

'Guilty!' Is Verdict Albany Jury Reads In Folkes Trial

No Leniency Recommended; Death in Gas Chamber Mandatory; Negro Calm as Result Delivered

ALBANY, Ore., April 22—(AP)—Robert E. Lee Folkes, 20, emotionless Negro dining car cook, was ordered to die by a circuit court jury Thursday for the grisly lower 13 knife slaying of Martha Virginia James.

The jury of eight women and four men ended the trial at 3:13 p. m., reaching a verdict of guilty of first degree murder, without recommending leniency. That automatically calls for death in Oregon's lethal gas chamber at Salem. They deliberated 17 hours and 23 minutes.

Mrs. James, comely young wife of Ensign Richard F. James, was slain as she resisted a man who climbed into her berth on a limited train as it roared through the Willamette valley before dawn last January 23.

Circuit Judge L. G. Lewelling set 1:30 p. m. next Monday as the time for passing sentence. Defense Counsel Leroy Lomax of Portland said he would seek a new trial and failing that would appeal to the state supreme court.

The negro, without emotion during the trial, sat motionless and seemingly uninterested as a bailiff read the verdict.

Ensign Richard F. James, who attended all sessions of the trial since the opening April 7, drew two deep breaths as the verdict was read but otherwise seemed unaffected.

The most affected person in the filled courtroom seemingly was Leroy Lomax, Folkes' attorney, who made an impassioned, sometimes tearful statement to the court after asking for a poll of the jury.

"You and me both have had more responsibility placed on us than the state of Oregon," he said to Judge L. G. Lewelling, "me to defend a man's life and you to impose the extreme penalty."

Lomax waived time for passing sentence. Judge Lewelling asked if Tuesday, April 27, would be satisfactory, and when Lomax agreed, the judge called him to chambers for a conference.

Two incidents showed the tenacious that gripped officials and spectators before and immediately after the verdict was read. As Folkes was brought into the courtroom to hear the jury's decision, a negro friend, William Follard, tried to shake his hand. A state policeman leaped between them. There was no disturbance.

When Folkes was being led from the courtroom after the verdict, State Policeman Curtis Chambers took Folkes by the arm. The negro, with a show of anger, shook him loose. Chambers leaped upon him, and another policeman grabbed the prisoner's arm. As he rose from his chair for the march back to his cell, Folkes yawned.

When he reached his cell, he said to his jailer: "They found me guilty, all right, and I'll take it like a man." Judge Lewelling, after conferring with Lomax, set the date for sentencing Monday, April 26, at 1:30 p. m.

Lomax said he would move at that time for an arrest of judgment. If that is denied, he said, he would seek a new trial before Judge Lewelling. Failing in that, he said he would file notice of appeal to the state supreme court.

W. G. Brinson, Norfolk, Va., fuel company executive, Mrs. James' father, was not in the courtroom. He left a note to the press describing the slaying as "the most brutal and heinous ever committed in the nation, and I trust the execution date of this assassin will not long be delayed."

Lomax was near tears during a statement to the court on Wednesday. (Turn to Page 2—Story F)

Ultimatum Given CIO

WASHINGTON, April 22—(AP)—The war labor board served an ultimatum Thursday night on district 50 of the United Mine Workers, declaring that unless its strike at the Celanese corporation plant in Newark is called off at once, the board will lay the case before President Roosevelt, in most cases a preliminary to intervention by the armed services.

The board telegraphed John L. Lewis, UMW president, and Edward Heckelbeck, district 50 regional director, rejecting flatly the latter's proposal to meet with company representatives on grievances or submit them to arbitration.

Stays



FRED S. FINSLEY

Parole Board Lauds Decision

Director Withdraws His May 1 Resignation,

Told Thursday

Fred S. Finsley, state parole director, has changed his mind about resigning May 1 to re-enter law practice and will continue in his present position, the state board of parole and probation disclosed in a surprise announcement Thursday afternoon.

The board earlier this month had announced that Finsley had resigned and that his successor would be Joseph R. Silver, one of the director's field representatives.

Finsley has served as parole director since the present parole board was created four years ago.

Chairman Roy S. "Spec" Keene declared "it is with satisfaction that the board makes this announcement," adding:

"Mr. Finsley has had charge of this work since its inception, and his decision to abandon his plans to return to the practice of law at Fossil and remain as director assures a continuation of the program that has been so well carried forward to date."

Legionnaire
Warns of
Allied Losses

WASHINGTON, April 22—(AP)—Warnings that heavy fighting still lies ahead in Tunisia and that victory's cost in lives will be high came Thursday from Undersecretary of War Robert Patterson and Roane Waring, commander of the American Legion.

"Casualties are certain to be heavy," Patterson told a press conference.

Waring, just returned from a tour of the African battlefield, said the American forces have suffered "terrific casualties"—many more than have been announced.

Relating in an address to Legionnaires and others that he had seen endless rows of fresh crosses in Africa, Waring said: "There will be many thousands more of such crosses before the flags of freedom wave in triumph over Tunis and Bizerte."

The resolution said war production would be curtailed because the WMC "introduces involuntary servitude and freezes free labor against its will to jobs in private industry, whereas industry is permitted to amass profits while its workers must accept sub-standard wages."

'Avenge US Heroes,' Doolittle

General Who Headed Tokyo Raid Wants Another Chance

WASHINGTON, April 22—(AP)—The "murder in cold blood" of American army fliers captured by the Japanese after last year's raid on Japan has added explosive to the fire of controversy over Pacific strategy, army observers believe.

They foresee, not only a rising tide of public anger against an enemy capable of committing such acts, but sharpened demands for expedited offensive action against the Japanese.

"We will drop each bomb in memory of our murdered comrades," grimly declared Maj. Gen. James H. Doolittle when informed in North Africa Thursday that the Japanese have executed some of the men lost in the raid he led on Tokyo a year ago.

"Our bombs will not be missing their mark," Doolittle added. It was plain that Doolittle, now in command of the allied strategic bombing force in North Africa, and all the men who accompanied him on the daring raid, are far from being intimidated by the Japanese atrocity. They all want to be in on the next Tokyo attack.

Said Capt. Howard A. Sessler of Arlington, Mass., a member of Doolittle's force:

"The day will come when these atrocities will be avenged. I hope I am among the avengers."

His reaction was typical. Obviously an attempt to intimidate the United States air force, the Japanese reference to a "one-way ticket to hell" implied a threat to execute every airman captured.

The broadcast, recorded by the federal communications commission, followed a Dymal news agency broadcast beamed at the United States two days ago announcing execution of some of Doolittle's companions and saying "this same policy will continue to be enforced in the future."

A statement from the war department in Washington said that a further raid on Tokyo was a "decided possibility."

Demands from Australia for substantial reinforcement of Gen. (Turn to Page 2—Story A)

US Indians May Benefit Through War

The ill wind of war may blow the American Indian into his proper niche in society, believes Miss Bertha M. Eckert, secretary for Indian work, on the staff of the national board of the YWCA, who arrived here Friday night for one of her regular visits to Chemawa.

Young Indian men are volunteering for the armed services of this nation in larger proportion than are those of other races, she proudly declares, while a new migration of historic proportions is underway as the Indian moves from his nomadic life into the cities, from livestock, mining and agriculture into industry.

Skill of Indian girls, who are receiving welding training at their schools, is considerable, declares Miss Eckert. Many are leaving home for industry, while other brackets of service have their share of the bronze-skinned maidens.

OPA Assures Fowl Savings

WASHINGTON, April 22—(AP)—The OPA promised "substantial savings" to the general public on chickens and other poultry on the basis of new price schedules put into effect Thursday.

Spokesman for the agency said that, although some of the new prices were higher and others lower than recent ceilings, "on the average the public can expect substantial savings in comparison with actual prices paid recently, since many of the prices were illegal."

Centennial Plans Trail Celebration

BAKER, April 22—(AP)—The old Oregon Trail centennial celebration to be held here July 3-5 will recreate western life of 100 years ago, complete with ox teams and stage coaches.

Unhappy Birthday, Schicklegruber



It was "Here's to you, Adolf," as the Marion county court invested \$100,000 of the funds in their keeping in Uncle Sam's war bonds on Dictator Hitler's birthday this week. Receiving the county check from County Judge Grant Murphy is Jess J. Gard, county Victory committee chairman, while Commissioner Jim Smith (gray suit), G. A. "Gene" Vandencynde, member of the county war savings staff, (background, right), and Commissioner Ralph Girod (right) look on approvingly. Girod, the court's expert on road-making, is leaving Salem today to go into active service with the navy's Seabees construction battalion.

\$684,000 More Needed For County Bond Goal

First National, Wards, Water Board Swell Local Purchases

Citizens of Marion county are "digging down" in earnest buying war bonds to avenge Jap atrocities and help Uncle Sam also defeat the Hitlerian end of the Axis, Victory Committee Chairman Jess J. Gard declared Thursday night as he announced the county was within \$684,000 of its \$2,500,000 goal for subscriptions outside of banks.

The non-bank purchases reached the \$1,816,000 mark Thursday, while bank purchases soared to \$4,498,960 with the announcement that the First National bank of Portland had bought \$1,848,960 in the government's 3/8 per cent war-

WASHINGTON, April 22—(AP)—Stirred by the Japanese executions of captured American airmen, many cities and states Thursday overshot their quotas in the \$13,000,000,000 second war loan campaign or upped their goals.

Secretary Morgenthau announced that as of Tuesday night a total of \$11,322,000,000 had been subscribed.

With more than \$2,500,000,000 to come from banks at the end of this month, the drive is assured of exceeding its goal.

time certificates of indebtedness through its Salem, Woodburn and Stayton branches. The Coolidge & McClains bank, Silverton, was not included in Thursday's report. It did, however, include subscriptions of \$100,000 by the Gervais State bank and \$50,000 by the St. Paul bank. Purchase of 3 per cent bonds will be announced next week when bank subscriptions are open.

Salem war commission also joined the bond buying parade Thursday with Chairman Chandler P. Brown reporting purchase of \$80,000 worth of war securities from water department investment funds.

Another \$40,000 was added to the county's quota during the day in the form of an allotment to Marion county by Montgomery Ward and company, according to W. F. Kellogg, manager of the Salem store.

Pupils of the Stayton grade school, who have raised nearly \$3000 for war stamps and bonds, including \$250 on Hitler's birthday, learned Thursday just what they had bought for the war effort—three jeeps. Two of the little army multi-purpose combat vehicles were taken to Stayton Thursday and the children given rides by the army non-commissioned officers. (Turn to Page 2—Story B)

Salem Soldier Killed in Action

Mrs. Alma M. Damm of 1465 Center street received word Monday that her son, Pvt. Richard P. Damm, was killed in action on February 3, 1943, in the north Atlantic area. Pvt. Damm entered the army last August.

WLB Accepts Coal Dispute

Hear Called Saturday At 10 a. m.; Lewis Asked to Attend

WASHINGTON, April 22—(AP)—The war labor board accepted jurisdiction over the soft coal wage dispute Thursday, and promptly called a hearing on it for 10 a. m. Saturday.

Asked to attend were Charles O'Neill and Edward R. Burke, chairman of the northern and southern Appalachian operators committees, and John L. Lewis, president of the United Mine Workers.

The initial hearing, the board explained, will be for the purpose of receiving from the parties a summary statement of the issues in dispute and of discussing "the procedure and timing to be followed in the presentation of the dispute to the board."

Secretary of Labor Perkins certified the case to the WLB earlier in the day after nearly a month and a half of negotiations in New York failed to produce new agreements between the UMW and the operators.

Unless the board can reach a quick agreement, it is expected to request a further temporary extension of existing agreements to assure uninterrupted operation of the mines. The current one-month extension expires April 30.

In New York, Burke said Saturday's hearing was "a satisfactory and proper procedure."

Lewis, who has denounced the board on numerous occasions, would not say immediately whether he planned to attend.

This presumably referred to the attack on Kotka on the Finnish coast midway between Leningrad and Helsinki. A Finnish communiqué had reported earlier that a soviet assault on that port was repelled by Finnish anti-aircraft artillery.

India Law Held Invalid

NEW YORK, April 22—(AP)—The defense of India rule No. 26 under which more than 8000 all-India congress leaders, including Mohandas K. Gandhi and Pandit Jawaharlal Nehru, were imprisoned without trial and have been held since September 8, was declared invalid Thursday in a judgment read in New Delhi federal court.

The court held that the rule "went beyond the powers which the legislature thought fit to confer on the central government."

It caused considerable flurry and embarrassment among government circles but while Gandhi and his colleagues now stand illegally arrested they are still in jail and there is no evidence that they are going to be released or tried.

Storm Flags Up

SEATTLE, April 22—(AP)—The US weather bureau reports small craft warnings hoisted at 3 p. m. Thursday along the full length of the Washington and Oregon coasts.

Reds Repulse Desperate Nazi Thrusts

By the Associated Press

LONDON, Friday, April 23—Soviet troops mowed down hundreds of Germans still attacking their Kuban river valley lines above the enemy bridgehead at Novorossiisk in the Caucasus, and the red air force made mass raids on Nazi military formations and other targets, Moscow announced early today.

Three hundred Germans were killed in attempting to take one hilltop and hundreds also fell in another sector, said the midnight communique recorded by the soviet Monitor.

The soviet Baltic fleet's air force attacking enemy ports in that area was said to have caused serious damage to installations, shot down 13 planes and destroyed a patrol ship and three troops landing craft.

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A walkout yesterday of a few hundred employees of the Republic Steel corporation at nearby Charleroi, was joined today by workers in three other pits of the company. Several hundred others also quit work tonight in a mine at Isabella operated by the Weirton coal company, a subsidiary of the National Steel corporation.

Officials of the Weirton company said they were given no reason for the work stoppage.

WASHINGTON, April 22—(AP)—The war department announced Thursday these contract awards with names of contractors, type and location of work and supervising engineers:

Between \$100,000 and \$499,999 — Halverson Construction Co., and E. B. Halverson, Salem, Ore., constructing buildings and apparatus in Benton Co., Oregon, Portland engineers.

Savage Charges Blast Germans From Heights

Bayonets, Grenades Used By Attacking Tommies As Allies Sweep On

LONDON, April 23—(AP)—The Algiers radio reported today that the British Eighth army had occupied the fortified village of Takrouna, five miles northwest of Enfidaville, after bitter fighting.

By WILLIAM B. KING

ALLIED HEADQUARTERS IN NORTH AFRICA, April 22—(AP)—British Eighth army infantry, using bayonets and grenades, smashed into axis mountain nests south of Tunis Thursday in an unhalted advance after the first army crushed a diversionary blow west of the capital by destroying 27 tanks and capturing 500 elite German troops.

The Eighth army was reported to have gained three miles north and west of Enfidaville since the offensive began in that sector Monday night, and a spokesman said violent fighting, much of it hand-to-hand, raged all day.

Flying Fort Repulses Japs

Enemy Base Heavily Bombed and Strafed; 2 Nip Planes Down

ALLIED HEADQUARTERS IN AUSTRALIA, Friday, April 23—(AP)—A Flying Fortress over Kavieng, New Ireland, fought off four Japanese fighters Thursday in a battle which extended over 150 miles, the high command announced today.

Japanese positions at Nassau bay, New Salamaua, New Guinea, were heavily bombed and strafed in another aerial action.

The Kavieng incident was the second in as many days to indicate increased Japanese opposition in the air in the sector northeast of Australia. Thursday's communique told of a single Fortress battle with Zeros near Rabaul, New Britain, in which the allied plane shot down two of the interceptors.

Today's noon communique said succinctly of the Kavieng action: (Turn to Page 2—Story E)

Tax Battle Postponed To May 3

WASHINGTON, April 22—(AP)—A finish battle on pay-as-you-go taxation, including the modified Ruml plan to skip an income tax year, was set Thursday for Monday, May 3, and the house decided to take an Easter recess until the climactic date—affording time for taxed tempers to cool.

Members began leaving Washington in large numbers, and many, no doubt, will find among their home people the answer to the question of how they should cast their votes.

Another battle along party lines appeared inevitable with the leaders on each side lined up in this manner:

Democrats — Behind a proposal to apply the much softer 1941 rates and exemptions to 1942 personal income. This would erase the last year's tax liabilities completely for about 7,000,000 persons and give others substantial reductions. The overall tax abatement would amount to approximately 50 per cent of the total 1942 personal income tax bill—in dollars \$5,000,000,000.

Republicans — Backing first of all the modified Ruml plan, as drawn in a bill by Rep. Carlson (R-Kas), but if the skip-a-year proposition fails, ready with an alternate proposal to abate 75 per cent of last year's taxes for most taxpayers.

Whatever bill is adopted, if any, it probably will include a 30 per cent withholding levy, effective July 1, against the taxable portions of wages and salaries.

But they met such strong opposition and suffered such heavy losses that there was only minor infiltration of the British lines. By dawn the axis decided to give up a bad job and withdraw.

It was at this point that the Germans called up their huge tank forces in an effort to cover their retreating troops, and lost 27 of them.

The British Eighth army's advance in the south was slow and painful. Fighting on a ten-mile front running from the coast north to Enfidaville inland through Takrouna to the Djebel Gargi sector, the men are confronted with axis strongholds carved into hillsides and well-camouflaged.

An allied communique said massed artillery had broken two major enemy counterattacks Wednesday "with heavy loss to the enemy," and that "our positions were generally improved and all gains firmly held."

But nearly every fold of earth hides an axis mortar or field gun, and General Montgomery's desert troops now must rush these positions with bayonets or creep up to blast them out with grenades.

United States and French troops were said to be carrying out active and penetrating patrols on sectors of the front assigned to them.

Unfavorable weather again limited allied air activity over the axis-held Tunisian corner, but fighters and bombers kept up a day-long pounding of roads and airfields.

The communique reported the destruction of 14 more axis planes during Wednesday night and (Turn to Page 2—Story C)

A delayed dispatch from Noland Norgaard, an Associated Press correspondent at the front, said the British Wednesday seized Takrouna, three miles northwest of Enfidaville, except for mopping up operations, and were pushing into the salt marsh area of Sebakra Sidi Kralifa north of Enfidaville.

Further inland in the Djebel Gargi area the British, however, faced a formidable task of cleaning out enemy gunposts on the sheer sides of those hills, and infantrymen and mules were carrying supplies into country too difficult for motorized transport.

In the north Lieut. Gen. K. A. N. Anderson's First army, including parachute troops, withstood a powerful German counterattack aimed at easing the pressure on Marshal Rommel's southern forces, and inflicted "considerable casualties" on the enemy southeast of Medjez-El-Bab.

Five battalions of crack German troops, including three from the Hermann Goering Jaeger regiment and one from the Goering Grenadiers were thrown against the First army lines Tuesday night on an eight-mile front between Medjez-El-Bab and Goubellat.

At least 70 German tanks also were put into the struggle later, but the British destroyed a third of them, including two 60-ton Mark VI Tigers.

The Germans attacked by moonlight, apparently trying to capture the hills in a "V" formed by the roads leading from Medjez-El-Bab to Goubellat and El Aroussa.

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