

COURT REFUSES TEXTBOOK CASE

Wreckage of California Congressman's Plane Found

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GIANTS' HALLER SCORES—San Francisco's Felipe Alou, 23, greets teammate Tom Haller after the Giant catcher hit a home run, with Alou on base, in the second inning of the fourth game of the World Series in Yankee Stadium in New York today. Yankee catcher Elston Howard, at left, ignores them. (UPI)

Hiller's Grand Slam Homer Gives Giants 7 to 3 Victory

New York—Chuck Hiller, 27, a slick fielder never noted as a power hitter, blasted a grand-slam home run in the seventh inning today to give the San Francisco Giants a 7-3 victory over the New York Yankees and deadlock the World Series at two games each.

It was the first bases-loaded home run ever hit by Hiller in his major league career. The booming drive into the lower right field stands off Yankee relief ace Marshall Bridges, coming with two out in the seventh just when it seemed the Yankees might escape from a dangerous situation, brought the Giants back from a one-game deficit for the second time in this series.

It also made ex-Yankee Don Larsen, now a Giant relief pitcher, the winning hurler against his old mates on the sixth anniversary of the date in 1956 when he hurled a "perfect game" for the Yankees in the series against the then Brooklyn Dodgers.

Rookie Tom Haller had given the Giants a 2-0 lead in the second inning with a two-run homer, but the Yankees matched that with a two-run

inning of the fourth game of the World Series in Yankee Stadium in New York today. Yankee catcher Elston Howard, at left, ignores them. (UPI)

Hurricane Leaves Death, Damage In New England

Portland, Maine—Dying hurricane Daisy moved over Canada's maritime provinces toward Newfoundland today leaving behind a wake of death and destruction in the six-state New England area.

Twenty-eight persons were killed, 25 in highway accidents during the three-day lashing of the coastal area. Property damage was estimated in the millions. Rainfall in some areas totaled over 12 inches.

Two of the victims drowned when the storm made its assault on the Nova Scotia coast late Sunday. Herbert Swindells and his son, Ernest, were swept from rocks into the Atlantic near Peggy's Cove, 30 miles south of Halifax, N.S.

Daisy's winds diminished to 40 to 50 miles per hour Sunday night and the Weather Bureau said the storm no longer was a hurricane.

Daisy teamed up with a vicious nor'easter during the week end and New England reeled under the double-barreled onslaught. The rains were the heaviest since Hurricane Diane struck the area in 1955.

Francis P. O'Connor Jr., 14, drowned Sunday when he was swept into the Atlantic Ocean while watching the surf with a companion.

Severe flooding remained the length of the New England coast and a threat of more flooding posed new problems to weary rescue and mop-up crews.

Rivers spilled their banks, transportation was at a standstill in many cities, main arteries in downtown Boston were a foot under water and scores of boats lay straggly on their sides on beaches.

The Giants started their game-winning rally in the seventh against pitcher Jim Coates, who had replaced Whitey Ford after Ford went out for a pinch-hitter in the sixth.

Jim Davenport walked and, after Haller struck out, pinch-hitter Felipe Alou doubled to send Davenport to third. Bridges relieved at that point and intentionally walked Davenport and intentionally walked pinch-hitter Bob Nieman to load the bases. Bridges got dangerous Harvey Kuenn out on a pop fly for the second out.

But then Hiller, a left-handed batter, cleared the bases with his homer into the lower right field stands. Haller connected for his second-inning homer against Ford.

Thornton will arrive in southern Oregon tonight and will be in Grants Pass for the League of Women Voters' Candidates' fair there tonight.

Starting early Tuesday Thornton will visit various valley firms in the Medford and Ashland areas and talk to people on the streets in area communities. He will also visit the Southern Oregon college campus.

Robert Lee Ryles, 37-year-old transient, was sentenced to five years in the Oregon State penitentiary this morning in Jackson county circuit court for assault and battery by means of force likely to produce great bodily injury.

Ryles was found guilty of the charge by a circuit court jury on Oct. 2. He was charged with starting a fire in a boxcar in Medford Aug. 26 in which Clair Amlon Camp, 51, of Lebanon, Kan., was burned.

Jesse James Gilmore, 38, of the Veterans Administration domiciliary, was sentenced to six months in the county jail for escaping from official detention. A circuit court jury found him guilty of the charges Thursday.

Portland—Dr. Leroy Fraser of Grants Pass was re-elected president of the Oregon Baptist Convention here Saturday.

Search Pilot Reports No Sign Of Survivors

Crash Site Said East of Eureka

Eureka, Calif.—A search pilot today spotted wreckage believed to be that of a plane that disappeared with Rep. Clem Miller (D-Calif.) and two other persons.

The search pilot, Les Pierce of Pierce Flying Service, said he was able to identify the downed craft as the twin-engine Piper Apache in which Miller was riding when it was heard from Sunday evening.

Pierce reported no sign of survivors.

The wreckage was on the Big Bend ranch in mountains about 30 miles east of Eureka.

Pierce was one of 25 civilian and military pilots who took off at dawn today to participate in the search for the missing plane. The searchers were hampered by rain, fog and clouds.

Miller, a Democrat representing California's so-called Redwood Empire district, was flying with pilot George Head and Head's 12-year-old son when contact with their plane was lost in stormy weather Sunday.

A brief air search before dark Sunday failed to turn up any sign of the plane.

The Civil Air Patrol said the plane was flying on instruments and there was a heavy cloud bank near the airport.

Miller, 45, was elected to Congress in 1958. He is seeking reelection and was believed to be on a campaign tour at the time of his disappearance.

Miller is the father of five daughters.

County Court Asks To Be Consulted On Yard Licenses

County Judge Earl M. Miller said the court is sending a letter to the state motor vehicle department asking that all wrecking yard license renewals in Jackson county be referred to the county court before being granted.

The court's understanding of the present state law on wrecking yards is that the motor vehicle department can grant a license renewal without referring it to the respective county court for recommendation.

The county judge said he planned to urge a revision of the state wrecking yard law when he meets with the urban affairs committee of the Association of Oregon Counties Wednesday in Salem. He is committee chairman.

"As the law was amended by the last legislature, eight vehicles are allowed outside the required wrecking yard fence. So, what good does it do to have a fence if they allow cars outside of it?" Miller commented today.

Earlier, the county court had received a number of complaints from residents of the south Talent zone area claiming the wrecking yard is unsightly.

The county court inspected the yard and talked to the operator, but Miller noted that the present wording of the state law makes it difficult to deal with the problem.

Foreign Aid Bill Sent to White House

Washington—The Senate today sent to the White House a compromise \$3.93 billion foreign aid money bill that fell far short of what President Kennedy wanted.

The action, taken by voice vote, cleared away a major barrier to adjournment of Congress. But several other big stumbling blocks remained.

SPEAKER SCHEDULED

The Dalles—Sen. Edmund Muskie (D-Maine) will be the speaker at a Democratic fund-raising dinner here Tuesday night.



Order Rejects Review Petition From Clackamas

Decision Upholds State Supreme Court

Washington—The Supreme court refused today to review a ruling which barred distribution of textbooks at public expense to parochial schools in Oregon.

The 1941 statute which allowed the distribution was found to violate the state constitution by the Oregon Supreme court in a 6 to 1 ruling on Nov. 15, 1961.

Today's brief order rejected a petition for review by Ivan B. Carlson, father of five children who attend St. John The Apostle school in Oregon City. Started in Clackamas

The case was started by three taxpayers in Clackamas county's school district No. 62C—William H. Dickman, Harold E. Sallsbury and Lawrence Smelser. They sought to bar enforcement of the so-called "free textbook statute" on the ground that it provided an unconstitutional benefit to religious institutions.

The county circuit court ruled against them but they won in the Oregon Supreme court. The state court found the law violated the section of the state constitution which prohibits use of public money "for the benefit of any religious or theological institution."

The state court rejected the "child benefit theory" which asserts that the expenditure was solely to meet the needs of the pupils, rather than to aid the schools.

The opinion noted that St. John's school has received about \$4,000 worth of textbooks in the past three years.

Carlson's appeal asserted that withdrawal of the textbooks imposed an unfair burden on Catholic parents, who exercised their "religious right" to choose a parochial school for their children.

The state court said it was "not unmindful of the fact that parents who send their children to Catholic schools must bear the double burden of supporting not only their own parochial schools but the public schools as well."

Way Cleared for Textbook Mandate

Salem—Today's U.S. Supreme Court refusal to review a ruling which barred distribution of textbooks at public expense to parochial schools in Oregon clears the way for the Oregon Supreme Court to put into effect its mandate banning public textbooks for such schools.

The order is expected to arrive here in about a week. The Oregon high court will then send its mandate to Clackamas County Circuit Court.

Dr. Leon P. Minear, state superintendent of public instruction, noted that the supplying of free public textbooks to parochial schools has been a matter arranged exclusively by local school boards.

But he said that when he receives word that the mandate is in effect, he will write local school officials throughout the state to call their attention to the action.

"I'm certain that local boards, knowing what the law is, will follow the Supreme Court decision," he said.

Noting that the State Board of Education has certain regulations applying to administration of the free textbook law, Minear said "I presume these are now null and void."

Rogue River Man Shot in Shoulder

Rogue River—Jon Timothy Murdock, 18, suffered a bullet wound in his shoulder this morning as he was standing on the front porch of his home near Rogue River, according to sheriff's deputies.

He was listed in good condition at Crater Osteopathic hospital, Central Point. Reports of sheriff's deputies and the hospital indicated that the bullet did not penetrate any bones.

It was not known immediately who fired the shot.

Group To Discuss Opening Areas for Bird Shooting

Robert Maben, Medford, state game commission agent, will confer tonight with the Jackson county parks and recreation commission on possible opening of reservoir areas to bird shooting. The meeting is at 7:30 o'clock in the county court office.

County Parks and Recreation Director Neil Ledward earlier had discussed the proposal with Maben. Ledward said he learned that Howard Prairie would not make a desirable wildlife refuge. Rising irrigation waters would drown out the nests along the shore, he explained. Ducks use the area as a rest stop and not for feeding.

Shooting would not be allowed in the developed recreation area at Howard Prairie.

Archbishop Leaves For Catholic Council

Portland—Archbishop Edward D. Howard of Portland was to leave by plane for a two-month trip to Rome today. He will attend the Ecumenical Council.

NEWS BRIEFS

NEGOTIATIONS WITH CUBA CONTINUE
Miami—(UPI)—New York attorney James B. Donovan flew back to Havana Sunday night for what may be the final negotiations to free 1,113 Cuban prisoners from last year's Bay of Pigs invasion.

KENNEDY ENDS WEEK END OF CAPAINGUE
Washington—(UPI)—President Kennedy has returned to the capital from a week end of old fashioned political barnstorming that may have set a pattern for his election-year campaigning.

The President toured the Midwest and pumped hard for a Democratic Congress. He will make similar trips around the country every week end until the Nov. 6 elections.

ALLIES PROTEST RED REFUSAL
Berlin—(UPI)—Western Allies today protested to the Soviet ambassador in East Berlin against the Communist refusal to allow a British ambulance to enter East Berlin Saturday to tend to a youth wounded by Red gunfire.

WEATHER

FORECAST: Variable cloudiness tonight and Tuesday with scattered light showers. Low tonight 33-35. High Tuesday 51-59.

	Temp.
Highest Yesterday	52
Lowest This Morning	39
Precep. to 10 a.m. Today	47

Our Skies Tonight

Sunset today	5:42 p.m.
Sunrise tomorrow	6:17 a.m.
Moonset tomorrow	1:21 a.m.
Full Moon (Hunter's Moon) —	Oct. 12.
Venus, setting earlier each evening, has now reached its greatest brilliance since March, 1961. Its distance from the Earth is now only 39 million miles.	