

## Farmer Books May Be Altered

### Labor Department Proposes Change

By A. ROBERT SMITH  
Register-Guard Correspondent

WASHINGTON—The Labor Department is still contemplating a change in bookkeeping requirements for farmers who employ boys and girls under 18 during the school year, but there is no indication when a decision will be reached.

The order would require that farm employers keep records for each worker under 18 years of age if employed during a week in which school in that district is in session. Records would have to show name, residence while employed, permanent home address, birth date, occupation, place of employment, and an account for each working day showing the starting and quitting time for each minor.

**FIRST ANNOUNCEMENT** of the proposed change was made March 20 in the official, but obscure, government publication, Federal Register, after which farmers were given 30 days to express their opinions on the order to the Labor Department. No public hearings were held.

Only reaction received comprised protests from the American Farm Bureau Federation and its various state organizations; a letter of opposition from the National Grange; and one letter from a farmer's wife, also adverse, a department spokesman revealed.

When asked the purpose of the proposal, the official said it was to implement recommendations made by the President's Commission on Migratory Labor, which urged simplification of record-keeping for farmers. It is also to aid in enforcement of the Fair Labor Standards Act.

**PRESENT LAW** requires farmers to keep records on all employees, but the spokesman admitted this has not been adequately enforced. Only penalties ever exacted in Arizona, where two criminal prosecutions, carried fines of \$250 each for failure to maintain employment records for minors engaged in cotton picking.

The proposed changes eliminate all record-keeping for workers over 18 and for workers who are members of the farmer's family. The order would only apply during school terms.

The Farm Bureau said the proposal involved costs, inconveniences and difficulties out of proportion to the advantages.

**Irvine LeRoy Burk**

Services were held Monday for Irvine LeRoy Burk, 65, who died May 8 at Harper. He was a former resident of Fall Creek. He had been a stockman at Harper the last seven years and prior to that was a resident of Fruitland, Ida. He was born in Texas. Survivors are his wife, Mins, of Harper; two sons, Clay of Vale and Roy of Finn Rock; four brothers and one sister.

**Workman Injured**

COTTAGE GROVE—Raymond L. Stroud, 34, 12 S. 11th St., was admitted to Cottage Grove Hospital Wednesday morning suffering from a leg injury received while working at the W. A. Woodard Lumber Co. mill. His condition was described as good.

## Life in Prison Faces Belcher Youth

(Continued from page one)

balls drove past on their way to milk and went over and motioned Mary Ellen to follow him.

Elmer and the girl then walked in a westerly direction about 200 yards until they came to a small knoll. There were wildflowers growing in abundance and a large clump of brush was nearby. The state contended as the girl stooped over to pick some flowers Elmer pulled a pistol from his boot and shot her through the back. The girl fell forward on her face and died almost instantly.

The youth then returned to the car where he was seen shortly by the Campbells as they drove back from milking. Later Elmer returned the gun to a dresser drawer in his home and eventually hid the boots he was wearing in a nearby sump hole.

This is the state's version.

These stories or contentions are diametrically opposed.

Two things apparently bore heavily on the verdict—written and oral confessions he gave police shortly after his arrest and circumstantial evidence.

State police obtained three separate confessions. One was obtained at the Belcher residence at 2:20 a.m. April 5. Elmer talked to police in a patrol car in the Belcher driveway. Here Elmer signed a written statement which he acknowledged to be true.

A second confession was obtained at the Eugene state police office at about 4:30 p.m., April 5. This confession was in the form of a wire recording which transcribed questions and answers between Elmer and the police officer.

The third confession was taken in the basement of the court house about 9 p.m., April 7. This was a typewritten statement signed by Elmer.

### Confession in Evidence

The state introduced all three confessions into evidence during the trial. Judge G. F. Skipworth allowed presentation of this type of evidence because the state was able to prove a "prima facie" case that the confessions had not been obtained through force or threat or promise of reward.

The confessions stated Elmer shot the girl and that he had had relations with her. The confession also stated that Elmer had been teased by his grade school friends concerning the girl's pregnancy.

Judge Skipworth instructed jurors that it would be up to them to determine how much weight to give the confessions. He said if there were any evidence that threat or force was used the confessions should be disregarded.

No testimony was presented, however, to show that the police used anything but a normal procedure in obtaining the statements.

Apparently, the jury placed considerable weight on the confessions, for without them, the state had only circumstantial evidence.

The defense contended the confessions shouldn't be considered because Elmer didn't understand most of the words involved. Testimony revealed that Elmer, although in the eighth grade, had a word usage and reading level of a student slightly under the fifth grade.

One series of tests on Elmer's reading ability, according to testimony, asserted Elmer could read about as well as a second grade student. The defense said Elmer didn't know what "pregnant" or other such terms meant. The defense also contended Elmer was scared and cold and sleepy when he gave his first confession and scared and tired when the wire recording was made.

It was also asserted Elmer didn't know where baby rabbits came from or how children are born.

**THE STATE** attempted to refute this contention by pointing out Elmer raised rabbits and that school mates had teased Elmer about "Mary Ellen's big belly."

Turning to circumstantial evidence, the state developed a web of scientific evidence that was designed to place the guilt with Elmer.

An "expert" witness testified the bullet taken from Mary Ellen's body was fired through the gun taken by police from the Belcher house. The witness also testified an empty shell cartridge found 15 feet from the body was fired by the death weapon.

**POWDER BURN** tests indicated the shots were fired from 18 inches to three feet from the girl. Elmer's confession said he was standing that close when the gun was fired.

The state had no eye witnesses to the shooting, but circumstances surrounding the crime, apparently in the minds of jurors, pointed to Elmer.

**THE CLOSING** argument presented by the state did much to solidify the state's case and prove that William Howard could not have committed the crime.

The state introduced testimony that placed Howard at his own home at the approximate time of the fatal shooting. Mr. Campbell, the dead girl's father, testified he saw Howard while he (Campbell) was sitting in his car a short distance away.

The state asked the jury: "Would Campbell want to protect the killer of his own daughter?"

What seemed to be the state's clinching argument was presented by District Attorney Ed Luckey.

**LUCKEY SAID** Elmer told the court he ran from his Model A to a nearby fence when he heard the two shots and that when Elmer reached the fence he saw Howard running down from the pump house. According to Luckey, the pump house is 238 feet from where the girl's body was found.

(The defense contended in its closing argument that the girl's body must have been dragged about 15 feet into a clump of brush, that the girl was shot in the open, judging from the appearance of the murder scene).

Luckey asked the jury: "How could Howard shoot the girl, drag her 145 pound body 15 feet, and then run 238 feet in the time that it took Elmer to run from his car to the fence—a distance of about 60 feet?"

The defense contended there was no motive for the killing, that Elmer could not have made Mary Ellen pregnant.

**DEFENSE ATTORNEYS** said Elmer paid no attention to the girl and that "things just don't happen like that."

(They were referring to Elmer's confession that he went into the Campbell home one day when Mary Ellen was alone and had relations with her.)

The state contended there was a motive, that Elmer must have felt in his own mind he might be responsible for Mary's pregnancy.

**Emperor Selassie Orders Uniforms**

THE HAGUE — (AP)—Emperor Haile Selassie of Ethiopia has ordered 180 ceremonial uniforms for the imperial guard from a Hague firm.

The uniform has high buttoned yellow epaulets on a red tunic with green trousers piped with yellow. Worn with it are a white helmet with a tricolored plume, white spats and white leather gloves.

**McMinnville on DST**

McMINNVILLE—(AP)—McMinnville will go on daylight time June 1 under a changed decision of the City Council. The Council earlier had voted to stay on standard time. The June 1 shift is the same date chosen by Hood River.

**Willamette River Expected to Rise**

PORTLAND — (AP)—The Willamette River will rise more than a foot in Portland harbor by Saturday, flooding additional low-lying docks, the weather bureau forecast Wednesday.

The expected rise will come from higher level in the Columbia backing up the Willamette.

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