



gress discuss jobs

ist to members
ommittee on wel-
ident's propos-
rogram to cre-

ate jobs for the unemployed. At left is Representa-
tive Jim Corman (D, Calif.), chairman of the sub-
committee, who said he thought full House action
on the measure could come quickly. (Article, A7)

outlines measures handling fuel crises

By PETER BEHR
Washington Bureau of The Sun

The Department of Ener-
outlined a series of emergen-
hat could be taken to deal
energy shortages.
emergencies like the Arab
1973 and 1974 or last win-
tage, the tactics could in-
thermostat settings for
buildings, allocation of natu-
products among regions of
d temporary suspension of
restrictions to permit in-
lational, according to the plan-
outlined yesterday.

report, prepared by an
task force headed by David
of the Energy Depart-
Regulatory Administra-
comprehensive attempt to
nment options in energy

emergencies.

Mr. Bardin said federal and state gov-
ernments, and energy companies, are
"somewhat better prepared" this winter
to deal with shortages than they were a
year ago, when temperatures in some
parts of the country plummeted far below
normal levels, causing a severe natural
gas shortage.

"A lot of people got a bad scare [last
winter], and that should help," said Mr.
Bardin.

The storage of natural gas is higher
than last year at this time, the nation's
strategic oil reserve is gradually increas-
ing and supplies of both fuels appear to be
adequate, even with a colder-than-normal
winter, Mr. Bardin said.

But he cautioned that weather remains
See PLAN, A7, Col. 2

atists obtain hormone ing artificial gene

(AP)—Scientists
any that for the first time
eded in using artificial
a bacterium to produce a
ily found only in higher

can be produced by this artificial gene
process or one related to it. The medicines
would be made to order in living bacteria
"factories."

Earlier this year, a gene carrying

Cole named to state's top court

City jurist chosen
by Lee is 1st black
on Court of Appeals

Annapolis Bureau of The Sun

Annapolis—Acting Governor Lee ap-
pointed Judge Harry A. Cole of the Su-
preme Bench of Baltimore to the Court of
Appeals yesterday, making him the first
black judge to sit on the state's highest
court.

Mr. Lee made it clear at his weekly
press conference that race was the primary
consideration in passing over two white
judges on a higher court, the state Court of
Special Appeals, to pick Judge Cole.

"I thought that if a good black judge
could be found for one of the two [Court of
Appeals] seats from the city, he should be
appointed," Mr. Lee said.

The decision was not made as simply
as he suggested, however.

Mr. Lee's first choice for the job, Judge
Joseph C. Howard of the Supreme Bench,
was left off the nomination list, causing a
furor among the black politicians and civic
groups that supported Judge Howard.

Judge Cole, a 56-year-old Republican
and the only black to make the nomination
list, does not have as much backing as
Judge Howard in Baltimore's black com-
munity, and Mr. Lee spent more than five
weeks pondering his alternatives before
announcing the choice.

He said two weeks ago that, before fill-
ing the court vacancy, he wanted to know
whether Henry G. Parks, Sr., a black busi-
nessman and former city councilman,
would be available for the job of state se-
cretary of economic and community devel-
opment.

A black appointment to the seven-
member Court of Appeals would seem less
imperative, Mr. Lee acknowledged, if he
could name a black to his all-white cabi-
net.

The Parks appointment would have the
added political advantage of solidifying
Mr. Lee's ties with the powerful political
organization headed by William L. (Little
Willie) Adams.

The acting Governor said yesterday he
still has not heard from Mr. Parks. But it
appears that Mr. Parks, who had promised
a final answer this week, will not take the
cabinet job.

If Mr. Lee had decided against naming
Judge Cole, sources said, he probably
would have appointed Richard P. Gilbert,
chief judge of the Court of Special Ap-
peals, to the vacancy.

Judge Solomon Liss of the Court of Spe-
cial Appeals, Judge David Ross of the Su-
preme Bench and M. King Hill, Jr., a Bal-
timore lawyer, were also on the list sub-
mitted by the Appellate Judicial Nominat-
ing Commission.

Asked yesterday why Judge Howard
was his first choice, Mr. Lee said the
judge, who has developed a popular fol-
lowing for his outspoken stands on racial
issues, is "a very remarkable guy."

But he quickly added, "I've appointed
Judge Cole. I don't want to say anything to
demean him in any way. I think he is a
fine guy."

"I'm just grateful for the Governor's
confidence," Judge Cole said yesterday.
"I'll do my best to be a credit to my fam-
ily, to the state and to the Governor who
appointed me."

He said being the first black on the
See APPEALS, A8, Col. 1



JUDGE HARRY A. COLE

Lee weighs broad use of surplus

Tax cuts, more
to schools, we
pay boosts stu

By DONALD KIMELMA
Annapolis Bureau of The Sun

Annapolis—Acting Governor
yesterday that as a result of
large surplus, the poor, the
middle-class taxpayer and the
employees will all get some kind
break next year.

Mr. Lee, who already is co-
lowering the state property tax
giving serious consideration to
an increase in the standard de-
state income tax from \$500 to \$

Such a change, if approved l
eral Assembly, would benefit
payer who earns more than \$3,
with Marylanders paying abou-
tion a year less in state and lo-
taxes.

The acting Governor also
weekly press conference that
state employees, ranging from
per cent, now is a certainty and
fare payments will be increased
proportion.

He further said he is providi-
money in next year's budget to
none of the state colleges or u-
will raise tuition.

"The word for the next scho-
no tuition increases for anybody
he said.

Mr. Lee would not make a sin-
mitment for the community
which depend on local support as

These election-year gifts to th
ry would be made possible by th
unusually large surplus, which is
to reach \$128 million by June 30
of the fiscal year.

When the acting Governor was
ly informed Wednesday of the su-
surplus and the bright revenue
for next year, he pledged to in-
state property tax and endorse
posed additional \$20 million in au-
cation.

An obviously delighted Mr. Lee
sat up until 2 o'clock in the morn-
ing of other ways to use the money.

His remarks yesterday seeme
part from his previous insistence
would spend the surplus funds ca-
to try and make them last for the n
years.

The two tax decreases, the em-
raise and the increased aid to ec-
would diminish the state's treasur-
least \$90 million a year.

While Mr. Lee expressed sur-
the size of the surplus, state officials
when they fought for a sales tax in
last winter that they would reap fi-
benefits in the coming election year.

A number of legislators who o-
increasing the sales tax from 4 per
5 per cent have said they will fight
peal that tax increase next year.

Mr. Lee said yesterday that k-
the sales tax is the only option for
ing the surplus that he has total-
out. He said he much prefers to
with taxes that can be "fine-tuned"
duce the exact savings desired.

It is ridiculous to reduce the sa-
by a fraction of a penny, he said, and
1-cent reduction would cost the state
than \$130 million.

Walkout mars end to dock strike

By JAMES GUTMAN

A wildcat walkout that grew out of a
traffic ticket halted all work on ships at
Dundalk Marine Terminal yesterday and
marred the scheduled end of the 2-month-
old longshoremen's strike in Baltimore.
Last night, however, most longshore gangs
appeared to have shown up for slated
overtime work shifts at the port.

The wildcat walkout was not the only
sign of continued labor-management un-
rest in the Baltimore shipping industry
yesterday.

Lavino Shipping Company, the firm
headed by Rex Wheeler, Jr., president of
the Steamship Trade Association of Bal-
timore and chief negotiator for national
shipping management, reported that it
was the only stevedoring firm at the port
for which longshoremen yesterday did not
perform any work.

The International Longshoremen's As-
sociation (AFL-CIO) said Lavino ships
were not worked because not enough
longshoremen were available to form up
gangs which could do the tasks for Lavino.

There also was confusion surrounding
overtime work at the port.

Garris McFadden, president of dissi-
dent IILA Local 333, yesterday backed off
his previous statement that members of
the local would refuse to work overtime.
Many companies had longshoremen slated
to work overtime in the evening.

Reports last night indicated that all
seven gangs directed to work overtime at
Dundalk showed up for the shift. Not
enough members of the one gang sched-
uled to work overtime for Lavino at Lo-
cust Point showed up, however, and the
gang was sent home without doing any
work.

Mr. McFadden said last night he had
instructed his members to work overtime
and that he also expected them to be
working and not picketing today, although
he sympathized with the reasons for yester-
day's wildcat walkout.

Yesterday began with longshoremen
returning to work as scheduled at the port
of Baltimore following a temporary re-
See DOCKS, A8, Col. 1

New questions raised in Kennedy's killing

Washington (AP)—Newly disclosed FBI documents on the assassination of John F. Kennedy raise new unanswered questions about Lee Harvey Oswald's movements in the days before the killing, and about the source of the bullets that killed the President.

The 597 pages of documents are the first of more than 40,000 that the FBI will release by Wednesday to comply with requests under the Freedom of Information Act for its material on the investigation of President Kennedy's death in Dallas November 22, 1963.

The first three volumes were provided to a private researcher several months ago and were made available to the Associated Press yesterday.

The documents, many heavily censored, show that the FBI attempted to trace the fatal bullets from the time they were manufactured until they reached the assassin's hands.

Agents initially were perplexed by a piece of evidence they found.

The bullets were 6.5-mm. Mannlicher-Carcano ammunition. Agents determined that the manufacturer was the Western Cartridge Corporation of East Alton, Ill.

Agents in Illinois examined the company's production records and found that the firm produced four million rounds of this type of ammunition for the Marine Corps in 1954.

"The interesting thing about this order is that it is for ammunition which does not fit and cannot be fired in any of the USMC weapons," said an FBI memo dated December 2, 1963.

"This gives rise to the obvious speculation that it is a contract for ammunition placed by CIA with Western under a

USMC cover for concealment purposes," the memo continued.

In other words, FBI officials speculated that the Central Intelligence Agency was using the Marine Corps as a cover to purchase ammunition in secret.

A memo written at FBI headquarters the next day noted that the George Zucker Sales Company of Chicago had purchased about two million rounds for commercial resale in 1962.

In the first batch of files released, these were the only two memos dealing with the ammunition. The material said nothing more to explain or resolve the agents' speculation. Nor was it known whether the files to be released next week, and another 40,000 pages due later, would shed more light on the question.

The Warren Commission investigated the assassination and concluded that Oswald, acting alone, killed President Kennedy. The commission reported that this type of ammunition "is readily available for purchase from mail order houses as well as a few gun shops." It noted that "some two million rounds have been placed on sale in the United States."

The records showed that the FBI kept close watch and a voluminous file on Oswald from his defection to the Soviet Union in October, 1959, and after he returned to the United States in June, 1962.

But the bureau lost track of him for several weeks in September and October, 1963, and agents in Dallas, Little Rock, Ark., and New Orleans were put on alert to locate him and his Russian-born wife, Marina.

The Immigration and Naturalization Service asked the FBI on October 27 if it was all right to investigate Marina Oswald, an alien.

The Dallas office located Mrs. Oswald on November 1, living with a Mrs. Michael R. Paine in Irving, Texas, near Dallas. Mrs. Paine told agents that Oswald sometimes visited his wife and newborn child and that he was working as a laborer at the Texas School Book Depository in Dallas, but she did not know his street address.

There is no indication that the bureau tried to contact Oswald after that. The next entry in the report is a memo from the New Orleans bureau to FBI headquarters which states that Oswald, "the subject of a security investigation by this office," was working at the school book depository. The residence address was left blank.

The next entry is a November 22 urgent message to J. Edgar Hoover, the FBI director, reporting that Oswald had been arrested in Dallas after shooting a police officer and "is a suspect in President Kennedy's death."

According to the record, Oswald eluded the FBI in September when he left New Orleans, driving back to Dallas with his wife.

The agency wanted to know his whereabouts because of his arrest in New Orleans on August 9 for engaging in a street argument with three Cuban emigrants who objected to his passing out leaflets for the "Fair Play for Cuba Committee."

The FBI had reason to suspect that Oswald might be in Mexico City, contacting the Russian Embassy there. But Mr. Hoover informed the Dallas bureau December 1 that a report placing Oswald in Mexico City September 18 was unfounded.

Direct talks set today on coal issues

Washington (AP)—Federal mediators won agreement to resume face-to-face bargaining, as the stalled coal industry contract talks this morning, officials announced last night.

The session will be the first time bargainers for the United Mine Workers Union and the Bituminous Coal Operators Association have met together since talks broke off a week ago.

Despite the agreement to renew talks, it still appeared likely that the UMW's 130,000 members would strike at midnight Monday when their contract expires.

The union's president, Arnold R. Miller, met with the Secretary of Labor, Ray Marshall, yesterday to discuss the talks. A source said afterward: "Clearly, the picture that emerges is not optimistic."

Federal mediators, led by Wayne L. Horvitz, have been meeting with each side in the dispute separately since Tuesday trying to get them to the bargaining table. Their efforts have been hampered by disputes over procedures.

The main stumbling block, the size of the negotiating teams, was resolved yesterday when both sides agreed to send four-man teams to the negotiating table.

Mr. Marshall's session with Mr. Miller and Mr. Horvitz was held "so that President Miller could personally brief Secretary Marshall on the negotiations," a statement by the Federal Mediation and Conciliation Service said.

Mr. Marshall scheduled a similar session today with Joseph P. Brennan, president of the coal association.

The mediation service statement said Secretary Marshall again emphasized that government settlement efforts are in the hands of Mr. Horvitz and the mediation service.

Sources close to the labor secretary said the meeting was held in keeping with Mr. Marshall's "noninterventionist attitudes toward collective bargaining."

The talks broke off last Friday with each side accusing the other of bargaining in bad faith and Mr. Miller declaring that a strike appeared inevitable.

Mr. Horvitz and other mediation officials took charge of the stalled negotiations Tuesday. They quickly won a promise from both sides for "concentrated and continuous negotiations." But union and industry negotiators have not bargained together since.

Lee appoints Judge Cole to appeals court

APPEALS, from A1

Court of Appeals "creates a tremendous burden that I do the kind of work to pave the way for other folk."

Charles J. Josey, Sr., an officer of the Monumental Bar Association, an organization of black city lawyers, hailed Judge Cole's appointment.

"It's gratifying to detect the degree of responsiveness by the Governor to the legitimate aspirations of the black community," Mr. Josey said.

Judge Cole, who will fill the vacancy caused by the retirement of Judge Frederick J. Singley, Jr., has served on the Supreme Bench since 1968.

A graduate of Morgan State University and the University of Maryland Law School, Judge Cole has another important first to his credit: the first black elected to the state Senate.

"I defeated the [Jack] Pollack machine and then they came back and beat me," he said of his one term in the Senate from 1954 to 1958.

To keep his \$46,000-a-year job on the Court of Appeals for a full 15-year term Judge Cole will have to run for election in the city next year.

2 magazines

Jacksonville, Fla. (AP)—Redbook and American Home magazines will be combined early next year, the Charter Company announced yesterday.

Charter, a holding company that owns 56 per cent of Downe Communications, said the February issue of American Home will be its last as a separate magazine.

A spokesman said the consolidation is expected to improve the earnings potential of Charter's new communications group, while also providing improved products for readers.

Combining the magazines does not af-