

# CUBA INSTALLING GUNS ALONG COAST

## Court Upholds Copco in Suit On Forest Fire

Salem — (UPI) — The Oregon Supreme Court today upheld California Oregon Power Co. in an action brought against the firm by the state forestry department to recover \$40,682 spent in fighting a forest fire that allegedly started on company right of way.

## Pro-Western Cabinet Seated In Laos Kingdom

Vientiane, Laos — (UPI) — The pro-Western government of Premier Prince Boun Oum was installed in office today by a Buddhist priest. The quiet, simple ceremony was in sharp contrast to the reports of bitter fighting in provincial areas of this Communist-beleaguered kingdom.

The priest administered the oath to the prince and his cabinet in a 15-minute ceremony in Sisaket Wat, a weather-beaten 13th Century Buddhist temple located across the street from King Savang Vathana's Vientiane villa.

The king came here from the royal capital of Luang Prabang specifically to convene a three-day session of parliament to formalize Prince Boun's status as premier. The National Assembly gave Boun a unanimous 41-0 vote of approval Wednesday.

But a left-wing Laotian government-in-exile headed by the "Red prince of Laos," Prince Souphanouvong, denounced Boun's investiture as a fraud perpetrated by force of arms.

In a statement broadcast over the clandestine radio of the Communist Pathet Lao rebel movement, which he heads, Souphanouvong declared he never would recognize Boun's government and warned he would ask for outside military aid if the United States "continued to intervene" in Laos.

## Bed Rock at Lake To Prevent Pilings

A check of the proposed dock site at Howard Prairie lake recently by officials of the county engineers' office showed that bed rock near the surface will not allow the use of pilings to hold the dock.

Robert Carstensen, county engineer, said that future work will be done as soon as the county parks and recreation commission decides on the type and size of dock wanted at the lake. He said that once this is decided the type of underwater construction to anchor the dock to may be determined.

The county engineer said that bed rock was located at the proposed site near the boat landing 18 inches underground. He added that there are several other highly satisfactory types of anchors for floating docks.

**CONGOLESE RIOT**  
Leopoldville, The Congo — (UPI) — A mob of 100 Congolese rioted today outside United Nations headquarters where U. N. Secretary-General Dag Hammarskjöld was conferring with Congolese officials.

## Building Activity in Medford Sets Record

Building activity in the city of Medford apparently set a new record for the month of December, with building permits valued at nearly \$1 million being issued.

A total of 92 permits, valued at \$963,910, were issued during December. A building department official called the figure "truly remarkable, since building activity normally falls off during December."

Last month's total was an increase of more than \$250,000 over the December, 1959, total of \$702,203. That month was also considered to be an exceptionally good building month.

Justice Kenneth O'Connell affirmed Circuit Judge Orval J. Millard.

The fire broke out when a tree was blown across a power line during a strong windstorm. The downed line touched off brush on the company's right of way.

The blaze burned for several days over about 4,200 acres of forest land in the Sykes creek area in Jackson county in September, 1955. Owner Has Liability

Oregon law provides that an owner or possessor of land is required to use every effort to control and put out fires and liability for failure to do so rests with such owner or person.

But the high court said Copco's interest was "merely that of an easement" and that such interest is non-possessory. The decision said the company was not a person in possession within meaning of the law nor was the company an operator. It could not be classed as the owner either, the court added.

O'Connell wrote that the legislature intended to impose the liabilities on those engaged in removal of timber as a forest crop.

The court said there was "no foundation" for the state's action against the company.

The Gray Line company was favored in a personal injury decision, written by Justice Alfred T. Goodwin.

A bus was involved in an accident near Umatilla caused by a tire blowout. A passenger, Manda Simpson, sued for alleged personal injuries.

Multnomah County Circuit Court Judge Eugene K. Oppenheimer's court ruled for the company and the Simpson woman's appeal argued that the judge instructed the jury incorrectly.

The high court ruled otherwise, affirming Oppenheimer.

## Construction of Tunnel Starts

Cave Junction-Grave-Callahan Construction company, Los Angeles, was expected to start work today on the Oregon Mountain tunnel on Highway 199, just south of the Oregon state line.

Grave-Callahan submitted a low bid of \$3,431,743 for the tunnel, which will be 1,835 feet long with a 26-foot two-lane roadway and two-foot sidewalks.

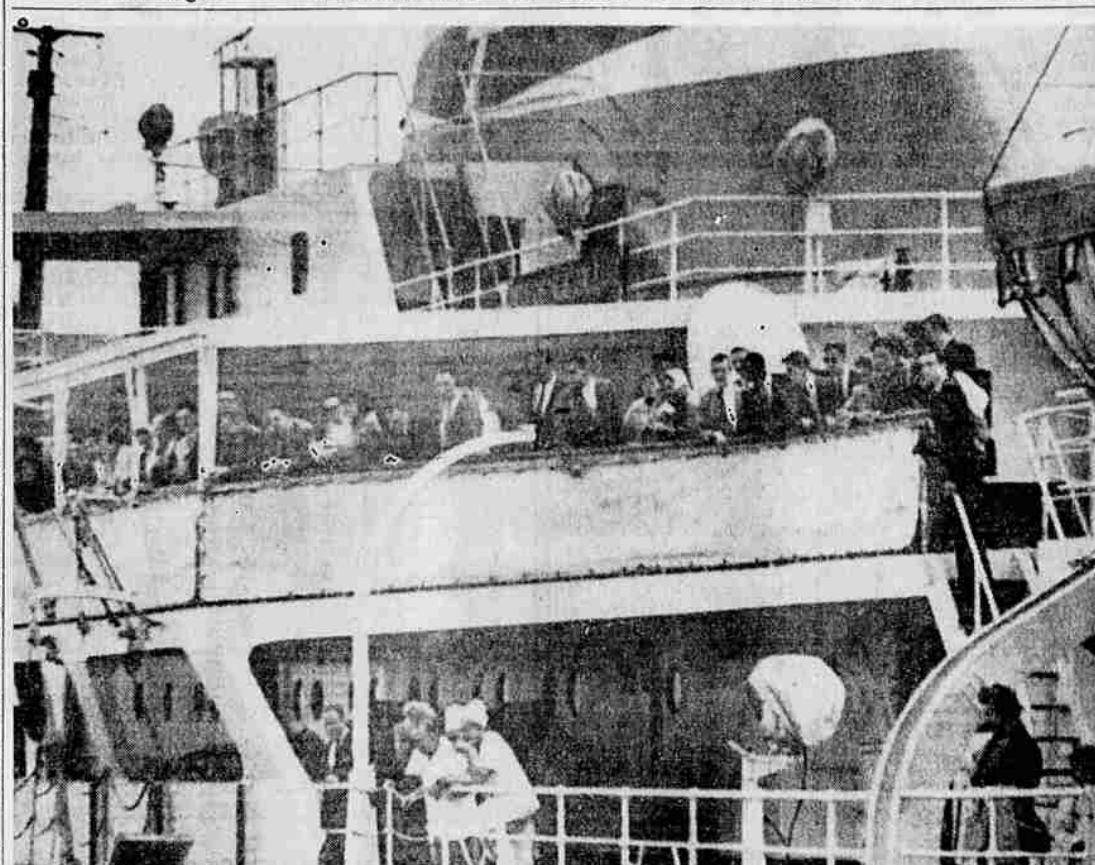
R. E. Replogle, superintendent engineer, said the company expects to have the necessary equipment on location by Jan. 15, when construction is expected to be in full swing.

Grading is now being done on the north approach to the tunnel, and bids for grading and paving the south approach, for which \$2,935,000 has been budgeted by the California division of highways, will be opened Feb. 1 in Sacramento.

## Enrollment Reaches 1,108 at College

Ashland — Enrollment for the winter term at Southern Oregon college reached 1,108 students at the end of the third day of registration yesterday.

On a comparable date last year, 1,088 students had enrolled. Registration for the winter term will continue through Monday, Jan. 16.



**EVACUEES ARRIVE**—Passengers on the City of New Orleans ferry coming from Havana, Cuba, line the rail as the ship docks at West Palm Beach, Fla., today. The vessel

carried several members of the U.S. Embassy staff from Havana, closed when the U.S. severed diplomatic relations with the Castro government Wednesday. (UPI Telephoto)



**CAMPAIGN CHAIRMAN**—The Senate Republicans have unanimously renamed Sen. Barry Goldwater (Ariz.) as their campaign chairman after an "air-cleaning" exchange between Goldwater and Sen. Jacob K. Javits (N.Y.). Javits, left, and Goldwater are shown as they left the GOP conference in Washington today. (UPI Telephoto)

## Limousine Problems On Agenda for City Councilmen Tonight

The Medford city council will attempt to solve the city's limousine problems once and for all when it meets tonight in the city hall amid charges of "smear" and "bad faith" being hurled at each other by the city's two limousine companies.

One of the companies, the Medford Airport Limousine service, is attempting to have the council revoke the limousine license of the other company, the Yellow Cab Limousine service. Yellow Cab company calls the attempt part of a "vicious smear campaign."

The problem was further compounded this morning when it was revealed that portions of a report, prepared on a recent hearing of the charges, were substantially in error and the errors were published in the Mail Tribune as fact.

Hearing Held  
The report was prepared by Alan B. Holmes, then municipal judge acting as hearing examiner, and now district attorney. The report came as the result of a hearing called by the council to consider charges and counter-charges that were made by the competing companies.

The report is scheduled to be considered by the council tonight, and it will probably be the basis of any penalizing action that it might take toward one or both of the companies. The council could revoke both of their licenses if it so desired.

**Confirmed This Morning**  
In his report, Holmes stated: "There is no question whatever but that Yellow Cab limousine is in violation of the rate schedule as this examiner interprets it, being \$1.50 per person regardless of

## Scannell Removed; Bengtson Trial in Grants Pass Starts

Grants Pass—Gerald J. Scannell Jr. was removed by the court as one of the prosecuting attorneys in the O. H. Bengtson trial which was scheduled to get under way in Josephine county circuit court this morning.

Paul Haviland, who was appointed prosecuting attorney for the case by the court along with Scannell, will continue as the only plaintiff's attorney.

The decision was made in the chambers of Judge Orval Millard during arguments on a motion filed by the defense to require the plaintiff's attorneys to prove their authority in the case.

The trial on the second indictment charging Bengtson with larceny by embezzlement from the Medford Escrow company was scheduled to have started at 9:30 o'clock. The actual selection of a jury started at 10:12 a.m. and seven prospective jurors had been examined by noon.

Scannell and Haviland were appointed by the court as prosecuting attorneys last month after the then District Attorney-elect Alan B. Holmes disqualified himself from trying the case since his law partner, Robert Boyer, was one of the defense attorneys. Earlier last month a change of venue had been granted by the court for the trial.

Bengtson was found guilty on a similar charge last fall by a jury in Medford and sentenced to three years in the Oregon Correctional Institution. There are currently eight other indictments outstanding against him. Bengtson is free on a total of \$13,000 bail.

In the motion, the defense charged that the appointment of more than one prosecuting attorney was "in excess of the power of the court under the statute."

The statute states that the appointment must be of "a regularly licensed and practicing attorney."

Also in court action today, Judge Millard refused a request of the defense attorneys for copies of the transcript of grand jury witness testimony. Defense attorneys are Low Levenson and Rickard Cooney, both Medford.

The debate, requested by Cuban Foreign Minister Raul Roa, began Wednesday with Roa at U.S. Ambassador James J. Wadsworth exchanging charges on the floor while hecklers shouted epithets from the public gallery.

**DA's Secretaries Retained by Holmes**  
The two secretaries in the district attorney's office have been hired by District Attorney Alan B. Holmes to continue in that capacity.

Mrs. Robert (Muriel) McNeil was first hired as a secretary in the office in the spring of 1955 when Walter Nunley was district attorney. During that time Holmes was a deputy district attorney. She has been in the office continuously since 1955.

## Legislators Prepare for 51st Session

By EVELYN OUSTERHOUT  
Mail Tribune Staff Writer  
Jackson county's three state legislators will be in Salem this week end.

One is filled with thoughts on organizing the house of representatives, one with hopes to put a "philosophy of government" in action, and one "with a completely open mind" as a freshman senator.

Oregon's 51st legislative session convenes Monday. Jackson county will be represented by Democrat Robert B. Duncan, who is speaker of the house for a second term; Republican John R. Dellenback, elected to the house in November; and Republican Lyndel Newbry, Talent, who was appointed by the county court to fill the position of state senator after Dr. Edwin Durno was elected to the United States house of representatives.

Duncan, a Medford attorney, said as he made arrangements to leave this week, that his primary problems at present concern makeup of committees and the administration of the house.

**To Remain in Medford**  
His wife, Marjane, and four of the couple's five children will make their home in Salem at 740 Wildwind st. Sixteen-year-old Nancy will remain in Medford for her junior year in high school, and 14-year-old Angus will stay behind until February so both he and his sister can compete in the Linfield college speech tournament. The Duncans' sixth child is expected in March.

(One other member of the family, a horse named Goldie, also will spend this spring in Salem.)  
Speaker Duncan, whose quick speech and wit became well known through three successful legislative campaigns, announced that his plans for reorganization of legislative procedure will continue this session.

They include combining operations with the senate and a simplified printing and bill handling process. The innovations "will save the taxpayers some money," he quipped.

**More Responsibility**  
Unlike Duncan, both in temperament and politics, Representative Dellenback has spoken often of his "governmental philosophy," one which calls for less government and more individual citizen responsibility.

The Dellenbacks, including three children aged 10, 8 and 5, chose a Salem home "closer to school than to the capitol." Mrs. Dellenback (Mary Jane) will serve as her husband's secretary, taking advantage of training she had before her marriage.

Declaring that he has no axes to grind, Dellenback explained that "the political battle (with Duncan) ended with the election and we are both going to work hard, and just as closely as my commitments and political philosophies permit."

Sen. Lyndel Newbry, orchardist and son of former

**Uruguay Leftists Burn American Flag**  
Montevideo, Uruguay — (UPI) — Leftist street mobs burned an American flag in front of Government House early today, climaxing riotous pro-Castro demonstrations.

**TIGHTER SECURITY**  
Salem — (UPI) — The Oregon Board of Control took steps today to tighten security of criminal court-uncommitted patients at the state's mental hospital.

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Secretary of State Earl T. Newbry, said his open-mindedness toward common legislative problems "is not unhealthy."

Part of his indecision, Newbry admitted, is due to a lack of experience in state matters, which he said other county representatives have gained through past offices or in political campaigns.

Mrs. Newbry and their 11-year-old son, Ronald, will live in Salem's Liberty district. (Continued on page D1)

## Duncan Ponders House Caucus Sunday Night

Salem — (UPI) — House Speaker Robert Duncan (D-Medford) said Wednesday night he might not call a House caucus prior to convening of the 1961 Oregon Legislature at 10 a.m. Monday.

The Oregon Senate will caucus Sunday night to elect a new president.

Duncan, assured of reelection as speaker, was in Salem today to make final preparations for the session.

**Job Recommendations**  
"If there are some problems that need to be worked out, then there will be a House caucus Sunday night. Otherwise there will be no caucus," he said.

Duncan announced these recommendations for other officers of the 1961 house:  
Dr. Frank Roberts, Portland, chief clerk; Elaine Steele, Portland, assistant chief clerk; Barbara Hanne-man, Salem, calendar clerk; Frances Robertson, journal clerk; Richard Kennedy, Eugene, reading clerk; and former Rep. Harry Wells (D-La Grande) sergeant-at-arms.

## Five Burn to Death In California Fire

Richmond, Calif. — (UPI) — A mother and four children were killed early today when an unexplained explosion set off a fire which swept through the home of a Richmond restaurateur.

The blaze critically burned a male visitor in the home. Five other persons escaped as firemen battled the flames.

The victims were Mrs. Marie Malone, 42, and her three children, La Donna, 13, Danny, 6, and Darrell, 4, and a visiting child, Debra Linder, 4, of Nice in Lake County, Calif.

Thomas C. Mansfield, 36, Pleasant Hill, Calif., was taken to Brookside hospital in San Pablo in critical condition.

**Gnus Shed Blues; Griffith Park Zoo Gets a New Gnu**  
Los Angeles — (UPI) — There's a new gnu at Griffith Park Zoo.

The Griffith Park Zoo had no male gnu. The Fresno, Calif., zoo had no female gnu.

Both were blue because they knew that no new gnu is bad news for zoos.

Gnus in twos make new gnu, good news and get rid of the blues.

So the Fresno Zoo shipped a male gnu to the Griffith Park Zoo in exchange for the first and third new gnus. If the gnu deal doesn't work, the male will have to go back to the Fresno Zoo.

## Area Declared 'Military Zone;' Penalty Decreed

Improved Relations Hoped Under JFK

Havana, Cuba — (UPI) — Cuba started installing coastal defense guns along the famed Malecon Sea Drive today and declared the area a "military zone."

The restricted area reaches from the junction of Galiano st. and the Malecon westward to the suburban Vedado location of the now abandoned U.S. Embassy building.

The Malecon overlooks the Gulf of Mexico along its 10-mile expanse.

**Kennedy Resigns Eyed**  
Cuba blamed the Eisenhower administration for its break in relations with the U.S. and implied that things might improve under President-elect John F. Kennedy.

The cabinet statement along the propaganda line laid down by Moscow — that the main trouble with the United States was the Eisenhower administration — expressed hope that relations would be restored at some undisclosed future date.

The statement came after a nightlong cabinet session which made mandatory firing squad deaths for anti-Castro "terrorists" within 72 hours of their conviction.

**First Official Reaction**  
The cabinet statement was the first official reaction to Washington's severance of relations Tuesday night. The statement made no mention of the Guantanamo Naval Base.

The railroad car ferry City of New Orleans arrived in West Palm Beach, Fla., this morning with 64 U.S. Embassy staff members from Havana and their families. It also carried three American citizens not connected with the embassy, seven Cuban nationals and two Venezuelans.

**11 Remain Behind**  
U.S. Charge d'Affaires Daniel J. Braddock and 10 other embassy officials remained behind here to complete details of the diplomatic break and place American interests in the hands of the Swiss Embassy.

The Castro cabinet statement on the break admitted increasing opposition to Castro in Cuba in decreasing penalties ranging up to death for saboteurs and terrorists.

## Portland Freighter Abandoned at Sea

Portland — (UPI) — The 7,350-ton United States freighter Portland Trader was abandoned in Philippine waters some 400 miles south of Manila today and the 38-man crew was rescued, officials of West Coast Steamship company here reported.

The 18-year-old ship, carrying a load of grain for India, ran aground early this morning on Tubataha reef.

Company officials said that 28 members of the crew were taken aboard the Liberian tanker Maria Marovica, which headed for Singapore. The other 10 members, including Capt. Vernon W. Hansen, Portland, Ore., were taken aboard the SS Nassa, which headed for Iloilo in the Philippines.

**United States Rejects Charges by Russia**  
Washington — (UPI) — The United States today rejected Soviet charges that a U.S. destroyer made a mock attack on a Russian freighter in the Mediterranean Nov. 4.

**BANK TO OPEN**  
Roseburg — (UPI) — The new branch building of the United States National Bank will be officially opened for business here Saturday.

**CLERK TO RETIRE**  
Salem — (UPI) — E. T. Pierce, 70, will retire soon as clerk of the State Land Board, Gov. Mark Hatfield said today.

## Eagle Point Grange Goes on Record in Favor of Whelstone Creek Development

Appointed to a committee to promote the project were Steve Wilson, Kenneth Cearley, Wilford Davies, Robert Bitterling and C. C. Hoover.

now being sent by the Grange to various organizations seeking their help.

This would require the cooperation of several groups including the Rogue River Valley Irrigation district, the state fish and game commission, Medford parks and recreation commission and others," the letter read.

"This would meet the recreational needs of many people, especially children of the area. The lakes on the Hoover properties in this area have proved very satisfactory from a fishing and general recreational standpoint."

**WEATHER**  
FORECAST: Mostly clear tonight and Friday with intermittent rain Saturday with low 32. High Friday, 45.  
Highest Yesterday — 48  
Lowest This Morning — 25  
Prec. to 10 a.m. Today — .01

**Our Skies Tonight**  
Sunset today — 4:51 p.m.  
Moonrise tomorrow — 7:41 a.m.  
Moonset tonight — 8:44 p.m.  
Last Quarter — Jan. 9  
PROMINENT STARS  
Betelgeuse, low in east 8:39 p.m.  
Regulus, near the Moon  
VIBIBLE PLANETS  
Venus, sets — 8:14 p.m.  
Mars, high in south 11:36 p.m.