned Los Angeles sex terrorist said he was "virtually certain" he will die in the San Quentin gas chamber on this, his ninth execution date.

Chessman voiced his pessimism in an angry letter to his chief counsel, George T. Davis, in which he asked him to withdraw from the case. A copy of the letter accompanied a California Supreme Court decision Wednesday denying a writ of habeas corpus to Chessman.

Claims Reprieve Was Cruel

In New York, A. L. Wirin, another attorney for Chessman, said he would file for a writ of certiorari for review.

in the U. S. Supreme Court of the California court decision Friday.

Wirin, chief counsel for the American Civil Liberties Union in Southern California, said he would ask for a stay of execution for Chessman.

He said he would cite as grounds for the action that a reprieve by California Gov. Edmund G. Brown 10 hours before Chessman's last execution date Feb. 19 constituted cruel and unusual punishment; also that one of the original charges against Chessman was faulty.

Chessman received two death sentences in Los Angeles in 1948 on conviction of kidnaping for the purpose of robbery accompanied by bodily harm. The bodily harm was a perverted sex attack on two women. Chessman's attorneys argued that the charges on which he was originally indicted carried a maximum penalty of life imprisonment.

Other Appeals Possible

If the U. S. Supreme Court rejects the latest appeal, Chessman's attorneys will be free to go into U. S. District Court in San Francisco and on up through the federal court system.

Copies of Chessman's letter to Davis were sent to California Chief Justice Phil S. Gibson and Governor Brown.

Stocks Increase On Routine Trading

New York—UPI—Stocks gained on most fronts in generally routine pre-holiday trading today.

Treasury Secretary Anderson's statement that business this year could be the most prosperous in history was reason enough for the market's improved tone, brokers agreed.

American Motors, which opened up 1/4, extended the earlier gain to around a half in subsequent trades. The company reported that Rambler sales during the first 10 days of April were the highest for any month-opening on record. Chrysler, General Motors and Ford held steady.

Industrials were up more than a point in their average chiefly on gains of more than a point in Eastman Kodak and a half or more in American Telephone and American Tobacco.

Stock	Price
Gulf Oil	30 1/2
Honestyake Mining	41 1/2
Idaho Power	46 1/2
Int. Paper	115 1/2
Johns Manville	54 1/2
Kaiser Ind.	12 1/2
Katy	14 1/2
Kennecott Copper	70 1/2
Lockheed Aircraft	23 1/2
Montgomery Ward	45 1/2
Nat'l Biscuit	54 1/2
New York Central	24 1/2
Gas Q Elec	63 1/2
Penney's J. C.	125 1/2
Penn RR	14 1/2
Radio Corporation	74 1/2
Richfield Oil	75 1/2
Safeway	40 1/2
Sears	49 1/2
Shell Oil	35 1/2
Security Mobil Oil	44 1/2
Southern Co.	43 1/2
Southern Pacific	25 1/2
Standard California	45 1/2
Standard Indiana	41 1/2
Standard N. J.	44 1/2
Sun Mines	8 1/2
Texas Co.	73 1/2
Texas Gulf Sulfur	17 1/2
Texas Pac Land Trust	16 1/2
Transamerica	27 1/2
Trans World Air	14 1/2
Tri-Continental	34 1/2
Union Carbide	138 1/2
Union Pacific	28 1/2
United Aircraft	33 1/2
United Air Lines	29 1/2
U. S. Rubber	54 1/2
U. S. Steel	80 1/2
Youngtown S & T	108

DOW-JONES AVERAGES

New York—UPI—Dow-Jones final stock averages: 30 industrials 626.50, unchanged; 20 railroads 144.41, off 0.60; 15 utilities 89.47, up 0.06, and 85 stocks 208.92, off 0.14. Sales Wednesday were about 2,730,000 shares compared with 2,470,000 shares Tuesday.

Wednesday's prices on selected stocks:

Allied Chemical	50 1/2
Alum. Co. Am.	90 1/2
American Can	41 1/2
American Motors	28 1/2
A. T. & T.	92 1/2
Anaconda Copper	52 1/2
Armco Steel	61 1/2
Bendix Aviation	63 1/2
Bethlehem Steel	45 1/2
Boeing Air	23 1/2
Crown Zellerbach	43 1/2
Chrysler Corp.	52 1/2
Continental Can	43 1/2
Crown Zellerbach	43 1/2
Curtis Wright	21 1/2
Dow Chemical	90 1/2
Du Pont	22 1/2
Eastman Kodak	112 1/2
Firestone	38 1/2
General Electric	92 1/2
General Foods	102 1/2
General Motors	45 1/2
Georgia Pacific	54 1/2
Graham Paige	24 1/2
Greyhound	21 1/2

Ex-Valley Resident Transferred East

Charles Cummons, former valley resident and employee of the California Oregon Power company, has assumed duties as chief of operations at the New York state power authority's Niagara Falls development, according to word received here.

Cummons, son of Mr. and Mrs. C. L. Cummons, 1986 Pacific rd., Phoenix, was superintendent of The Dalles dam powerhouse before moving to Niagara Falls.

He was a powerhouse operator for Copco at Klamath Falls and Prospect before starting work with the corps of engineers at Bonneville dam and McNary dam powerhouses.

Cummons was graduated from Eagle Point High school, and studied electrical engineering and radio for three years by correspondence. The Niagara Falls development will be completed in 1961 and will have a power output of 2,100,000 kilowatts.

Farm Organizations, Defense Officials Meet

Salem—UPI—Members of the Oregon civil defense agency met with officials of Oregon farm organizations here today to form an advisory committee for protection of farm crops and livestock from radioactive fallout in the event of nuclear attack.

There are about 27,000 officers in the Salvation Army.

Atlanta Negro's Home Bombed

By United Press International

A Negro home in a white section of Atlanta was bombed Wednesday night in a fresh outburst of racial violence in the South.

The incident shattered an uneasy calm that prevailed over most of the South where Negro college students have been demonstrating against segregated lunch counters.

In Nashville, Tenn., police arrested seven Negroes Wednesday night after a young white man was attacked on a midtown street. He told officers the Negroes ganged up on him, cut his pants with a knife and hit him with a piece of hose.

No one was in the house at the time the dynamite charge

Porter Loses in Passport Plea

Washington—UPI—A U. S. Court of Appeals today upheld a lower court decision denying a claim by Rep. Charles O. Porter (D-Ore.) that he is entitled to visit Red China because he is a member of Congress.

The appeals court said that "although he is a member of Congress, that status alone does not entitle him to be exempted" from the State Department's blanket ban on travel to the Communist country.

The court, in an unsigned opinion by a three-judge panel, said the case presented no

conflict between the legislative and executive branches of the government.

It found that Porter applied for the special permission to visit Red China only "in his individual capacity" as a congressman. "Under such circumstances the individual congressman must conform to the regulations pertaining to passports which apply to all citizens," the court said.

Last June 10, in asking the State Department for the exemption, Porter asserted "a member of Congress has a right to go anywhere in the world to do his duty as a U. S. legislator as he sees it, except in time of war or emergency. Any other policy would seem to be an unconstitutional breach of the separation of powers."

After the Department denied his application, Porter brought suit in the District Court here. He asserted the Department violated his rights under the constitution and under the passport act of 1926. He asked the court for an order compelling Secretary of State Christian A. Herter to remove the limitation on Porter's passport excluding travel to Red China.

Lawyers' Incomes Said To Be Lagging

Memphis, Tenn.—UPI—John C. Satterfield, president-elect of the American Bar Association, claims a lawyer must charge his clients at least \$20 an hour to attain take-home pay of \$15,000 a year.

Satterfield, a Jackson, Miss., attorney, told a lawyers' meeting Wednesday attorneys' incomes have failed to increase as fast as those of other professions.

CHARACTER ACTOR DIES

Van Nuys, Calif.—UPI—Character Actor Robert Reeves, 68, Wednesday filled out a form for unemployment compensation and then collapsed and died in the State Department Employment office.

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