VIOLENCE FLARES IN CAPITAL HEARING

Regional Edition

MEDFORD MAIL TRIBUNE

58th Year Price 10 Cents

24 Pages Two Sections MEDFORD, OREGON, FRIDAY, SEPTEMBER 13, 1963 No. 151

Arms Possibly On Crashed Plane, Attorney Charges

Pilot Said Owner Of Florida Shop

NEW HAVEN, Conn. (UPI)—The pilot of a mystery-shrouded airliner crash, caused by an explosion, frequently carried arms and ammunition on his flights between Miami and New York, it was charged in federal court today.

Some of the arms were sold to Cuban exiles, according to charges made by an attorney involved in insurance litigation.

The plane crashed on Jan. 6, 1960 in North Carolina, killing 34 persons, including Julian Frank, 32, Westport, Conn., businessman whose life had been insured a few months earlier for $1 million, and pilot Dale H. Southard, Miami, of National Airlines.

The plane, a DC6B, was ripped apart in the air by the explosion and plunged into a marshy area near the town of Bolivia, N. C. Three days later Frank's mutilated body was found in the surf of Kure Beach on the Atlantic Ocean, about 16 miles from the crash site.

Claimed Suicide

The Occidental Insurance Company of California, which held $500,000 of Frank's policies, claimed that Frank committed suicide by blowing up the plane. In opposition to this, the charge filed today said:

". . . There are indications that gun-powder was being carried aboard the National Airlines DC6B being piloted by Mr. Southard that crashed at Bolivia, N.C."

Some time ago, the insurance company started civil action against Frank's widow seeking a judgment that it would not have to pay the $500,000. The policy contained a provision that if the insured died by suicide, the company's liability would be limited to the amount of the premiums paid, in this case $2,757.60.

Frank's widow, former blonde model Janet Frank, who now is Mrs. Joseph F. Rafferty of San Francisco, has taken court action to collect the money.

Owned Gun Shop

The charge that Southard carried arms between New York and Miami was made in papers filed in Mrs. Rafferty's name in U.S. district court by her lawyer, Morgan P. Ames, of Stamford, Conn.

Southard allegedly held a controlling interest in the Gun Shop, Inc., in Miami Shores, Fla.

Ames stated that Southard "used to purchase the merchandise for the Gun Shop when he was in New York City on National Airlines flights."

"He was often in National Airlines uniform when he made such purchases . . ." the lawyer charged, adding that in 1959 ". . . Southard made purchases at the Stoeger arms factory in Long Island City on at least a dozen occasions, and probably more."

According to Ames, Southard would stop at the gun factory on his way to Idlewild Airport by taxi, make a purchase, place the merchandise in his personal baggage and then put it on the plane he was flying to Miami.

In Miami, the charge said, Southard would take the arms and ammunition to the Gun Shop, "where it was sold to the general public, including Cubans residing in the Miami area who required arms and ammunition for certain purposes."

However, the papers filed today did not state that Southard carried ammunition, arms or gun powder aboard his plane the day of the fatal crash, but did say "there are indications" gun powder was aboard the flight.

PATIENTS ROUTED

CHICAGO (UPI) —Fire started by a blowtorch swept a part of the roof and fourth floor of Mercy Hospital today and about 65 patients were removed to safety.

Two Youths Die In Accident on Blackwell Road

Two Crater High school sophomores, David Eugene White, 15, son of Mr. and Mrs. Thomas White, route 1, box 344, Central Point; and Paul Charles Thompson, 16, son of Creighton Thompson of Mexico, were killed last night in an accident involving their Honda motorcycle and a pickup truck on Blackwell road.

State police said the two youths were riding home from high school when the motorcycle collided with a pickup truck operated by Raymond Edward Christie, 39, of route 1, box 46, Gold Hill.

The head-on collision occurred about 7:30 p.m. on the north slope of Blackwell road 4.7 miles from the freeway interchange, state police reported.

Officers were unable to determine which vehicle was on the wrong side of the road and which youth was operating the motorcycle. They are still investigating the accident.

School officials at Crater, where the youths are members of the junior varsity football team, said the boys had remained after school for a short practice session and to try on new uniforms preparatory to tonight's game.

Young Thompson was making his home during the school year with his grandparents, Mr. and Mrs. Paul Thompson of Gold Hill, with whom several other members of the Mexico family have lived in order to attend Jackson county schools.

Both youths were active in athletics at Crater High school. In addition to playing football, White was considered a "very good basketball prospect."

Funeral arrangements for White are being made at the Pearl Funeral home and Conger-Morris Funeral home is in charge of arrangements for Thompson.

Immediate, Future Needs of Airport Reviwed for Group

Immediate and future needs at the Medford municipal airport were reviewed at a meeting this morning of the Medford Capital Improvements committee.

Development plans for the airport totaling $1,174,272 were presented to the group by Airport Manager Gilbert J. Gutjahr. The sum, Gutjahr said, represents the cost to the city for the improvements. The federal government would pay 66 per cent of costs on most of the planned improvements.

Gutjahr said the improvements are planned looking forward to about 1975 when the airlines are expected to begin using medium-range jet aircraft in this area. Short range propjets are currently being used by one airline at the municipal airport.

Needed Immediately

The airport manager said about $37,800 is needed immediately for the city's share of acquisition of about 30 acres of property at the north end of the airport for future extension of the runway and for noise control. About $22,600 is needed for widening three small taxiways and for reconstruction of a concrete apron near the terminal.

During the six-year period from 1963 to 1969, about $294,832 will be needed by the city for its share of improvements at the airport. The sum includes $150,000 for construction of two hangars for private aircraft, a cost which will be recovered in a 7 to 10-year period in rental fees. Other projects planned for the period include construction of a holding apron and resurfacing the cross runway.

From 1969 to 1975, a total of $353,980 will be needed, Gutjahr said. Planned are land acquisition ($47,000), runway extension ($166,980) and erection of two more hangars ($150,000).

Gutjahr told the committee that in the interval between 1975 and 1988 plans call for expansion of the terminal, construction of a freight building, erection of three hangars, and maintenance of a crash fire rescue unit. Total cost of all projects during that six-year period is $455,000.

Increase Noted in District 9 Schools

EAGLE POINT—A 9 per cent increase in enrollment in Eagle Point School District 9 was reported today by Glenn D. Hale, superintendent.

Total registration on Thursday was 1,493. Enrollment for the same time in 1962 was 1,366. Additional enrollment is expected at the end of the harvest season, Hale said.

The largest increase was in the Eagle Point High school, where 435 students enrolled, representing a 17 per cent gain over 1962 when there were 372 students enrolled the first week.

Shady Cove elementary school had the next highest increase with a 12 per cent rise from 164 students in 1962 to 183 this week.

The Eagle Point elementary school followed with 387 students, an 11 per cent gain over the 1962 total of 349. Elk Trail school increased from 121 to 124; the Eagle Point Primary school gained four students to bring the total enrollment to 364.

Hale explained that the figures are preliminary registration figures, which probably will be increased in October.

State Receives Check From BLM Proceeds

SALEM (UPI) —The Oregon State Treasury was mailed a check for $86,622 from the Bureau of Lands Management Thursday.

The sum represents the state's share of proceeds from the management of resources on BLM land in Oregon.

Oregon Marshal Dies at Seaside

SEASIDE (UPI) — Paul Kearney, U.S. Marshal for Oregon, died suddenly here today of an apparent heart attack. He was 63.

Kearney was here to attend a convention of the Lower Columbia Peace Officers association, of which he was a charter member. Death came in his hotel room.

Kearney, appointed U. S. Marshal by President Eisenhower in 1958, had been on the brink of losing the position from the beginning of the Kennedy administration.

Rep. Walter D Norblad (R-Ore.) appealed to Democrats to allow Kearney to stay in office until he was eligible for federal retirement. A patronage battle among Democrats also contributed to delay in appointing a replacement.

Kearney resigned as Clatsop County sheriff in 1958 after 21 years to accept the federal appointment. He is survived by his widow, Martha; a son, Robert, and a brother, Vincent, both of Astoria.

Variance Requests Approved by City Planning Group

Clears Way for Church Construction

Two variance requests which will clear the way for erection of a new Community Congregational church on the northeast corner of East Jackson st. and Berkeley Way were unanimously approved by the Medford planning commission last night.

Both requests, which will now go to the city council for final action, were granted despite the protest of James Flora, 303 North Berkeley Way, whose residence is located across the street from the proposed structure.

Flora told the commission he had no objection to the location of the church, but he was opposed to the request for a temporary construction sign and for a variance to height requirements in a single family zone.

Members of the church building committee appeared before the commission to support their requests. They told the group the roof of the church would be 50 feet high, the spire would rise to 80 feet, and a 15-foot high aluminum cross would be placed on top of that.

Flora complained about the "excessive height of the church" and said it would be an "eyesore" in a residential neighborhood.

Church members, Henry Padgham, Emment Bullard and Gatewood Smith, however, said they felt the church would be a "definite asset" to the community and would enhance nearby property values.

City Planning Director Ned Langford, in answer to a question, told the commission it is "general planning policy" in the country to permit construction of churches in residential neighborhoods.

No Committment Made on Repairs

The Jackson county court made no committments as to further maintenance and repairs on the C. C. Beekman home in Jacksonville yesterday afternoon following a closed door session with the caretaker of the home.

Mr. and Mrs. George Brewer, Jacksonville, asked the county court to repair balcony posts, put in a new ceiling in the kitchen and hall and paint the picket fence. Mrs. Brewer has been caretaker of the home for the University of Oregon, the owner of the property on California st.

She and her husband are also members of the Siskiyou Pioneer Sites Foundation which is operating the house under a one-year lease obtained through the county court.

The Brewers insisted the repairs must be made before delay makes the damage more extensive.

Mrs. Brewer said the lease with the university makes the county responsible for such repairs and maintenance. However, county court members said the agreement with the Sites Foundation is that it finance all such repairs and maintenance. The court is only responsible for obtaining the lease, County Commissioner Don Faber and County Judge Earl Miller said this morning.

Nuclear Explosions Shake Las Vegas

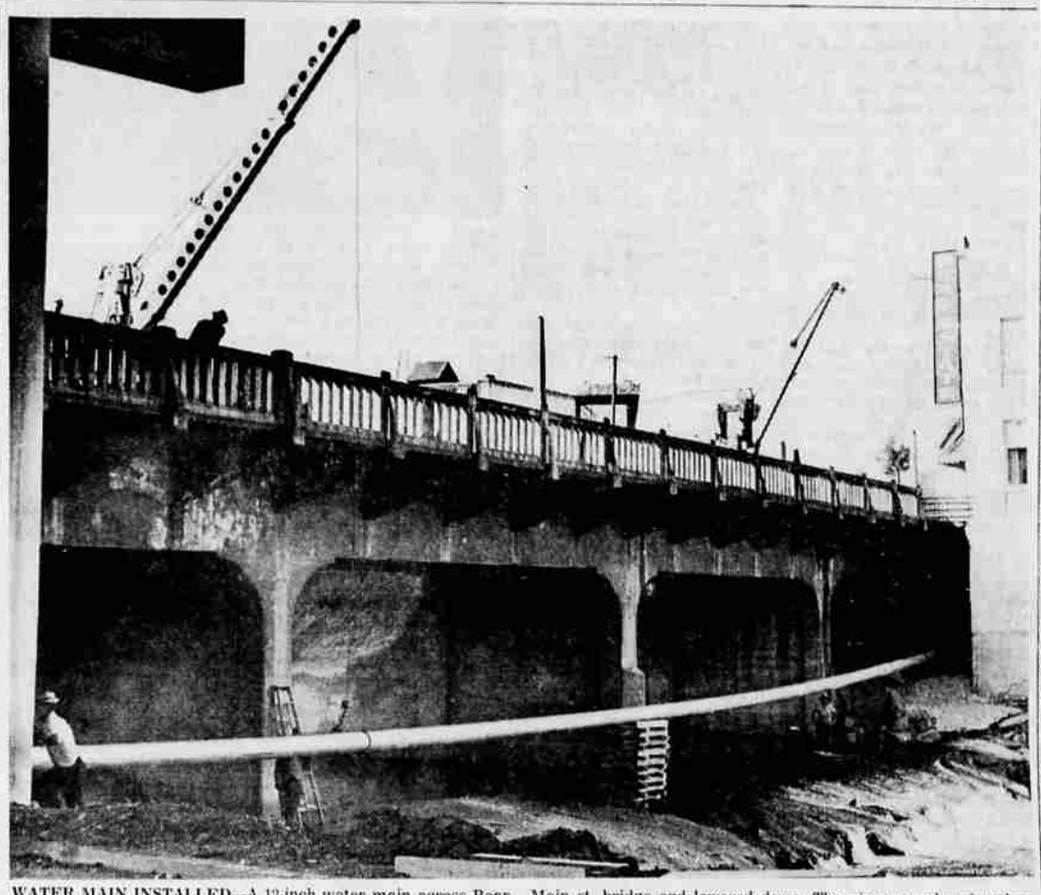
NEVADA TEST SITE (UPI)—Two underground nuclear explosions, one of which may have been as large as a million tons of TNT, were set off here today, jarring buildings as far away as Las Vega, 65 miles to the southeast.

It was the first time an underground nuclear blast had been felt in Las Vegas, although early atmospheric tests conducted at the site had broken windows.

The tests were the 95th and 96th underground shots conducted by the United States.

The hardest hit area appeared to be the Clark County Courthouse, a block from the casino center where gambling continued as usual.

Some structures in downtown Las Vegas shook for 15 minutes, shaking some people so hard that one said "I felt like I was getting seasick."



WATER MAIN INSTALLED—A 12-inch water main across Bear creek is being installed this week by city of Medford water department workmen. The pipe sections were put together on the Main st. bridge and lowered down. The pipe was placed under the bridge walk way. It is expected to be completed in about two weeks. The main being replaced was installed in 1908.

Oregon School Districts Face Crisis if Tax Loses

Editor's note: School districts, and eventually the property tax payer, will be hardest hit if the legislature's $60 million tax increase measure is defeated at the Oct. 15 election. This is the fourth of a five-part series.

By ZAN STARK

SALEM (UPI) — Local school districts in every part of the state will face a crisis if voters reject the legislature's $60 million tax increase measure Oct. 15 and basic school support is slashed.

Public Instruction Supt. Leon P. Minear said an 11 per cent cut in basic school allotments for the 1963-64 school year alone would range from a high of $1.4 million in Multnomah county to a low of $10,537 in Gilliam county.

Loss of this money could be a disaster to the local districts.

Budgets Approved

School districts already have had their budgets approved, and the counties already have fixed tax rates. It's too late this year to make changes.

If the cuts are made, schools will have to cut back every possible expense and try to get through. Many districts might have to borrow money or revert to paying teachers with warrants if they run out of cash. Warrants are official IOU's that can be cashed in at some future date when money is available to pay them.

Teachers with families to feed couldn't be expected to put up with such a situation. Anyway, salaries paid in California are already more than 20 per cent greater than those paid to Oregon teachers.

Such a financial crisis could cost Oregon thousands of teachers.

Local school districts would be trapped until next year. Then the full impact would explode on the local property tax payers.

Taxes would have to be raised high enough to make up for the cutback in state allotments, and higher still if money were needed to pay off loans or warrants.

Impact Delayed

It would be more than a year from now when the impact showed up in property tax bills.

This is why education leaders are fighting frantically to salvage the tax increase measure. They aren't threatening taxpayers with dire results if the income tax increase is defeated. It's a fact that has to be understood by the voters.

STUDENTS QUIETED

SAIGON, South Viet Nam (UPI)—Students at two high schools staged minor disturbances against the government today, but were quieted quickly when police and troops rushed to the scene.

Educators fear that voters don't really understand what's involved in the Oct. 15 elections.

They realize taxpayers are in revolt. But they warn the ballot choice Oct. 15 isn't simply a vote for higher or lower taxes.

The future of the state's government and education system hang in the balance.

Next: What are the alternatives?

State Expected to Complete Its Case In GP Trial Today

GRANTS PASS — The state was expected to conclude presentation of its case today in the trial of Gerald Richard Oden, 25, of Wolf Creek, who is charged with first degree murder.

Larry Aschenbrenner, Josephine county district attorney, called a number of persons to the stand since testimony began Tuesday in an effort to support his contention that Lloyd Miles Harper, 48, Grants Pass, was beaten to death on the night of July 12 during the act of being robbed by Oden and Norman Stewart Thomas, 22, of Grants Pass.

Thomas is scheduled to go on trial next Tuesday.

Defense Attorney Robert Boyer of Medford, on the other hand, seeks to prove that Harper died as a result of a fall from the car in which he was riding with Oden, Thomas and a 17-year-old girl, after making improper advances to the girl.

Claims Advances Made

The defense contends that Harper was already dead when Oden struck him, and that the accused struck Harper only because he had made advances to the girl, not in the act of committing a robbery.

The girl, Bonnie Irene (Bobbie) Gusler of Walla Walla, Wash., took the stand Wednesday. She confirmed that Harper had made advances to her, but insisted under lengthy cross-examination by Boyer that Harper did not fall from the car.

Miss Gusler testified that Thomas dragged the victim from the car and that Oden subsequently struck him with a chopping type blow.

Dr. R. C. Henry, chief medical examiner for the state of Oregon, testified that Harper's death probably resulted from a blow to the back of the neck and that this type of injury could have been caused by a chopping type of blow.

Dr. Robert Buck, Medford pathologist, earlier testified, however, that the injury which caused Harper's death could have resulted from falling out of a car as well as from a chopping type blow.

Another witness for the state was Bob Buckmaster, Grants Pass jeweler, who testified that a watch found in the overhead lining of the car driven by Oden and Thomas after Harper's death belonged to the deceased.

Regarding the watch, Miss Gusler testified that Thomas had told her it was Harper's. The watch testimony was part of the state's efforts to prove that robbery was the motive behind the beating of Harper.

Statement Is Admissible

The state's case received another shot in the arm when Judge Orval J. Millard ruled Thursday that a statement Oden made after his arrest at Roseburg would be admissible as evidence.

In the statement, Oden is reported to have admitted that he and Thomas took Harper with them after consuming several drinks at a Grants Pass tavern in order to "relieve Harper of his money."

Boyer had objected to admission of the statement on the grounds that it had been taken while his client was "upset" and that it had been taken by an officer who had no right to arrest him.

The police officers involved, however, took the stand and testified that Oden had been advised that he legally did not have to make a statement but went ahead and did so anyway.

Clearing Forecast Today, Saturday; Two Fires Started

Generally cloudy conditions prevailed in the Medford area today as temperatures lowered and humidities rose in the wake of a thunderstorm yesterday afternoon.

Medford residents, however experienced the lightest rainfall Wednesday afternoon, when .19 of an inch of rain fell in a heavy shower. Phoenix reported .75 of an inch of rainfall, and Ashland had .55 of an inch.

A general clearing for today and tomorrow are indicated, but rain is scheduled again for Sunday night.

Pear crops were not damaged by the heavy downpour in areas yesterday, but picking was delayed today in order to let the fields dry. If the clear weather continues, picking will resume tomorrow.

The rain accompanying a thundershower aided fire crews dispatched last night to two small fires in the Applegate district in northern California, officials of the Rogue River National forest reported today.

The fires were caused by lightning, and both cover about one quarter of an acre each.

Attempts to fly in food rations to the fire crews this morning were hampered for a few hours by the foggy conditions over the Medford airport, but forest officials indicated the planes would be able to leave later.

Oregon AFL-CIO Sets Convention at Eugene

SALEM (UPI) — A possible move of its headquarters, expansion of workmen's compensation benefits, and the tax referendum will occupy the Oregon AFL-CIO at its state convention in Eugene next week.

Demonstrators Ejected During Police Struggle

Travel To Cuba Being Investigated

WASHINGTON (UPI) — Six student demonstrators were ejected from a House committee hearing today in a renewed flare-up of violence over an investigation into illegal student travel to Communist Cuba.

Two of the six, kicking and struggling, were bodily hustled from the room. The other four went without much of a struggle as Chairman Edwin E. Willis (D-La.) of the Committee on Un-American Activities stood and shouted to police: "Throw them out!"

Three of the students ejected were teen-agers. They identified themselves as Tad Lauer, 16, Bloomington, Ind., a special studeat at Indiana University; Mark Brody, 17, New York, a City college student, and Clifford Metzler, 21, Long Island City, N. Y., a Hunter College student.

All Three Carried Out

All three were bodily carried out of the building and deposited on the sideqalk.

They said they had applauded a statement of the witness, Phillip A. Luce, 26, of New York City, one of more than 50 students who defied a State Department ban and visited Cuba during the summer.

The new outbreak, which followed a pattern set at Thursday's opening session, came as Willis objected to applause when Luce said he considered it his "duty" to break the travel ban.

"There are certain rules and regulations that must be broken," Luce declared. He said Emerson and Thoreau advocated civil disobedience against what they considered intolerable situations.

Compares Trip

Luce also compared his trip to Cuba with the civil disobedience used by Negroes and others in the South in civil rights matters.

At this, a group of students started clapping and demonstrating and Willis gave the order for the removal of their leaders.

As the police moved in and grabbed the first two, Luce turned around in the witness chair and loudly deplored their removal for what he declared was "just clapping."

"This is something you can get away with in Louisiana or Virginia, but I can't stand it here!" he shouted over the din.

The names of the other ejected spectators were not immediately available.

Mexicans Wounded In Morning Fight

Two Mexican nationals, employees of Bear Creek orchards, were treated for knife wounds they suffered in a fight in front of Otto's Tavern, 39 South Front st., about 12:10 o'clock this morning.

According to Medford police, Brigid Garcez Sanches, 36, was cut in the chest during the melee by Jose Concepcion Amaya, 38. Miguel Castro Vivaras, 24, was wounded slightly in the back by a knife, police reported.

Both men were treated at Sacred Heart hospital. Officers said 23 stitches were taken in Sanches' chest to close the wound. The men were not admitted as patients.

Officers said an argument developed between Amaya and a group of four nationals, including Vivaras, about midnight. The men left the tavern and went outside where the fight developed.

Amaya fled following the encounter, but officers arrested him about 5:10 o'clock this morning at the Greyhound Bus depot. He was lodged in Jackson county jail.

NEWS BRIEFS

ITEMS FROM AROUND THE GLOBE

PUNISHMENT DEMANDED FOR BRAZILIAN REBELS

BRASILIA (UPI)—Military authorities today demanded "rigorous punishment" of the 600 enlisted Marines, soldiers and airmen who took part in Thursday's abortive revolt.

ONE MISSING AS NAVY LAUNCH CAPSIZES

PORT JEFFERSON, N.Y. (UPI)—A small Navy launch returning 21 sailors to their ship after a night ashore capsized in windswept Long Island Sound early today. All but one man were rescued.

JACKSON ANNOUNCES TREATY SUPPORT

WASHINGTON (UPI)—Sen. Henry M. Jackson (D-Wash.) a key figure in congressional nuclear and military affairs, announced his support today for the nuclear test ban treaty.

BREAD SALES RESTRICTED IN MOSCOW

MOSCOW (UPI)—New restrictions on the sale of bread in Moscow focused attention today on Russian agriculture as Premier Nikita S. Khrushchev's most important domestic problem.

WEATHER

FORECAST: Fair tonight and Saturday. Low tonight 48, high Saturday 84

	Temp.
Highest Yesterday	86
Lowest This Morning	56

Our Skies Tonight

Sunset today	7:26 p.m.
Sunrise tomorrow	6:19 a.m.
Moonrise tomorrow	2:29 a.m.
New Moon	Sept. 17

Arcturus, the bright star in the west after sunset, is 36 light years from the Earth and has a diameter of about 20 million miles.

Treatment of Minorities Noted

Medford was praised yesterday as one of the "better communities" in the state for its treatment of minority groups by the administrator of the civil rights division of the Oregon bureau of labor.

The official, Mark A. Smith, noted however, that "this has only come in recent years," adding, "I hope you will not rest on your laurels."

Smith was the featured speaker at a luncheon in the Jackson House sponsored by the Medford Human Rights council. Medford Mayor James Dunlevy was the official host. More than 100 persons attended.

Compiles Record

Beginning with the Fair Employment Practices act in 1949, the Oregon legislature has compiled a "tremendous record" of civil rights legislation, Smith said.

He pointed to such actions as the 1959 repeal of the miscegination law and passage of the 1953 public accommodations law. Smith said there has been "no organized opposition" to civil rights measures in the state since 1949.

He said that government involvement in the field of civil rights was a "proper role" for government, and that government's "influence must be brought to bear on problems of discrimination in accordance with the Constitution and the laws of the land."

The speaker warned that minority groups, and the Negro in particular, are "no longer willing to accept token change or empty promises."

He said there is a "mounting demand" against injustices, and that minorities are now receiving support from responsible leadership in the majority group.

"We must not relegate anyone to unemployment or slum living," Smith said. "Any man ought to have the opportunity to rise as high as possible on his own merits."

Undergoing Change

He said social patterns are undergoing change in the northwest. "We can create the kind of community we want," he said, "if we accord the same rights to others that we seek for ourselves."

Smith urged community leaders to "prepare for the change," noting that "no racial violence has ever occurred where people were living together in a democratic way."

The Rev. Robert Tull, pastor of the Community Congregational church, and president of the Medford Human Rights council, presided over the luncheon meeting.