

CONVICTION OF BARNES UPHELD BY HIGH COURT

The first degree murder conviction of James T. Barnes on appeal from Deschutes county was affirmed by the state supreme court today in an opinion written by Justice John Rand. Barnes was sentenced to life imprisonment.

The defendant was charged with murder of Knute Lunden in the latter's home five miles from La Pine April 29, 1934. The opinion stated there were no eye witnesses to the killing and that Barnes admitted the crime but claimed to have acted in self defense. The jury recommended life imprisonment.

The appeal was made on the grounds the lower court erred in denying the jury the right to view the scene of the crime at the opening of the trial, and that when it did view the scene at the close there was insufficient room and that by the separation of the jury the defendant was "deprived of a substantial right."

The opinion held the court had not erred in these respects and that "under defendant's own testimony, the defendant was the aggressor and could have avoided the affray." Judge T. E. J. Duffy presided at the trial.

In the only other written opinion handed down today the court denied the application of Malka Bestal for stay of proceedings regarding the custody of a minor child resulting from divorce decree granted from Fred Bestal. The case was appealed from Multnomah county.

Orally the court denied petitions for rehearing in the cases of the United States National Bank vs. Rawson, and Ruppert vs. Hoyt. The motion to stay the mandate of the court affirming the conviction of Barnes for assault and battery during the waterfront strike in Portland last summer was also denied.

SUES TO DEFINE MARITAL STATUS



Frank Wallace, New York night club entertainer, claims he married Mae West of the movies in Milwaukee in 1911. And to prove he was the husband of the buxom blonde has brought an action in that state to define his marital status. He's pictured in his dressing room. (Associated Press Photo)

Mrs. Roosevelt Will Put On Overalls And Talk To Coal Miners

En route with Mrs. Roosevelt to Bellaire, O., May 21 (U.P.)—Mrs. Franklin D. Roosevelt set out today to learn first-hand how Ohio coal miners live and how they work. During a 10-hour and 25-minute visit to mines near Bellaire she planned to put on overalls and miner's torch cap to go down into the mines to talk with miners.

She will be received at Bellaire by Mrs. Martin L. Davey, wife of the governor of Ohio, shortly before noon.

Later she will lunch at the Shady-side home of Stanley Hamilton, director of the People's university, established by the Quakers to give miners and their wives courses in English, literature, economics, geology, sewing and bridge-playing.

After the trip through the mines she will attend a dinner in the basement of the Presbyterian church, given for students of the university and their families.

She will address the closing exercises of the People's university at the high school auditorium and then motor to Steubenville, O., to catch a train at 9:40 p. m. for her return to Washington.

Mrs. Roosevelt said she is making the trip to study the People's university, which she regards as a highly successful adult education project, and to learn personally of mining conditions.

She is accompanied by Dr. Clarence Pickett, in charge of the American friends' service educational work. They will be joined at Bellaire by Miss Lorena Hickok, chief investigator for the federal emergency relief administration.

Mrs. Roosevelt has been in the mines before, but not since her husband became president.

She is unafraid of the superstition prevailing in some southern mines that a mine is doomed if a woman enters it. "That superstition, I was told, does not prevail in Ohio. She knows mines in Europe and America in which women and 'even girl children' have worked."

She has for many years taken an active interest in improving housing and living conditions among miners. She has visited shacks and tents in which miners live, and has seen "company houses."

One of her major interests has been in the re-establishment of jobless miners in new homes and providing them new jobs on federal homestead projects.

BRYSON TO STAGE CONCERT AT CHURCH

Announcement that Prof. Roy Bryson, baritone, and faculty member of the music department, University of Oregon, will give a concert in the auditorium of the First Congregational church the evening of May 28 has attracted considerable favorable comment of the music loving public, according to those who are responsible for the program. Prof. Bryson's concert will be in the nature of a benefit for the Y.M.C.A. boys camp at Oceanside. The artist is donating his services.

Prof. Bryson originally enrolled as a law student at the University of Oregon but his work as soloist for the glee club attracted such favorable comment from leading people in the music world that he changed his course. He studied music in Chicago in 1926 and for four years in New York. Prof. Bryson has been soloist for a number of musical organizations, including the Portland Symphony orchestra, the University choir, the Coos Bay Choral society, the Polyphonic choir of the University of Oregon, the Eugene Gleemen and the Portland Liedertafel.

Norway has only 32,000 passenger automobiles.

Cockroaches

To banish these pests in a hurry, just sprinkle Bu-hach across their trails following them to their burrows (if possible), and in cracks and crevices.

Bu-hach makes short work of insect pests though it is guaranteed safe for human beings and animals. In Handy Sifter Cans at Drug, Grocery, Seed Stores.

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INSECT POWDER

Judge advocate general's department who was accused by the house committee's investigators of accepting retainer fees as a lawyer from firms doing business with the war department while he was still on active duty in the army.

At the time that investigation of lobbyist activities was launched last December, Secretary Dern said the war department welcomed such investigation, and that if any army officers were found guilty of wrong doing they would be disciplined without fear or favor.

WORK RELIEF WAGES GRILLED BY A F O F L CHIEF

(Continued from page 1)

ranges from \$19 to \$94 a month. Ikes indicated there might be a change in hours worked on PWA projects.

"I think the PWA wage will certainly be maintained on permanent structures such as buildings and bridges," he said. "But hours will depend upon whether we have to work on double shifts."

He added the existing 30-hour week on PWA projects might be continued, or "we might have to go to 40 hours (the basic number of hours fixed in the schedule announced yesterday by President Roosevelt)."

Ikes indicated he would favor increasing the amounts donated by the federal government toward non-federal PWA projects, as demand by the United States conference of mayors.

"I expect to prepare a recommendation, which will be general in character, and submit it to the president today," he said.

Asserting that he feared "great social unrest" would spring from the work relief wage rates President Roosevelt has fixed, President William Green of the American Federation of Labor, said he had called federation leaders to a session today to decide on a course of action.

"Inequitable" and "unsound" were some of the adjectives Green flung at the wages which will apply on much of the \$4,000,000,000 works program. The wages will range from a low of \$19 a month to a high of \$94, depending on the type of labor and the locality.

"I am very much afraid," Green said, "that great social unrest will result from these widely varying rates. There is certain to be discontent and I would not be surprised if it led even to widespread strikes among relief workers."

Approval of the wage schedule cleared the way for letting contract, or proceeding with "force account" construction under governmental direction, on the \$1,091,000,000 in projects recommended to the president last week by the allotments committee.

The wages, however, will not apply to an important group of projects. Work on highway, streets and grade crossings elimination, which are slated to receive \$500,000,000, is not affected, but will continue to be governed by state highway department regulations. The public works administration will keep its prevailing wage and present wages will continue to be paid those now at work under the relief administration until they are absorbed in the new program. Prevailing wages are to be paid on federal building construction.

Also, the civil works conservation corps, whose net increase of 300,000 is counted as part of the 3,500,000 job goal, is not affected.

Subject to a maximum 10 percent change by Harry L. Hopkins, whose works progress administration prepared the wage schedule, it will apply, however, to all other work activity.

Ikes announced he had appointed PWA state engineers, acting state directors, and that he had transferred 150 attorneys, engineers, and finance examiners to PWA headquarters in the states.

He insisted that "no new government jobs were created as the decentralization was accomplished through transfer of personnel from the legal, finance and engineering divisions."

Officials said in some states PWA engineers would be made permanent directors and in larger states new directors would be appointed later.

Personnel of the "little PWA" set-up in the states, which will be directed by state engineers named today as acting PWA state directors, included:

Oregon: Legal, Edward C. Kelly; Arnold R. Cutler; finance, F. E. Lawrence.

Idaho: Legal, Porter W. Dent; finance, T. Chamberlain.

DESCHUTES CLAIMS LIVES OF 5 CYGNETS

Bend, Ore., May 21 (U.P.)—The Deschutes river and claimed the lives of five baby swans today, leaving only three survivors in a family of eight hatched on the river below the Mirror pond. The cygnets were swept over a diversion dam spillway by the swift river.

Two badly bruised cygnets were rescued from the river by Mrs. M. E. Simpson, who gave first aid and planned to restore the little birds to their parents today. The parent swans guarded the lone cygnet remaining in their care. No trace of the five victims has been found.

Plans for the construction of a pen in which the little swans can be placed until old enough to fend for themselves are being considered.

Estimates place the amount spent by tourists in Italy this year at \$150,000,000.

COULD NOT DO HER HOUSEWORK

WHEN everything you attempt is a burden—when you are nervous and irritable—when your wit's end—try this medicine. It may be just what you need for extra energy. Mrs. Charles L. Cadmus of Trenton, New Jersey, says, "After doing just a little work I had to lie down. My mother-in-law recommended the Vegetable Compound. I can see a wonderful change now."

Try Lydia E. Pinkham's VEGETABLE COMPOUND

All Printing Plants May Be Consolidated

State Printer E. C. Hobbs today was at work on an investigation of printing plants maintained at five state institutions with a view to consolidating all work here if money can be saved.

The University Press, Eugene; College Press, Corvallis; Boys' Training school shop, Woodburn; state deaf school and penitentiary shops here were under the state printing board's eye. The Oregon Daily Emerald, university student newspaper, will be printed in a commercial shop in Eugene if the consolidation is carried out.

RAISE IN PAY FOR TEACHERS BRINGS DEBATE

An increase of six per cent in the basic wage of teachers, department heads and administrative and supervision costs were responsible for the bulk of more than two hours of discussion Monday night when members of the Salem school board met to review the tentative budget as outlined and presented by Superintendent Gaiser. The controversial subjects were sidetracked temporarily, but it is likely they will come up for further discussion under a somewhat revised budget is presented later for perusal by the directors and the committee of taxpayers.

The budget as presented Monday night constitutes a financial outlay approximately \$15,000 less than the previous one, most of the savings being effected by a decrease in interest rates of warrants and notes and smaller payments on the bond indebtedness.

Stating that he was viewing the budget from a "taxpayer's standpoint," Director Found questioned the advisability of an increase in salaries at this time. He declared the combined cost of supervision and administration was out of proportion to the total budget. He was backed up by Director Bradford who thought the principals could coordinate their schools without any supervision from supervisors or department heads. The latter argued \$300 each in excess of the regular instructor.

Mounting costs of supplies and the low point to which stocks have dwindled in the system accounts for added expense this year. In a number of instances "miscellaneous" items have been included in the budget to take care of expenditures, which are not now foreseen.

The hiring of a remedial room instructor, an item not included in last year's budget, was warmly championed by Chairman Wright, who said it would be a good investment.

It is likely the budget will come in for further discussion next Tuesday night when all of the directors will be present.

WOMEN TO ASK FOR FEDERAL FLAX FUND

In the interests of the flax industry, the state board of control today had tentatively approved applying \$300 to send two Oregon club women to Washington, D. C., to appeal for federal funds.

Mrs. W. H. Nicholson, president of the Oregon Federation of Women's clubs, and Mrs. W. W. Gabriel, first vice-president, both of Portland, would make the trip. They would go direct to Mrs. Roosevelt on the theory that many women would be employed in flax plants and the first lady of the land might help interest the president in aiding the industry in the state. Mayor Carson of Portland met with the clubwomen and the board here.

President Roosevelt was once greatly interested in Oregon's flax possibilities, but now needs "re-selling," Mrs. Gabriel said. She said the president had changed his attitude on flax through a "misunderstanding." Will F. Lipman, whom Mrs. Gabriel did not name, was reported to have had federal money promised for Oregon, but the plans never materialized.

STEIWER BALKS OVER DELIVERY OF BONUS VETO

(Continued from page 1)

orally," Steiwer said, "but I condemn this proposal to include the senate in the proceedings."

"It is in violation of the constitution. There is no reason why the senate should perform an extralegal act to provide the stage setting for a more effective presentation of the veto."

Senator Huey P. Long, D. La., and other leader of the Patman group supported Steiwer.

"What's the idea of going over to the house when Roosevelt's done let us know what his message is all about?" Long asked.

"The time has come," Steiwer said, "when somebody ought to say something in behalf of regularity in government functions. This proposal for a joint session is improper."

Majority Leader Joseph T. Robinson said he was confident the senate would agree to the proposal and that senators would be present at 12:30 p. m. tomorrow when Mr. Roosevelt delivers his message.

Bonus advocates found cause for optimism in Robinson's announcement late yesterday that defeat of the Patman bill would not necessarily kill all chances of bonus legislation at this session.

"If it were possible," the senate leader said, "I'd like to see some legislation worked out and passed."

The White House declined to discuss any possible future proposals.

JOHNSON ASKS NRA EXTENSION FOR TWO YEARS

Washington, May 21 (U.P.)—Kill NRA rather than give it but a nine months' extension of life, General Hugh S. Johnson told a radio audience last night.

"It would be far better to kill NRA now," he said. "That would at least remove uncertainty. To leave it in barely tolerated existence—a nightmare 'life-in-death' still threaded through the whole fabric of business, would be deadly. Yet to kill it outright might produce the worst business setback since 1932."

The former NRA administrator's appeal for the life of his "baby" was eloquent. If NRA goes down, so does a large part of the new deal. The interests, he charged, had attacked NRA "in one of the cleverest pieces of propaganda of our times."

"I am making no estimate or prophecy, but it is reasonable to suppose that if NRA must be sacrificed in order to undo what NRA has done, then at least 3,000,000 jobs and \$3,000,000,000 in wages are at least in a danger zone."

His attack on NRA enemies was delivered with the usual Johnsonian fire. Persons charging NRA with fostering monopoly are monopolists, he said; those charging it with oppression are oppressors; those charging regimentation are "industrial martinet."

"They don't want NRA killed because it helps monopoly but because it checked monopoly—not because it hurts the little fellow, but because it saved the little fellow from their rapacity—not because it regiments but because it interfered with their control of every industry—not because it reduces real wages, but because it increases them."

Government railways of South Africa are installing many motor-rail coaches.

GRANGE GRILLS LEADERS' ACTS

Governor Martin today made public a resolution of the Eagle Creek grange objecting to the state grange executive committee's action in supporting Walter E. Baer of Portland in his fight against deportation to Germany.

Baer, who has served two terms in the state penitentiary and one stretch in the Idaho prison, was marked by United States immigration authorities for deportation as an undesirable alien. Baer appealed to Governor Martin for a pardon to restore civil rights and evade deportation. The governor refused to pardon him after a hearing attended by such grange and liberal leaders as State Master Ray M. Gill, Dr. Albert Slaughter and Senator Peter Zimmerman.

The governor addressed the Eagle Creek grange last Saturday. The group's resolution, copies of which were given out by Martin's office this morning, was dated last Thursday.

"We insist that in the future our state grange executive committee concern itself only with those things that are of vital interest to agriculture," the resolution read. "There is nothing in the record of Walter E. Baer that would indicate that he has ever been, or could ever be, of service to the agricultural interests of the state of Oregon or the Oregon State grange, but on the contrary, if we, a farmers' organization, concern ourselves with affairs of this kind, it can only bring criticism and disgrace to our membership."

KIWANIANS ENJOY BANQUET AND DANCE

Nearly 100 members of the club, wives and invited guests attended the all-Kiwanis night dinner at the Marion hotel Monday night. Representatives were present from a number of clubs in the district.

The program opened with the radio address of International President Carrington, broadcast from the convention now in session in San Antonio, Tex. Charles F. Walker, of Portland, was the speaker of the evening with Senator Douglas McKay presiding as toastmaster.

Four new members were obligated by Earl Nott, of McMinnville. Music for the evening was provided by the Haywire orchestra with a dance concluding the celebration.

OREGON ELECTRIC WILL MOVE TRACK

The Oregon Electric Railway company is required, by a resolution adopted by the city council last night, to remove its abandoned tracks on High street between Marion and Trade streets.

The tracks have not been used for a considerable time and are considered a nuisance to traffic and in appearance. The tracks have scarcely been used since the railroad company ceased operating passenger trains.

RELIEF CHECKS FOR SCHOOLS IN MAIL

Long-awaited federal relief checks were in the mail today for 304 teachers, janitors and bus drivers in 59 impoverished districts in 14 counties. C. A. Howard, state superintendent of public instruction announced.

A total of \$21,490 in federal funds will be distributed in the rural school districts whose warrants are uncollectable. A maximum of \$80 will

be paid each person. Counties that benefited are Clatsop, Columbia, Coos, Curry, Douglas, Gilliam, Harney, Jefferson, Lane, Marion, Tillamook, Wallowa, Washington and Wheeler, where 241 teachers, 25 janitors and 38 school bus drivers are employed in rural districts. Less than half the districts which applied for relief received it, Howard said. Only 59 applications out of 141 were approved. Many schools were forced to close before the federal funds were available, the superintendent said.

LOCHINVAR NOW COMING IN PLANE

Madrid, May 21 (U.P.)—With a picture of his childhood sweetheart in a pocket near his heart, Juan Ignacio Pombo, youthful Spanish aviator, was soaring over the south Atlantic today in his powerful plane, the Santaner.

His immediate objective was Natal, Brazil; his ultimate destination Mexico, D. F. where he hopes to persuade comely Elena Rivero, whom he knew as a child in Santander, to become his bride.

Pombo was reported in radio dispatches to have taken off from Bathurst, Gambia, West Africa, at 1:18 a. m. G. M. T. 15:15 p. m. yesterday, Pacific Standard Time. He was assured of favorable weather conditions.

The 21 year old fier expected to complete the 1,800 mile hop in about 15 hours.

If forced down short of his goal, he believed he might land on the Island of Fernando Noronha, 250 miles of Natal.

Pombo hopped off from Seville, Spain, last Thursday.

In the Mexican capital, the 19 year old aviator whom he designated as the inspiration for the flight professed to be unaware of Pombo's romantic intentions.

A tailor at Kingston, England, has provided free parking space for his customers.

CEREAL RELIEVES DAUGHTER SO WHOLE FAMILY USES IT

Kellogg's ALL-BRAN Corrects Constipation*

An enthusiastic and voluntary letter: "We have a daughter who has been troubled all her life with constipation." About three months ago, we discovered ALL-BRAN. From that day to now we have not given her any form of laxative.

We have become "ALL-BRAN" users, and now it is a part of our daily diet. We have told many of our friends and they, too, are getting results. —Mr. and Mrs. L. F. Pope, 662 Maple Ave., Elmira, N.Y.

*Constipation due to insufficient "bulk" in meals.

ALL-BRAN provides gentle "bulk" to aid regular habits. It also furnishes vitamin B and iron.

The "bulk" in ALL-BRAN is often more effective than the "bulk" in fruits and vegetables, as it does not break down within the body. Two tablespoons daily are usually sufficient. If not corrected this way, see your doctor.

Isn't this food much pleasanter and safer than risking patent medicines? Get the red-and-green package at your grocer's. Made by Kellogg in Battle Creek.

Keep on the Sunny Side of Life

"American Beauty"

adjustable-automatic electric iron

The best iron made

See this new "American Beauty" masterpiece

Examine it carefully. Note its beautiful appearance; perfect balance; graceful, sloping lines; sparkling non-tarnishable chromium finish; long, comfortable wood handle; extra long-lived cord.

See how easily you can adjust the heat control for any desired temperature.

And remember the automatic switch (thermostat) inside of the iron maintains the heat . . . always . . . at the temperature for which the control is set and, at the same time, prevents the iron reaching a dangerous temperature regardless of how long it is left connected to the electricity.

A safe, fast, easy and economical iron to use.

... It pays to pay a little more and get the best

Manufactured by American Heater Company DETROIT, U. S. A.

Oldest and Largest Exclusive Makers Established 1894

\$1 allowance for your old Iron

You can trade in one old iron for every one of these new irons you buy. This iron will last for years to come. . . an investment in easier ironing that earns dividends every ironing day. Total price, only \$8.95.

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To banish these pests in a hurry, just sprinkle Bu-hach across their trails following them to their burrows (if possible), and in cracks and crevices.

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