# Battle Death May Aid Ray

MEMPHIS, Tenn. (UPI)—The unexpected death of Criminal Court Judge W. Preston Battle may have been hastened by the James Earl Ray case, and, ironically, may provide Ray grounds for a new trial.

Medical Examiner Dr. Jerry T. Francisco said Tuesday an autopsy showed that Battle died of coronary insufficiency—"a form of heart disease in which emotions can cause a fatal outcome."

Battle was found slumped over a desk in his chambers Monday, just one week and a day before Ray had been scheduled to go on trial for the assassination of Dr. Martin Luther King Jr. Ray suddenly changed his plea at a special hearing March 10 and entered a guilty plea in exchange for a 99 year sentence.

**Regretted Guilty Plea**

Within hours after entering the plea, however, Ray regretted the move and wrote a letter to Battle informing the judge of his intentions to seek a post-conviction hearing, at which he was expected to ask for a new trial.

It is this letter that may win Ray the right to appeal—a right which he waived when he entered the guilty plea. Ray later claimed he pleaded guilty on the advice of his attorney, Percy Foreman, only after becoming convinced that he would die in the electric chair otherwise.

Tennessee law provides that any motions for a new trial pending before a judge who dies must be granted. The law does not spell out just what constitutes a motion—and Ray's letter might be regarded as a motion.

The decision likely will have to be made by Battle's successor, who must be named by Gov. Buford Ellington.

**Case Was Burdensome**

Dr. Francisco said it would be "highly speculative to say that one specific case contributed largely" to the death of Battle, but added "there was no question that he had been under strain and it may have hastened progress of the disease."

Battle, who had no previous history of heart trouble, felt the need of a rest after Ray entered his surprise guilty plea. The judge left on vacation, and Monday was his first day back on the job.

He had tried to spend the time resting at his apartment home, but finally went to Panama City, Fla., last week to get away from his constantly-ringing telephone.

Close friends said the Ray case weighed heavily on Battle.

"Many times I heard him comment that, 'I'm going to have to live with this case for the rest of my life'," said Charles Holmes, who served as press relations officer for county officials involved in the case.

## Fire . . .

—Continued from page 1

Willmon's tanker contained any fuel. State police said fumes as well as the 1,975 gallons of fuel the tank contained contributed to the fire that sent thick flames high into the air.

Reports indicated there were but two empty truck stalls in the upper lot when the fire began. Albert Wadsworth, 39, of Port Clinton, Ohio said he was asleep in a flatbed outfit parked beside Willmon.

He was able to escape but his rig was on fire as he waited his turn to clear the lot. Remains of large and rubber from tires that melted as rigs ran through flames were left on the parking lot pavement.

At least four of the burning rigs were pulled along the turnpike where firemen put them out.

Several outfits parked across the lot from the burning tanker were not moved. Intensity of heat melted lens caps on parking lights and other fixtures on them.

Flames blackened paint on several Mavericks (Ford's new economy car) aboard an auto carrier.

State police said the Department of Transportation will conduct an investigation to determine exactly what kind of fuel the Willmon tanker contained and whether it should have been on the pike.

Interstate Commerce Commission regulations state loads that carry liquids with a flammable point under 80 must be clearly marked in red. Also, because of tunnels, highly flammable loads are not usually allowed on the pike, state police said.

## Specter Urges Grand Jury Probe

PHILADELPHIA (UPI) — Dist. Atty. Arlen Specter asked the courts Tuesday to empanel a special grand jury to "blast the lid off corruption" in the administration of Mayor James H. J. Tate.

His petition said "there prevails in Philadelphia systematic violations of the law among public officers, and criminal conspiracies respecting public business of a widespread nature, jeopardizing and demoralizing the public security."

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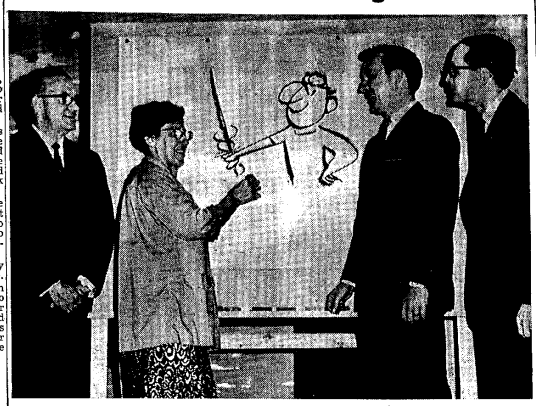
## The Art Of Battling



The 'art' of battling cancer is depicted by Chicago cartoonist Mrs. Peggy Lipschutz. She was the guest speaker Monday evening at Bedford Elks at a cancer crusade kick-off dinner attended by approximately 350 persons. Left to right are: Dr. Eugene Kutz M.D. president of the county unit, American Cancer Society; Mrs. Lipschutz; George Hull, chairman (for his third year) of the 1969 Cancer Crusade in the county, and L.W. Perce, Southwest Central Area chairman.

# Cartoonist Gives Crusade A Boot

The 1969 Bedford County Cancer Crusade got rolling Monday evening with a kickoff dinner at Bedford Elks that featured an illustrated talk by Chicago cartoonist Peggy Lipschutz.

Crusade Chairman George Hull urged volunteers to repeat efforts that last year saw the campaign bring $11,500. That is the goal for the current campaign but is $500 above the '68 goal.

The dinner program was attended by 342 persons. Those who spoke included Dr. Eugene Kutz M.D., Bedford unit president, and LeGeande W. Perce, Southwest Central Area Chairman.

Mrs. Lipschutz in a talk entitled "What's Your Line?" noted additional money is needed for research to help cure 50 per cent of cancer cases for which there currently is no treatment.

Discussing the 50 per cent that can be cured, she noted only one-third of them are cured because of waiting too long for treatment. She urged a yearly check-up as a means to detect the disease.

Mrs. Lipschutz cited the Surgeon General's report which links smoking to lung cancer. She noted lung cancer caused 100,000 deaths yearly in the United States.

Finally, she stressed the role and techniques of the volunteer in collecting for the cancer crusade.

Her hand-drawn illustrations proved popular with the audience who gave her a standing ovation when she finished.

The invocation was the given by the Rev. Melvin Walper of Bedford. Edwin Daugherty led group singing and Mrs. George Reisner was organist.

Also attending were Larry Miller, field representative of the Pennsylvania Division, American Cancer Society and James O. Courtney, Jr., lay director of the Pennsylvania division.

## OBITUARY

**Mary H. Diehl**

Mrs. Mary Henderson Diehl of Hershey, formerly of Bedford St., Bedford, died Monday, Mar. 31, 1969. Funeral arrangements by the Louis Geisel Funeral Home are incomplete.

## GI Imprisoned By VC 8 Months Is Returning

PHOENIXVILLE, Pa. (UPI)—Army Pfc. Donald G. Smith, 21, Akron, Pa., released last New Year's Day by the Viet Cong after eight months imprisonment leaves the Army Wednesday afternoon.

Smith will receive his discharge at the Valley Forge General Hospital here.

He has been commuting between the hospital and his home in Lancaster County several days a week pending completion of dental work.

Smith, one of three GI's released on New Year's, was given a hero's welcome by his hometown in January. He described his captivity as "spending my days squatting, chained like a dog on top of my bunker, and my nights still chained, trying to sleep in a hammock in a pitch - black bunker."

## No One Injured In Two-Car Crash

There were no injuries reported and just $300 total damage at 6 a.m. Tuesday in a two auto crash on Rt. 31 at Kinton's Bridge north of Manns Choice.

Involved were a northbound car driven by Daniel Robinette, 50, of Manns Choice and a southbound car operated by Mae Belle Simpson, 20, of Bedford.

State police at Bedford also reported a one auto crash at 6:30 p.m. Tuesday on County Home Road, one and one-half miles south of Bedford. Again, no injuries were noted.

## April Fool, You-All

Ess up!

Did you glance at the picture of the "tractor-trailer airlift" on page one of the April 1 Gazette and think it was the real McCoy?

Did you, like a housewife we learned of, ask if you could go down and see it? Or, like the school administrator, comment it was a good idea? Or, like many others, look on through the paper without a second thought?

If so, April Fool! And if you caught that bit of fakery, did you catch us in a mock-historic "hippy demonstration" in Rainsburg on the Editorial page? April Fool again.

## Pearson Story Friday

EDITOR'S NOTE — The second installment of the Drew Pearson-Jack Anderson series, "The Case Against Congress," will appear in Friday's edition. Following installments will run Tuesday's and Fridays.

## Dad To Follow Son's Footsteps

LANSFORD, Pa. (UPI) — Dr. John Palumbo is sort of reversing the usual pattern. He's attempting to follow in the footsteps of his son and become mayor of this town.

His son, Ralph, a student at Panther Valley High School, was elected mayor for a week in a youth program.

Dr. Palumbo is seeking the Republican nomination for the office.

# Viet Now 4th Worst In History

SAIGON (UPI)—U.S. commanders Tuesday announced the return of the nuclear-powered aircraft carrier Enterprise to Vietnam waters as a weapon against the Communists' spring offensive. But air strikes by B52 jets, mightiest bombers in the American arsenal, were being cut back to slash war costs.

With the Red offensive in its 39th day, military sources said this war has killed more Americans than the 33,629 Americans slain in Korea from 1950-53, thereby making it the fourth most costly war in terms of U.S. dead in American history.

American headquarters said the Enterprise, biggest ship afloat, rejoined the war Monday for its fourth tour and within hours launched jet fighter-bombers in support of U.S. troops hunting Communist forces near Cam Lo, eight miles south of the DMZ.

**250 Killed**

The Enterprise strikes were flown over a mountain battlefield where American foot soldiers reported killing more than 250 North Vietnamese regulars in heavy fighting last week.

Defense Secretary Melvin R. Laird, announcing the reduction in B52 strikes, said in Washington the move was in line with orders from President Nixon to trim defense costs.

Air Force pilots have flown thousands of missions in the eight-engine jets of the Strategic Air Command since they were first thrown into the war on June 17, 1965. The planes can carry up to 15 tons of bombs.

Six B52 missions were flown Monday against targets north-west of Saigon and in the Central Highlands.

**Scattered Fighting**

Military headquarters reported only scattered contacts involving American troops Tuesday, but sometime during the past 48 hours the 33,630th American died in combat in Vietnam since Jan. 1, 1961, when the first was slain.

Only the civil war and the two world wars have claimed more American lives.

Just north of Saigon, two battalions of Australian troops supported by British-built tanks and New Zealand artillerymen have launched an offensive into a suspected Communist stronghold 20 miles northwest of Saigon.

Intelligence sources said as many as 10,000 North Vietnamese and Viet Cong may be in the area near the U.S. Army headquarters at Long Binh and the Bien Hoa Air Base, busiest airfield in Vietnam.

## Park Work Planned

HARRISBURG (UPI) — The state Forests and Waters Department will receive bids April 22 for a major project involving construction in the Falls area of Chiopyle State Park in Fayette County.

The project will be financed with funds from the $500 million recreation and conservation bond issue.

## Services Planned At St. John's

St John's United Church of Christ, Bedford, will observe confession and preparatory for Holy Communion this evening at 7,30.

Thursday, Holy Communion begins at 7,30, Easter Day, communion services begin at 8 a.m, and 10,30 a.m. Members of the pastor's class, confirmed Palm Sunday, will receive their first communion at the 10,30 service.

# Apollo 10 May Transmit Live Color TV To Earth

SPACE CENTER, Houston (UPI)—Apollo 10's astronauts may transmit live color telecasts back to earth during their moon orbiting flight in May, Apollo spacecraft chief George Low said Tuesday.

Color television from a crewed spaceship would mark a space first, although unmanned spaceships already transmit color TV pictures of the weather.

Low said the feat, in addition to providing the public with glimpses of the awesome sights such as earth's blue and brown globe seen by the astronauts, would be of engineering interest because of the added detail live color pictures could provide instantly.

He said the color television system being considered for Apollo 10 is a technological breakthrough he learned about only two months ago. He said there is a 50-50 chance it can be included aboard the moon orbit flight, scheduled to start May 18.

"This is a very preliminary idea, and it's awfully late in the game to start considering it," Low said.

"If we can get a color system available that gives us a picture of good enough quality to fly—and if we can have it in time and try it out during launch rehearsals in early May at Cape Kennedy)—then I would be willing to fly it as an experiment."

Apollo 10 Commander Thomas Stafford is enthusiastic about the possibilities of trying out the color camera during his mission. He has talked about transmitting a total of several hours of television during the flight, compared to TV shows from past flights that were measured in minutes.

Low said if the color camera is flown aboard Apollo 10 he plans it as an addition to the black-and-white TV cameras already planned for the flight.

Apollo 10 is planned as a rehearsal of the July Apollo 11 moon landing flight, except for the actual touchdown.

Stafford and Eugene Cernan will descend to within 10 miles of the moon in the spidery landing craft while John Young orbits 69 miles high in the Apollo 10 mothership. Then they will aim the landing craft back up toward a rendezvous with Young.

Low said a decision to fly the color camera will be made only after the launch rehearsal tests in the spacecraft, which will prove its ability to transmit a good picture through the spacecraft systems.

If the camera does not pass these tests, Low said, it probably will not be tried again until Apollo 12. That mission is scheduled for November as the second moon landing flight.

# Over 300 Welfare Cases Ask More

PHILADELPHIA (UPI) — More than 300 women and children on welfare spent Tuesday at the headquarters of the United Fund of the Philadelphia Area to ask for more services for the poor.

Group leaders met with officials of the charitable fund and complained that not enough of the money collected by the organization in its annual drive reaches the poor.

The children were given games to play and milk and cookies while their mothers waited for the meeting with Ernest Scott, a lawyer and voluntary president of the United Fund.

Mrs. Dorothea Burnett, 28, a spokesman for the Welfare Rights Organization which supervised the gathering, said the United Fund was spending too much money on its own administrative operations.

"The poor people don't get the services that it's played up to be," she said.

## Eye Coal Museums

HARRISBURG (UPI) — The money is not available yet, but plans are underway for a four-site anthracite museum in northeastern Pennsylvania.

William J. Wewer, deputy executive director of the state Historical and Museum Commission told United Press International Tuesday that the commission has been considering a multi-site complex for some time to tell the story of hard coal, but a Senate bill for the project is the first to be formally presented to the legislature.

## Mother Deposits Baby By Door

CAMP HILL, Pa. (UPI) — State police are looking for the mother of a healthy infant, not more than five days old, found abandoned between the doors of the emergency entrance at Holy Spirit Hospital here.

The infant, dressed in baby clothes and in a cardboard box, was discovered by a staff doctor early Saturday morning.

State police said Tuesday they would not divulge the sex of the infant or have the baby photographed lest it hinder their search for the mother.

# Ford Foundation Official Urges Education Overhaul

WASHINGTON (UPI) —The Ford Foundation's program officer called Tuesday for a basic overhaul of American public education, starting with dismissal of bad teachers on the advice of fellow teachers and the pupils themselves.

Dr. Charles Brown, a former teacher and school superintendent, was interviewed while here to address the National Committee for Support of the Public Schools.

Singling out the teaching profession as the key to improved education, Brown, 44, criticized some teacher associations for "protecting mediocrity."

The public, he said, should insist that the teaching profession begin to take seriously its pronounced intention to control its own quality. I submit to you that the profession is not doing so now.

"As evidence I offer the situation in New York City, where out of a teaching of about 60,000 men and women, one almost never hears of a teacher being dismissed because he is not a good teacher."

Brown, who once taught in the schools of Newton, Mass., where he rose to be superintendent, said he was not singling out New York City. "The same situation applies in most school systems," he said.

"What I am saying, as flatly as I can, is that teacher associations as they are presently operating are much more interested in protecting mediocrity than they are in ridding their ranks of people who simply should not be teaching, and as long as we do not protest, who can blame them for continuing this practice?"

Brown was asked who should decide which teachers should be fired.

"The two most interested parties," he replied. "There is a function three for administrators and other teachers, and those whom he is teaching—and that means the children themselves."

What constitutes a "bad" teacher?

"I'm not talking about the finer distinctions," Brown said. "The kind of evaluation I'm talking about is the obvious one, where it is apparent that a teacher will not be a good one."

# High Court Sidesteps Public Strike Issue

WASHINGTON (UPI) — The Supreme Court sidestepped an opportunity Tuesday to hear a case and decide the legality of state laws prohibiting public employes from striking.

With only brief comment, the justices rejected an appeal by a New York Sanitation workers union and its president who were found guilty of contempt of court for conducting a garbage strike in defiance of state law in 1968.

"The appeal is dismissed for want of a properly presented federal question," the court said of its action.

The court held only a ceremonial session Monday because of the official day of mourning for Dwight D. Eisenhower, and it arranged to convene both Tuesday and Wednesday to hand down decisions.

Twenty states have specific laws prohibiting strikes by police, teachers and other public employes while another seven follow common law precepts which accomplish the same thing.

In their appeal, local 831 of the Uniformed Sanitationmen's Association and President John Delury claimed that New York's Taylor Law against public strikes violates the constitutional guarantee of "equal protection under law" for state, county and city workers.

Employes of private firms doing identical work are entitled to strike, their brief noted.

When New York garbage collectors walked out on their jobs in February, 1968, the union and Delury were convicted of contempt for refusing to obey a court order that they return to work.

The union was fined $80,000 and lost its dues check-off privilege for 18 months. Delury was fined $250 and sentenced to $5 days in jail.

In the New York Court of Appeals, the contempt convictions and the basic constitutionality of the law was upheld.

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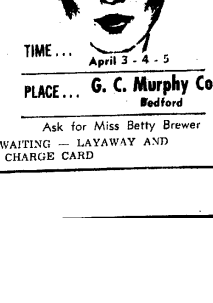

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