

Supreme Court Will Hear Arguments for Blind Communist

Pope Said Near Full Recovery

Vatican City — (UPI) — The Vatican said today that ailing Pope John XXIII is on the road to "complete recovery" thanks to medical science and the prayers of Roman Catholics and non-Catholics alike.

A communique published in the Vatican city newspaper *Osservatore Romano* declared that "after several days of anxiety and suffering... the holy father approaches a complete recovery."

The communique praised the pontiff's doctors and all those who offered up prayers throughout the world for the Pope's speedy recovery.

The communique was printed after Pope John, apparently making a rapid recovery from anemia and stomach trouble, put in a near normal working morning today.

The pontiff got up about 8:30 a.m. and spent most of the next four hours following the Ecumenical Council session on closed circuit television in his bedroom or working on a speech he will deliver to the council Saturday.

He also met with Vatican Secretary of State Amleto Cardinal Ciccognani although other audiences remained suspended.

The 81-year-old spiritual leader of the world's 500 million Roman Catholics showed the power of his peasant constitution Sunday by telling 30,000 cheering faithful that his good health "is returning."

But it was obvious the Pope still was ailing from the anemia and stomach trouble—believed to be a bleeding ulcer—that kept him in bed most of last week.

During the week, he had defied doctors' order to get out of bed and continued with what he considered necessary work. Although there was no official announcement from the Vatican, it was believed he intended to resume more work today.

As the crowds massed in St. Peter's Square below cheered and applauded, Pope John appeared at his window Sunday to assure the world, "the good health that threatened for a moment to leave me is about to return—in fact, it is returning."

Despite his optimistic words, the Pope did not look well.



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Suit Alleges Prison Diagnosis Done Incorrectly

Washington — (UPI) — The Supreme Court agreed today to decide whether blind Communist leader Harry Winston, 54, may sue the government for damages based on alleged negligence of federal prison officials.

Winston claimed in a suit that he would not have gone blind if prison medical officers had correctly diagnosed a brain tumor he developed in 1959.

He was one of the Communist party leaders convicted in 1949 of conspiring to advocate the violent overthrow of the government. His sentence was commuted in 1961 because of his general physical condition and the fact he was blind.

To Hear Parallel Case

The Supreme Court will schedule arguments on his case later. At the same time it will hear arguments on a parallel case involving Carlos Muniz, an inmate of the Danbury, Conn., Correctional Institute who was seriously injured during a prison riot Aug. 24, 1959.

—Ruled that the Interstate Commerce Commission went too far in authorizing new motor carrier service to replace that interrupted by lawful union activity. The case is an outgrowth of the Teamsters union's attempt to organize some small trucking firms, operating mostly within Nebraska.

When the small intrastate companies were faced with a breakdown in service to their out of state customers, 12 of them formed their own firm which obtained ICC authority to operate from Omaha to Chicago, St. Louis and Kansas City, Mo. A lower court upheld this. But today Justice Hugo L. Black wrote that the ICC "has enough to do within its congressionally appointed field without stepping over into the field of labor legislation."

To Examine Dispute

—Agreed to examine a dispute between the Federal Power Commission and 76 electric companies over allocation of what the FPC said was "political" advertising. The advertisements, appearing in magazines between 1956 and 1958, dealt with the controversy over public vs. private ownership of electric power.

McClellan Denies 'Using' Teamsters

Washington — (UPI) — AFL-CIO officials Sunday accused Sen. John L. McClellan (D-Ark.) of using Teamsters President James R. Hoffa as a "whipping boy" in an effort to enact anti-union legislation.

McClellan denied it, saying he said he is concerned only that a union life Hoffa's that gains "tremendous power" could constitute a "danger to our country."

AFL-CIO Vice President James B. Carey asked McClellan if "it isn't true that the Teamsters Union and Jimmy Hoffa is being used to promote anti-union legislation that would apply to all unions."

Another AFL-CIO official, legislative director Andrew J. Bismiller, said "Putting up the Teamsters Union as a whipping boy for the entire labor movement is something that frankly, we think, has been badly overdone."

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High Soviet Official Publicly Attacks Chinese Communists for Indian Affair

Rome — (UPI) — Soviet Communist party secretary Frol Kozlov publicly criticized Communist China today for its "adventurist position" in the Sino-Indian border conflict.

Without mentioning the Chinese by name, Kozlov, a member of the party's ruling Presidium, told the 10th congress of the powerful Italian Communist party in a rare open attack.

"Those who are certain of their historic future have no need to play with thermonuclear fire and endanger all the achievements of civilization."

Attacking the Chinese party line that war with the West is inevitable, Kozlov said this is "an adventurist position which has nothing to do with Marxism."

Delegates to the session of the Western world's biggest Communist party broke into stormy applause. But Chinese representatives remained silent.

It was the first time such a high Soviet official had publicly attacked the Chinese Communists directly on the issue of the Sino-Indian war.

"Peace loving men are looking with keen concern" at the Sino-Indian crisis which is "seriously harming the interests of both the brotherly Chinese people and the friendly people of India," Kozlov said. He then expressed some satisfaction over the Chinese-proposed cease fire.

Using the Balkan outpost satellite of Albania as a straw man in the Sino-Soviet dispute, Kozlov described the Albanians as "anti-Leninists" whose attacks against Moscow are a "monstrous slander."

Kozlov said Russia is for peace "but it would be a gross mistake to consider our love for peace as a symptom of weakness. No one must question the fact that the U.S.S.R. has at its disposal the most powerful means of defense, the most perfect weapons, capable of reaching and punishing the aggressor in any spot on earth."

The 876 Italian Communist delegates and hundreds of guests applauded Kozlov's speech more enthusiastically than Sunday's opening address

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by Italian party leader Palmiro Togliatti. When they spotted a familiar word such as "Khrushchev" or "communism" in his Russian-language speech, they clapped without waiting for the Italian translation.

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Federal Marshals Lay Plans To Use Force on Bitter Farmers

Mound City, S.D. — (UPI) — Federal marshals met today to lay plans for removing — by force if necessary — Agriculture department records from a building barricaded by embittered farmers.

U.S. Marshal Leonard T. Heckathorn met with his two regular and 16 special deputies to decide how to remove the records with the least amount of friction.

"Out-of-state rabble-rousers are responsible," Asst. U.S.

Atty. Travis H. Lewin said. Lewin told a meeting of Mound City residents the documents must be surrendered peacefully or he would order the federal marshals to get them.

Mound City is objecting to the transfer of the county Agricultural Conservation and Stabilization Service office to Herried, a larger community. Citizens feel the next move of Herried residents would be to advocate moving the county seat from Mound City to their town.

Gov. Archie Gubbrud authorized the State Motor Patrol "to keep law and order." The Motor Patrol will not assist in the removal of the records.

Deputy Marshal Donald Herman of Rapid City, S.D., recently returned from Oxford, Miss., where he aided in quelling riots on the University of Mississippi campus.

Herman said the presence of out-of-state agitators in Mound City could mean "this will turn into another Mississippi incident."

He said the situation sounded like "someone is looking for a fight."

Lewin said extremist agitators were influencing the townspeople because "many of those we've been battling were subdued — helping to keep order."

Melver Funeral Set for Tuesday

Portland — (UPI) — Funeral services were planned here Tuesday for Milo K. Melver, 65, former chairman of the Oregon Highway Commission, president of Commerce Investment, Inc., and chairman of the Portland Metropolitan Future Unlimited.

Melver died suddenly of a heart attack here Saturday while attending a business meeting at the home of an associate.

Melver was born in Lewiston, Idaho, and graduated from Washington State College.

He retired as chairman of the highway commission last March, after 12 years on the commission. During his tenure, some \$815 million was spent to build 957 miles of roads in Oregon.

Survivors include his widow, Elsie, and a son, Douglas.

California GOP To Hear Hatfield

Salem — (UPI) — Gov. Mark Hatfield will address the California Republican assembly at Palm Springs, Calif., Saturday, the Governor's office announced today.

The governor will return to Oregon on Sunday.

Also on the agenda this week are consideration of a number of appointments to forthcoming board and commission expirations and vacancies, including judiciary.

Replacements must be named for Philip Joss, Portland attorney, who resigned the civil service commission, and Circuit Judge Arno Denecke and District Judge Richard J. Burke.

Stocks Dip After Mixed Opening

New York — (UPI) — Stocks began nosing lower after a mixed opening today.

Many blue chip issues, including most of the steels except Lukens and Bethlehem, softened. Auto dragged, paced by Chrysler with a loss of over a point.

Metals showed International Nickel down a point along with Kaiser Aluminum and Reynolds Metals, mirroring a price cut on basic ingot by Kaiser. Magna Copper bucked the metal trend with a gain of 14.

Fairchild and Texas Instruments shed around a point in the electronics where IBM opened late off 1/4.

Problems of Elderly Subject of Hearing

Portland — (UPI) — Hearings opened here today on how best to deal with problems of elderly people who are forced to move from their homes to accommodate the changing faces of cities.

The hearings concern relocation of the elderly caused by highway construction, urban renewal, and other public problems. In opening remarks, Sen. Harrison A. Williams Jr. (D-N.J.), chairman of the special Subcommittee on Involuntary Relocation of the Elderly, called it "among the most serious problems of the elderly."

He said the aim of his committee's hearings was to find out "what steps should be taken to do a better job" of relocation.

Williams noted that highway and urban renewal programs often raze fringe sections of a city where retired persons still are living in older homes and apartment houses.

He said in some communities, the difficulties of relocation already are severe, and unless solutions are found, "before many years they will become intolerable to the public conscience."

The committee, in addition to morning and afternoon sessions, planned to tour Portland neighborhoods affected by relocation.

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MEDFORD, OREGON, MONDAY, DECEMBER 3, 1962

MAIL TRIBUNE

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