

### Self Defense Story Is Told

#### Battle in Dark, Demands of Unknown Visitor Related to Jury

(Continued from page 1)

have been a good-sized drink."

The defendant said in about a half hour Sloan left the sitting room and turned to go out to the kitchen, and that of Kyle's sight, and that then Kyle blew out the light and went to bed.

The next thing he knew, someone was in the room and had him by the throat, Kyle testified, and was trying to choke him. He told of trying to break off the intruder with one hand while he reached for the pistol with the other hand, and quoted the other person as swearing and telling Kyle to "come across."

He said he shot once, then later after a tussle, two quick shots; then put the gun on a table, got the lamp lighted and went in to see a man lying face down on the bed. Kyle said he couldn't see who it was, got his shoes and went down to Jean's (the dead man's) house to get Jean to see who it was. Mrs. Sloan said Jean wasn't at home, so he went on to get Mr. Smith, who returned with him.

Smith and I went in to look. I heard... Why, it's Jean... I looked and I said, "yes, it's Jean, my best friend," Kyle continued.

"And he was your best friend?" Defense Attorney Burris questioned. "He was," Kyle said, then told of arrival of officers.

Several times during cross examination, Trindle attempted to bring admission from Kyle that he and Sloan had quarreled, but Kyle was adamant that in the five years they had known each other there had never been words or trouble between them.

Trindle, in his cross examinations, struck at differences in Kyle's story on the stand and his story as told to officers following the shooting.

"Didn't you tell Officers Mogan, Lansing, Warren and myself at another time that you and Sloan had drunk no liquor from the time you left home to the time you got to Salem?" Trindle queried.

"There are a whole lot of things I recollect since then," Kyle answered.

The defendant was also hazy on what Sloan restaurant they had eaten at in Salem, though the prosecutor's questioning indicated he had given a direct answer shortly after the shooting. He also gave different testimony than previously as to which side of the bed he was lying on when his assailant struck, and how many shots were fired.

**Mention of Money to Sloan Related**

Kyle said he had about \$50 in the house that night, and that he had another \$250 planted about the place outdoors. Queried by Burris as to whether Sloan ever mentioned money when he had been drinking, Kyle said once that when he, Kyle, had just received about \$10 from eggs, Sloan had remarked "Gee, you've got lots of money." He gave no testimony relating to discussion of money on the day of the shooting. Burris sought momentary success to have a verdict directed to the defendant when the state had concluded its case. He contended the state's evidence had only upheld Kyle's story that he shot Sloan in self-defense. Burris also contended that medical testimony given at the trial was inexact because Sloan's body had been embalmed before an autopsy was made.

**Bedding Changed, State Contention**

In the morning court session Farley Mogan, state policeman, set up in the courtroom the bed where Sloan met his death in Kyle's house. The bloody pillows, the bedragged blankets were on the bed but the sheet Kyle slept on was excluded as a "gruesome object" by a ruling of the court. The sheet was stained with blood.

Mogan and Joe Smith, neighbor of Kyle, did not agree on the condition of the bed clothes, the state contending that Smith left Kyle alone when the former went to call county officers and that rearranged the condition of the bed.

J. Melvin Ringo, Woodburn undertaker, explained in length to the jury that the embalming process did not interfere with an autopsy. J. S. Murray, ballistic expert for the state police, testified at length regarding the effect of the bullets Kyle shot.

### Two More Thefts Here Cleared Up

(Continued from page 1)

one year in the state penitentiary. Staples will be committed this morning.

**One of Watches Found in His Cell**

Sergeant Asa Fisher of the city police found one of the stolen watches in Staples' cell shortly after he was imprisoned Saturday at midnight.

Court records show that Staples was sentenced to two years in the state prison in 1932 for theft of an auto but was given a bench parole.

Laura Smith, with Staples when the theft of the Jewel Box was committed, was hailed before Justice of the Peace Hayden and was bound over to the grand jury for investigation. Only 13 years old, Miss Smith said she knew Staples only casually and had not been connected with him in any criminal activities.

The arrest of Staples and Miss Smith was consummated by city police when L. O. Merrifield and Fern McDonald, both of Woodburn, reported Saturday to city police that Staples and Miss Smith had acted suspiciously as spectators saw a broken window the Jewel Box Saturday night.

### Here and There in Oregon

**Firemen Rescue Lads After Boat Capsizes**

ROSEBURG, Ore., March 2.—(AP)—Members of the Roseburg fire department rescued two youths from the south Umpqua river today. The youths—Jesse Taylor, 15, and Victor Stanton, 17, both of Roseburg—clung to mid-stream willows when their boat capsized. Both could swim but were unable to battle the current to shore after their boat capsized. Skiffs were manned to effect the rescue.

**Purse Seiner With Disabled Engine Towed In**

MARSHFIELD, Ore., March 2.—(AP)—The Purse Seiner Superior of Seattle, with six men aboard, arrived in Coos Bay today in tow of the coastguard patrol boat Pulaski. The Superior's motor gave out off the Oregon coast last week. The Pulaski answered distress signals.

**Noted Marksman Found Dead at Winchester**

ROSEBURG, Ore., March 2.—(AP)—Steve W. Pearson, 51, formerly an expert marksman with the National Guard, was found dead beside the railroad tracks near his home at Winchester today. He had suffered from a heart ailment for some time.

**Rancher Hurt When Truck Stalls on Track**

GRANTS PASS, Ore., March 2.—(AP)—W. H. Wright, 45, Central Point rancher, incurred serious injuries today when his truck was struck by a Southern Pacific locomotive near Central Point. State police said the truck stalled on the tracks.

**Walnut Tree Damage May Be Extensive, Word**

ALBANY, Ore., March 2.—(AP)—Floyd C. Muller, Linn county agent, said today inspection of walnut trees in this area indicated they may have been more badly damaged by the October freeze than was indicated at the time.

**Yamhill School Project to Proceed at Once**

YAMHILL, Ore., March 2.—(AP)—Gene Marsh, attorney for the Yamhill Union high school district, announced today orders to proceed with the \$78,750 union high school project had been received from the PWA. Portland contracts were quoted as saying they were "ready to start work immediately."

Noise of the glass breaking had aroused the suspicions of the proprietors of Harry's lunch, nearby shop.

### Second Gang War Death Chalked Up

(Continued from page 1)

time's day massacre of seven men in 1929.

Police Capt. John Stege would not comment on the possibility of the DeMoy killing might have been linked with that of McGurn, or with the assassination in January of State Rep. Albert J. Prignano, republican leader of the old "bloody twentieth" ward.

A check of these possibilities would be made, however, Stege said.

Santo Cudia, owner of the pool room, told officer.

"I thought they (killers) wanted to play pool until I saw the handkerchiefs on their faces. One said, 'Game's over for you guys. This is a stickup.' They looked at Tony and all fired at once. He dropped under the table."

Witnesses said the killers fled to an automobile and sped away. A gun was found a block from the pool room and was turned over to police for fingerprint examination.

### Flax Film Asked, Southern College

Flax and flax growing are attracting attention in Oklahoma. Dr. David B. Hill has received a letter from the Oklahoma Agricultural and Mechanical college at Stillwater, asking that he send his flax film for showing, not only at the college but at other educational institutions in the south.

The film has been given publicity in several educational magazines in the south and east.

The chamber of commerce sent the film "Oregon, the Sportsman's Paradise" to the University of California, Berkeley, on request of the extension division. A letter to the chamber stated that the university served about 6000 users throughout Washington, Oregon, Utah, Arizona, Nevada, Idaho and California.

The film was sent in order that the extension division at the university at Berkeley might preview before taking up distribution.

### Hearing Delayed, Vacation of Park

(Continued from page 1)

twen 21st and 23d streets; authorized four foot parking on north side of Grove street between Broadway and Front; referred to police committee a petition by Dr. C. H. Sothen and others protesting wood yard operations at Cottage and Trade streets; received favorable committee report on changing lot 6, block 19, Depot addition from class two to class three business zone; refused to order head-in parking on north side of Chemeketa street from Liberty street east to alley.

### Fund For Armory Promised, Report

(Continued from page 1)

ments' story telling content went to Dr. Halladay, visiting Michigan department Legion chaplain, and second to Hans Hofstetter, Carl Subbaner, A. J. Fellen and D. B. Williams acted as judges of the war stories.

### Fire Alarms Gain But Loss Reduced

Fire alarms increased 40.1 percent here last month over February, 1935, but the fire loss showed little change, the fire department monthly report issued yesterday indicated. There were 65 alarms last month as against 59 last February.

Twenty eight of the fire calls were answered by the central station, 14 by the east station, nine by the south station and four by the north station.

### Elevators Idle in Gotham Buildings

(Continued from page 1)

of workers in the Goodyear Tire & Rubber Co. plants at Akron, O., confronted Edward F. McGrady, assistant secretary of labor, on his return there to renew efforts toward a settlement. Fourteen thousand persons were idle.

**College Girls Join in Picket Activity**

In Boston, college girls joined in the mass picketing of garment factories by 4,000 striking members of the International Garment Workers' union, who seek raises and changed working conditions.

More than 400 passengers, including several notables, paced the decks of the liner California at San Pedro impatient at a delay caused by a strike of 404 members of her crew.

At Los Angeles, police reserves were summoned when 2,400 men employed on a WPA sewer project quit work.

**Paper is Published In Spite of Strike**

At Milwaukee, a strike of editorial employees of the Wisconsin News continued without affecting issue of the publication, the management said.

Pickets continued their vigil at the closed Strutt plant in Minneapolis where union hosiery workers rejected the latest peace proposal Saturday.

In El Paso, Tex., the electric company, which had been crippled by a strike of the Brotherhood of Electrical Workers' union since last Thursday, announced complete service had been restored.

### March 16 Is Last Date, Income Tax

Midnight, March 16, is the deadline for filing federal income tax returns and paying the tax where any is due, Thomas C. Frazier, deputy collector of internal revenue, pointed out at his post office building here yesterday.

Frazier said the first day of the new month had brought a deluge of inquiries concerning income tax statement problems to his office.

To accommodate the public in making and filing returns, Frazier will be at his office daily from 8:30 to 12 noon and 1 to 4:30 p. m. until March 15. On March 13 and 14 he will remain until 9 p. m. and March 16 until midnight.

"Federal income taxes must be paid by the 16th unless permission has been given for an extension of time," the collector said.

### Mott Excoriates F. R. Brain Trust

(Continued from page 1)

valid nearly a year ago and no legislation even hinted to replace it," Mott said, "that problem is right where it was on March 4, 1933."

When the supreme court held the AAA unconstitutional, he said, the administration "quit cold." The farmer, he said, is just where he was when the new deal came into power because the new farm program is a "stop-gap, transparently unconstitutional and its only real purpose is to keep the farm checks moving until after the November election."

### Petitions Out to Amend Constitution, Prohibit Ban on True Advertising

Five volunteer solicitors, under the direction of S. T. Donohue of Eugene, were at work yesterday in Salem obtaining signatures to petitions seeking to put an advertising amendment to the constitution of Oregon on the November ballot. The proposed amendments would make it unconstitutional for any advertisement to be banned in Oregon—unless it "failed to tell the truth." To get the measure on the ballot, 16,370 signatures are needed by July 1.

### Authorize Use Of Bond Funds

#### Taxpayer League Request For Further Test of Wells Is Filed

(Continued from page 1)

sell \$1,150,000 additional in water bonds to finance the North Santiam pipeline, filtration plant, reservoir and cross-city feeder main. This bill is expected, however, to be introduced at a meeting in the near future.

Taking notice from the federal power commission, the council ordered the utilities committee, city engineer and city attorney to investigate the nature of Santiam river power rights expiring March 30. The rights, first filed on in 1929, were renewed in 1933.

### Burt Wants Trip, Demo Convention

U. S. Burt, who heads the Young Democratic organization of the state, yesterday filed for election as a delegate to the national convention of his party. Burt, member of the Oregon State college staff, has been active in state politics.

Other filings yesterday included:

Richard V. Covello, Portland, democrat, for state representative from Multnomah county.

Mrs. Annie L. Kruse, Yoncalla, republican, for state representative from Douglas county.

Garnet L. Green, Astoria, republican, for district attorney of Clatsop county.

Roy Kilpatrick, Canyon City, republican, for district attorney of Grant county.

Francis M. Coddling, Medford, democrat, for district attorney of Jackson county.

### 'Skunk' Reference To Specific Vets

Governor Martin denied emphatically Monday that he ever referred to all World War veterans as "skunks."

"Any reference that I made was intended to apply only to a few veterans who openly have repudiated their loan obligations to the state," the governor said.

Records show that one of these veterans, a prominent Portland resident, obtained a loan from the world war veterans state aid commission, and lived in the house for 10 years without paying in excess of \$45.

Officials said this man could have paid interest on the loan had he governed himself as chairman of the world war veterans' state aid commission.

### Miss Smith Sole Proprietor Now, Treasure Chest

Miss Effie Smith, one of the proprietors of the Treasure Chest, exclusive gift and chinaware shop, has purchased the interest of Mr. and Mrs. A. E. Mayo, who have been proprietors of the gift department.

Mr. and Mrs. Mayo opened Mayo's Treasure Chest about 18 months ago on State street, later moving to the present location at 230 North Liberty street. Six months ago Miss Effie Smith moved to Salem as one of the proprietors and has been especially interested in the chinaware and glassware sections of the Chest.

Mrs. Mayo takes over the entire business, which features also linens and gifts.

The Mayos will remain in Salem, where it is understood he plans to open a wholesale business.

### Sun Welcomed to Most of Oregon

PORTLAND, Ore., March 2.—(AP)—Most of Oregon basked in a welcome sun today as one of the coldest Februarys on record faded into memory.

Portland's maximum was 65, the warmest since October 18 of last year. An early-morning fog, which hampered air traffic, gave way to bright, clear skies.

Medford's Sunday maximum of 75 was the highest March temperature on record in the southern Oregon City since 1922.

Portland's mean February temperature was 35.9 degrees, 8.2 below normal and the lowest since 1887. Precipitation also was slightly below normal.

A few more clouds but continued moderate temperatures were forecast for Tuesday.

### Kurtz Wants No Guardian, Avers

G. F. Kurtz, 61, has always handled his own affairs, capably, and he wants no guardian appointed to administer his property, he declared yesterday in a petition filed in the state court here.

In Kurtz's statement he resists the petition filed last week by E. A. Kurtz and H. A. Kurtz who say Mr. Kurtz is at an age where guardians for his property are required.

Kurtz attributes the guardianship request to a move to harass him on the part of the petitioners whom he says have already received a considerable portion of his estate as a donation on his part, to assist his children in making a livelihood, if he is allowed to handle his property unassisted. Kurtz says he has sufficient income therefrom to support him for his lifetime.

### Schramm Transferred to Portland Banking Office

MEDFORD, Ore., March 2.—(AP)—A. Schramm, former state banking superintendent who recently has been manager of the Portland First National bank's branch here, will assume new duties at the home office in Portland, the bank's officials announced today. Eugene Thorpe, who was named manager of the Medford unit.

### Johnston Rites To Be at 1 p.m.

INDEPENDENCE, March 2.—(AP)—Funeral services will be held at 1 p. m. Tuesday at the Kenney Funeral home for Mrs. Mollie Johnston, who died at Independence February 28. Rev. R. W. Porter of the Baptist church will officiate. Interment will be in Canby.

She was born in Craig county, Virginia, October 17, 1882. Her parents came to Oregon when she was three years of age and located at Molalla, where she grew to womanhood. She was married to Edward Johnston in 1909. Six children were born to this union in 1921 and has since resided here.

She is survived by her husband, three daughters and two sons, Mrs. Frank Davis, Mrs. Everett Landers and Mrs. Lawrence Willson, all of Independence, and Archie Johnston and Almon Johnston, Hopeville, Calif.

### Prison Paroles Will Be Studied

Case records on paroles and pardons, granted to prisoners in the state penitentiary over the past seven years, are to be extensively studied within the next few weeks. J. M. Brown, of the attorney-general's office at Washington, announced here yesterday.

Brown conferred at length with Governor Martin and Warden James Lewis on the project, which is a portion of a 48-state survey being conducted for the Home Cummings, attorney general. Brown is in charge of the survey for the four states of the northwest.

In addition to the statistical study, which will be in charge of Karl Grimm, Brown will survey the laws on parole and pardon of the four northwest states. He will then report his findings to Washington which seeks to reduce crime throughout the nation by further studies into paroles and pardons and by greater uniformity in laws relating to criminal procedure.

### Charles Johnson Latest Entry for Sheriff Race

Charles J. Johnson, employed with the traffic department of the secretary of state's office, yesterday added his name to the rapidly growing list of candidates for the republican nomination as county sheriff. Johnson, who lives at 1465 Center street here, was for many years a resident of Silverton. He was in the iron foundry business there. Johnson was commander of the Legion while at Silverton and was active in community affairs.

### Tongue Point Air Base Hearing Due

HEARINGS on Congressman James W. Mott's bill, H. R. 10129, authorizing appropriation of \$3,000,000 for development of a Naval air base at Tongue Point, Ore., will be held before the house naval affairs committee this week, according to word from Washington, D. C.

Merle R. Chessman, editor of the Astorian-Budget, is in Washington as a witness at the hearing and written statements on behalf of Tongue Point are expected to be filed by Brigadier General Thomas E. Riley, president of the National Guard association of the United States, and by Lieut. Colonel Frank E. Lowe, national president of the Reserve Officers' association. Testimony and argument by the entire Oregon delegation in congress will be presented at the hearing.

The navy department is opposed to the development of Tongue Point, while the committee on the Oregon delegation will have an opportunity, however, of presenting the entire case of Tongue Point formally to the full committee and hopes to pave the way for ultimate success of the Columbia river project.

### Negus Said Ready To Discuss Truce

LONDON, March 2.—(Tuesday)—(AP)—The suggestion that Emperor Haile Selassie of Ethiopia was ready to discuss peace terms, provided King Edward of Great Britain would act as intermediary, was contained in a dispatch to the Daily Mail today from its Geneva correspondent, Ward Price.

### Man, Wife Leap To Death, Fire

WARREN, O., March 2.—(AP)—Flames of a hotel fire forced a man and his wife to leap to their deaths from a window ledge today and burned another man to death in his room.

Mr. and Mrs. Owen Canole, of Akron, trapped by the fire which spread rapidly through the 40-year-old Warren hotel jumped to the street from their third floor room.

The body of the third victim, John McBane, hot mill superintendent for the Republic Steel corporation, was found in his room after firemen from Niles,

Youngstown and Warren battled over two hours to get the fire under control.

Five other persons, rescued by firemen, were taken to hospitals. The condition of two was described as serious.

### Cuffel Purchases Paper at Stayton

Announcement was made Monday of the purchase of The Stayton Mail, weekly newspaper published at Stayton, by Hal Cuffel, Salem resident and recently an employee of the state liquor commission. Cuffel has had extensive newspaper experience. He will move his family to Stayton within a short time and Mrs. Cuffel will serve as society editor. Cuffel took over management of the newspaper Monday.

Mr. Cuffel purchased the newspaper from Ralph C. Curtis who has operated it for the past year and a half while continuing his work as night editor of The Statesman. After winding up his business affairs at Stayton, Curtis will resume full-time work with The Statesman.

### Mt. Angel Team Loses to Astoria

PORTLAND, Ore., March 2.—(AP)—The Star of the Sea basketball team of Astoria and St. Mary's quintet of Eugene won their way to the finals of the state Catholic high school tournament tonight. The Astoria five defeated Mt. Angel 42 to 25.

St. Mary's of Eugene won from St. Mary's of Beaverton 33 to 23. Games tomorrow night will include two consolation games and the title clash between Star of the Sea and the Eugene quintet.

Mt. Angel and St. Mary's of Beaverton will play third and fourth places and Columbia Prep and St. Stephens will meet for fifth and sixth.

### Kuykendall to Be Allow to Resign

Possibility that city officials may be asked to have charges against C. A. Kuykendall, deposed policeman, withdrawn in order that he may resign without an unfavorable record against his name was admitted last night by his attorney, Fred A. Williams.

"I don't know just what we will do yet, however," Williams said. "One of our witnesses is outside the state."

If this witness does not return in time, Williams will request the civil service commission to postpone Kuykendall's hearing from next Friday night, he said.

### Linfield President to Address Kiwanians Today

"Japan—Italy of the Orient" will be the subject this noon for an address to the Salem Kiwanis club by Dr. Elam J. Anderson, Linfield college president. For years a teacher in China and of late an extensive traveler in the far east, Dr. Anderson is considered an authority in Oregon on affairs in the orient. He is to deal in part with the recent Japanese revolution. The public as well as Kiwanians are invited to attend the meeting, which is at the Quella.

### Keizer Prune Men To Meet Thursday

A meeting of all prune growers in the Keizer district has been called for Thursday night at the schoolhouse at Keizer. A. M. Chapman announced yesterday. The meeting will open at 7:45 o'clock, with Fred Kurtz of the Keizer district as chairman.

This is one of a series of sessions which are being held in prune growing areas of the state to determine attitude of growers toward the proposed new prune marketing set-up to replace the old prune control board. In sections where meetings have already been held the proposal has met with considerable favor and a large share of growers have signed up subject to inauguration of the plan.

### Debit Checks Are Highest Since '30

(Continued from page 1)

The February clearings for 1935, as reported by the chamber for the Babson statistical agency, were \$5,704,769.

The February report of the local banks for the past eight years follows:

1929	.....	\$10,496,829
1930	.....	11,012,424
1931	.....	9,445,649
1932	.....	7,920,973
1933	.....	5,704,769
1934	.....	7,766,138
1935	.....	9,557,921
1936	.....	10,444,241

### Progress in Mill City Aid Is Made

(Continued from page 1)

on earnings to the subscription of the Salem stock purchasers, the leaders of the mill said.

Here yesterday from the Mill City community were Tom Allen, C. E. Mason, J. F. Potter, D. B. Hill and Herbert Maag.

### Treasurer Rice To Visit Office

City Treasurer C. O. Rice is expected to pay a brief visit to his office this week for the first time since he was stricken in mid-January with a severe heart attack. His family said yesterday he probably would this week also file notice of intention to run for reelection at the May city elections.

Recovering rapidly from an illness, Mr. Rice was able to walk out of doors for a short time Sunday and soon will be able to go for automobile rides.

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