

What Is The Law?

This column is prepared as a public service by the College of Law, Willamette University, Salem, to explain basic legal principles, not to provide legal advice. The reader is cautioned not to apply these cases to his own problems without an attorney's advice, for differing facts may change the outcome.

Self Defense Must Be Used Cautiously

A person has the right of self-defense but he must be careful how he uses it. For example, the manager of a dance hall ejected a drunken man who was doing his best to enter the hall where a dance was being held. The drunken man said, "I'll come back and fix you," and then ran down the steps. A moment later, a patron, who was late for the dance, ran rapidly up the steps. The manager thought the drunken

man was returning. For the purpose of self defense, he struck the patron with a musket and injured him.

Manager Loses

When the injured man sued the manager for damages, the question that had to be decided was whether or not the manager acted properly in defending himself. A Kentucky court ruled against the manager, holding that he should have used the highest degree of care to ascertain who the person was that he was about to strike.

The law regarding self-defense is essentially that a person must be guided by reason both in choosing to use force for self-defense and in the means employed.

The application of the right of self-defense is demonstrated again in a recent New York case when the plain-clothes officers saw a man loitering around a building they had under observation. The officers attempted to arrest him.

The man lived in the building and thought the officers were hold-up men. In an effort to defend himself, he bit the thumb of one of the policemen who later sought damages for the injury. The court decided the officers were wrong in their efforts to arrest without a warrant and without properly identifying themselves. The biting of the thumb, held the court, was a reasonable use of force in self-defense.

Verbal Abuse

On the other hand, the means of self defense may be too extreme to fit the circumstances. In another Kentucky case, a man was heaping verbal abuse upon another. The victim of such insults thereupon hit him and claimed that he did so in self-defense. The court held, as most courts do in cases like this, that provoking or insulting language is not sufficient to justify the use of any force in self-defense. The person striking the blow is liable for the injuries caused.

McMinnville Man Held as Suspect

McMinnville - (UPI) - Delmar LeRoy Daniels, 38, McMinnville, was booked into Yamhill county jail here Sunday on \$5,000 bail as a suspect in several house burglaries after an intense search by state, county and city police from McMinnville and Salem.

Daniels was taken into custody by sheriff's deputies early Sunday after eluding police in a car. He fled from a house here which had been under surveillance for two days, officers said.

State police, Yamhill and Polk county deputies and Salem and McMinnville police conducted a widespread hunt for the suspect which ended when he phoned Yamhill County Sheriff W. L. Mekkers to pick him up at a friend's home near Willamina.

ROMAN HORRORS

London - (UPI) - High school classics teacher Robert Reeves says interest in his Latin classes has been heightened considerably since he began turning out comics written in the language of the Romans. Typical stories are entitled "The Bodies in the Fish Pond" and "The Werewolf."

In 1851, New Hampshire became the first state to set up an agency to supervise the insurance business.

TRIPLE TROUBLE

Memphis, Tenn. - (UPI) - David Wilson, the father of four daughters, was so positive the next child would be a boy that a name already had been chosen. Saturday, Mrs. Wilson gave birth to triplets - all girls.

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Maintenance Man Of Air Force No Longer Only Greaser

Offutt Air Force Base, Neb. - (UPI) - The Air Force maintenance man is no longer just a grease monkey, but an electronics technician who must prepare intercontinental rockets for instant firing.

Maj. W. H. Charlton, 43, chief of the procedural branch of the Strategic Air Command's missile maintenance division, said maintenance crews are now being trained by the Air Force and the rocket builders as well for the time-not far off-when SAC will have operational missiles.

Charlton, a 23-year-old service veteran from Washington, Pa., said preparation for the missile age requires a "tremendous management effort" because of the highly complex nature of the weapons.

At SAC headquarters here, Charlton and other officers make plans to keep the missile-men abreast of the latest developments in their ever-changing field.

"The state of the art is moving forward at such a pace," Charlton said, "that the electronic advances keep passing up the latest college textbooks."

He said missile maintenance is "very intriguing and perplexing" because the rocket that is going to be fired in anger cannot be tested in actual operation beforehand. Aircraft, he pointed out, can be flown "with many things wrong," but the slightest equipment failure can make an intercontinental missile useless. Charlton said the maintenance work is broken down into three levels-field maintenance for on-the-spot repairs, bench maintenance at the various missile squadron headquarters and depot maintenance either at a central point or at a contractor's plant.

Men, Helicopters Patrol Malibu Fire

Malibu, Calif. - (UPI) - One hundred men aided by helicopter crews today patrolled for flare ups in a 20,000-acre area hit by a brush fire which roared out of control from Tuesday through Saturday last week.

More than a score of families lost their homes in the blaze which routed thousands of inhabitants including movie and television stars from the populated Santa Monica mountains.

Communist-Backed Candidate Losing

Caracas - (UPI) - Romulo Betancourt, victor in Venezuela's 1945 revolution, held a narrow edge today in a race for the presidency against Communist-supported Rear Adm. Wolfgang Larrazabal, who overthrew Gen. Marcos Perez Jimenez in January.

Unofficial returns representing about 20 per cent of Sunday's vote gave Betancourt 228,737 votes to 214,094 for Larrazabal and 115,064 for Catholic candidate Rafael Caldera.

Newspapers here said Betancourt was leading Larrazabal by a margin as great as 8 to 3 throughout most of Venezuela. The admiral was ahead in Caracas and in Carabobo province.

Betancourt is the candidate of the Democratic Action Party, outlawed when Perez Jimenez was in power.

Actor Lew Ayres was among those who lost homes in the fire, the second to hit the area in two years.

Missiles, of course, are so complex, contain so many thousands of parts, that it is impossible to make all repairs at their launching sites.

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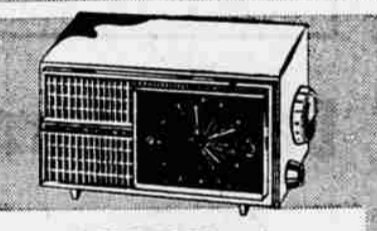
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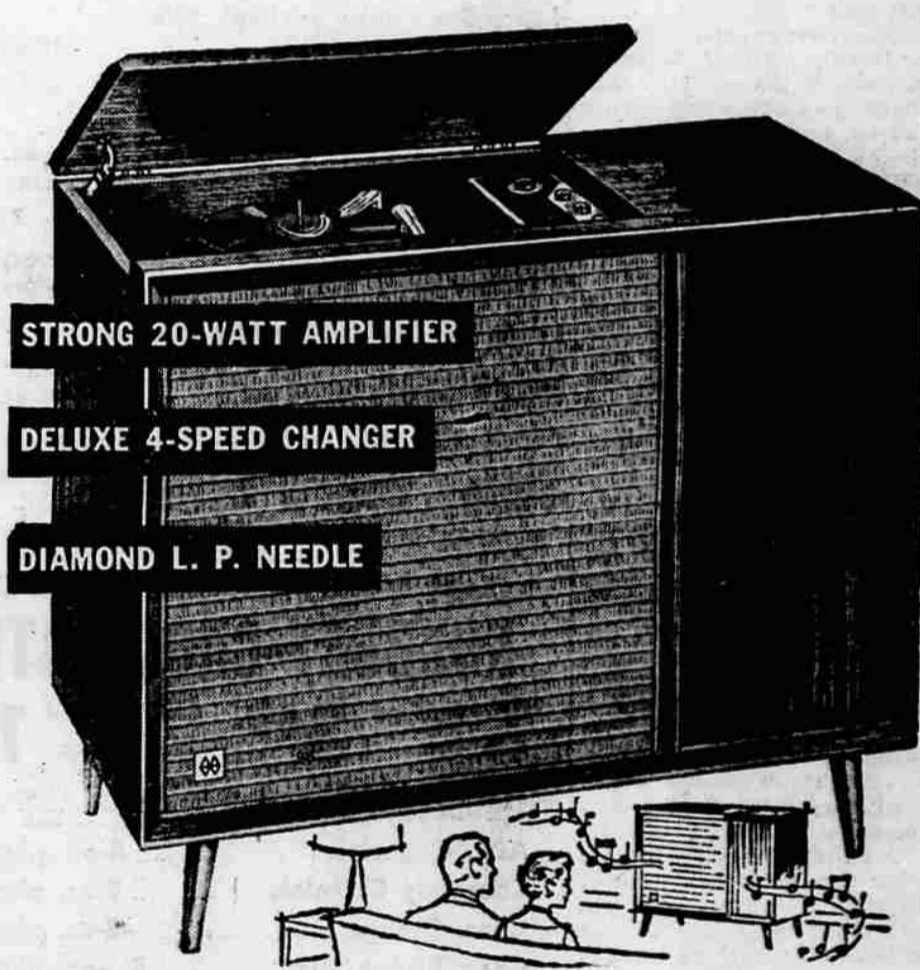
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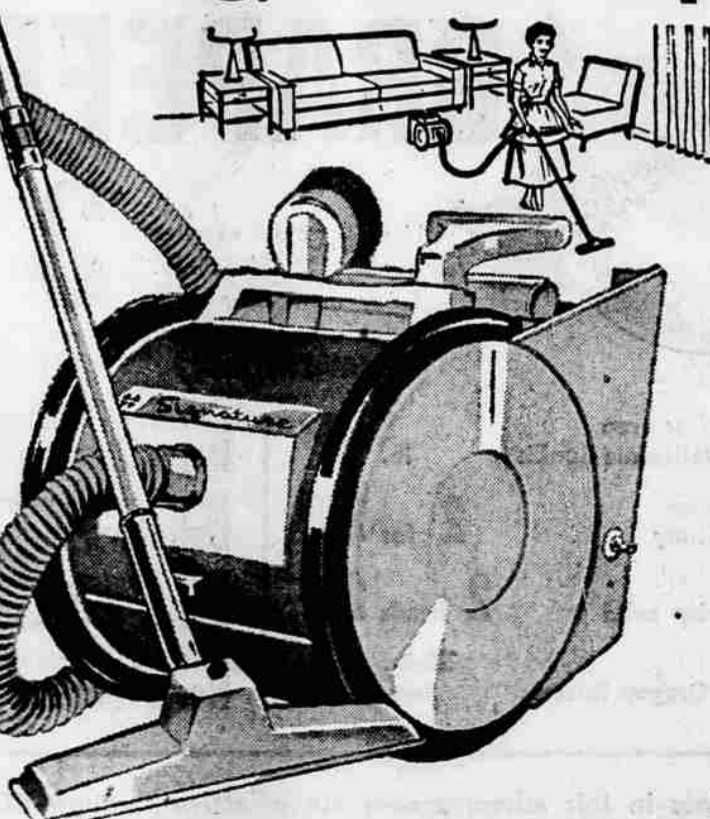
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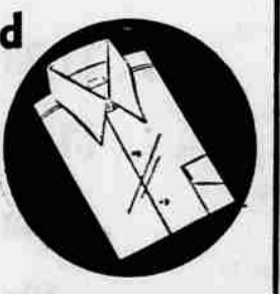
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