

MAJOR ISSUES FOR ANDERSON TRIAL SHAPED

(Continued from Page One)

up and Anderson first told Gaunt, according to the testimony, that he had left Jerry in Lakeview, but later said that he had fought with Zulkoski at Bonanza.

The witness quoted Anderson to the effect that Anderson had given Zulkoski money to buy liquor, that Zulkoski couldn't get the liquor because he was drunk, and that he refused to return the money to Anderson. This brought in for the first time the suggestion of a motive in the shooting. Later Gaunt recalled something to the effect that Zulkoski also had the keys to the truck.

Gaunt testified Anderson continued to talk as they worked with the truck, finally saying he had shot Zulkoski. He said the two had gotten into a fight, and that Zulkoski was in the car when he was shot. Gaunt quoted Anderson as saying he had lighted a match to look at Zulkoski to see if he was still alive. (In previous state testimony, it was shown one of Zulkoski's eyelashes was apparently burned.)

Gaunt said he noticed blood on the truck, and found there also another rifle. Both rifles were left in the Gaunt cabin, and Anderson left on horseback.

On cross-examination, Gaunt elaborated on the shooting story. He said Anderson told him that in the course of the altercation with Zulkoski, he got out of the truck, walked around to the driver's side, and that Jerry had a gun. He said he reached in the pickup and got the other gun.

Questioned by defense counsel, Gaunt said he understood Anderson to say he shot Zulkoski because he was afraid Zulkoski would shoot him. Gaunt had difficulty remembering whether Anderson said Zulkoski actually pointed the gun, but said he got that impression from Anderson's story.

Gaunt testified that Anderson continued drinking as he and Anderson went to attempt to extricate the pickup truck from the mud.

The state, through a series of witnesses Wednesday morning traced young Anderson and the truck on the night of the shooting.

H. S. Bray, Bonanza, testified that Anderson and Zulkoski came into his place about 7 or 7:30 p. m. on the night of January 23, and that Anderson bought a package of cigarettes. Zulkoski, he said, was visibly drunk, and stood behind the stove to get warm. He didn't notice any evidence of intoxication on Anderson.

Charles E. Drew, rancher living near Henley, testified that young Anderson came to his place at 8 p. m. on January 23 to get \$20 in payment for cattle. He said he gave Anderson a check. He said Anderson did not appear to be intoxicated, and that he noticed mud on his shoes. The state's contention is that Anderson appeared at the Drew ranch after the shooting incident between Bonanza and Olene.

Merle Wickline, attendant at a service station in Klamath Falls, testified that Anderson drove into the station in the pickup truck loaded with wood between 9 and 10 p. m. on January 23. He noticed a rifle on the floor of the pickup and blood on the fender.

Next, the state testimony placed Anderson at the tableland ranch near Beatty on the following morning, with the truck stuck in the mud. Gaunt's key testimony then followed.

First state witness called Wednesday was Ralph Dougherty, state highway employee, who said he was driving on the Lakeview highway on the morning of January 24, saw a hat lying on the highway, saw Zulkoski's body, and later found a hat band about 1900 feet from the hat bearing Zulkoski's name. The hat was about three miles from the body.

T. D. Case, clerk of the local draft boards, testified he knew Jerry Zulkoski as a draftee who had planned to volunteer service, and said he identified Zulkoski's body at the morgue.

Testimony of a scientific nature appeared scheduled by state's attorneys for Wednesday afternoon. Subpoenaed in the case are Dr. Joseph Beeman, pathologist of the University of Oregon medical school and officer of the state crime laboratory, and Stanley McDonald, ballistics expert of the Portland police department. It was expected they would give testimony Wednesday for the state concerning results of scientific tests made in Portland on several of the state's 20 exhibits already introduced in the case.

Deputy Sheriff Dale Mattoon took the witness stand late Tuesday afternoon to testify he took clothing from the body of Zulkoski and other articles of clothing which Sheriff Lloyd Low obtained at the home of the de-

pendant to Portland, where tests were performed. Officers are reported to have procured clothing supposedly worn by the defendant the night of the shooting as well as two rifles and shells which were in a cabin on the Anderson hay ranch on the tableland near Beatty. These articles, along with a bullet found on the running board of a pickup truck said to be owned by the Anderson family, all underwent experts' tests, Mattoon said.

First witness for the state was Joe S. Wilson, Sprague River, who said he saw the body of Zulkoski lying face down in a ditch at 8 a. m. the morning after the shooting as he was driving toward Klamath Falls. He said he did not get out of the car, but proceeded on and reported his discovery to state police. He said the body was about a mile east of Olene.

Sergeant Louis G. Johnson, state officer, testified he notified Sheriff Low and Deputy Sheriff Dale Mattoon as soon as Wilson called him. The three drove two miles past the spot where the body lay, not having seen it on the way out, he testified. A considerable distance from the body they discovered a brown hat believed to have been worn by the dead man. Johnson identified seven photographs which he said he had taken before the body was moved. The pictures were accepted as Exhibits 1 to 7. The only change made during the picture taking was the removal of a closed white pocket knife which lay about two feet from the body, the officer said. The hat was introduced as Exhibit 8.

Dr. George Adler, county coroner, testified he examined the body of Zulkoski (at the time unidentified) and said death was caused instantaneously by a hemorrhage from a gunshot wound. He said the bullet—a rifle bullet—entered Zulkoski's left arm at a point opposite the third rib, passed through the arm, through the body and out the right side of the body slightly toward the back. He said Zulkoski's left arm, in his opinion, could not have been raised, inasmuch as a probe thrust through the arm and body in the bullet's path necessitated the arm to be straight down.

Dr. Adler admitted there had been some discussion between him and Dr. George Massey, who aided in the autopsy, as to exactly which side of the body the bullet had entered, but he said the matter was definite after further examination showed the path of the bullet carried fragments of cloth inward on the left side. The examination also disclosed that bone fragments were carried from the left by the bullet, Adler testified.

Thurman A. Wilson testified he found the pickup truck alleged to have been driven by Anderson or Zulkoski the night of the shooting. He said it was stuck in a mud hole on a road to Anderson hay ranch. Wilson said he examined the truck and found blood in the seat, on the floor and on the running board. He left his own car and walked to the ranch house because he could not drive around the pickup, he said. It was not until later that he learned James Anderson had been involved in some difficulty. Wilson said he returned with Mattoon later and Mattoon took two rifles from the cabin. Wilson discovered a bullet in the mud on the pickup's running board, he said.

In cross-examining Wilson, J. C. O'Neill, who with Edwin E. Driscoll is representing the defendant, questioned the witness regarding any marks which were found inside the cab of the pickup. An indentation was found near the door at about shoulder-height, Wilson said. He described the mark as being possibly caused by a bullet, which may have dropped between the door and the seat cushion and dropped out on the running board when the door was opened.

D. E. Van Vactor, special prosecutor for the state, presented 20 exhibits during the testimony after a jury was selected. The exhibits included Zulkoski's hat, mud-soaked navy blue jacket, dirty tan shirt, blood-stained long underwear, faded blue denim dungarees, photographs of the body, two rifles, a bullet, shells, and even the seat and back cushion from the pickup truck.

OBITUARY

BESSIE ELLEN SEAVER

Bessie Ellen Seaver, for the past 21 years a resident of Klamath Falls, Ore., passed away in this city Tuesday, April 15, 1941, at 4:30 p. m., following an illness of two years. She was a native of Portland, Ore., and at the time of her death was aged 31 years and 12 days. Surviving are her husband, Winfield N. Seaver, and one daughter, Patricia Ann of Keno, Ore.; her parents, Mr. and Mrs. I. D. Rumer and four sisters, Lois, Ardyce, Margie and Peggy Lou Rumer, all of this city; her mother-in-law, Mrs. Frank High of Lowell, Ore., and her aunt, Mrs. William F. Hedin of Portland, Ore. The remains rest in the Earl Whitlock Funeral Home, Pine street at Sixth, where friends may call after 8 p. m. Wednesday. Notice of funeral to be announced in the next issue of this paper.

Editorials Blamed For Slaying of Italian Newsman

(Continued from Page One)

cause they are afraid of persecution of themselves and their families.

His wife, Dorothy, 32, told the police that he had received numerous telephone threats from anonymous callers who warned him to 'change the tone of his editorials.'

The slayer accosted Arena as he was about to enter his parked car with Miss Eleanor Herrmeyer, 17. The assassin called attention to a flat tire and when Arena stepped to the front of the car he was shot twice with a pistol. The slayer escaped in an automobile driven by an accomplice.

MRS. W. N. SEAVER PASSES WEDNESDAY

Mrs. Winfield N. Seaver, (Bessie Ellen Rumer), 31, died at Hillsdale hospital Tuesday afternoon following an illness of the past two years. Mrs. Seaver was the daughter of Mr. and Mrs. I. D. Rumer, well known residents of this city, and in addition to her parents, husband and a four-year-old daughter, Patricia Ann, Mrs. Seaver leaves to mourn her passing, four sisters, Lois, Ardyce, Margie and Peggy Lou Rumer, all of Klamath Falls.

Born April 3, 1910, in Portland, Mrs. Seaver moved here with her family in 1920. She was well known both in Klamath Falls and throughout the county as she had taught school for a number of years in the Keno district. She was past queen of the local Bethel, Daughters of Job, and a member of Aloha chapter, O.E.S. Bessie Ellen Rumer and Winfield N. Seaver were married August 30, 1935.

Funeral services will be held Friday at 3 p. m., with the Rev. L. K. Johnson of the Klamath Lutheran church officiating.

SOURCES OF IVORY

Ivory sources are the tusks of the elephant, walrus, hippopotamus and Narwhal whale, with elephants furnishing the bulk of the world's supply.

TOO LATE TO CLASSIFY

WANTED—Male stenographer. News Herald Box 4423. 4-17

THE INTERSTATE BUSINESS COLLEGE lists several homes offering prospective students board, room and spending money for household services. 4-18

WOMAN WANTS hour work. Phone 5846. 4-22

FOR SALE OR RENT 2 new five room homes. Call 7688 between 6 p. m. and 7 p. m. 4-18

WANTED—4-room house, bath, close in. Good condition from owner. Prefer furnished house. Good down payment. P. O. Box 464. 4-18

4-ROOM unfurnished house near Mills school. Phone 6640. 4-16

EQUITY 1936 Plymouth coupe, make offer. Phone 6885 between 8 a. m. and 1 p. m. 4-17

CARPENTER, 1st class. Phone 6473. 4-22

2-BEDROOM unfurnished house, full basement, newly decorated. Phone 5810. 4-18

2-ROOM furnished apt., wood and water furnished \$18.00. 218 Martin. 4-18

WANTED—Experienced service station operator for night work. References. Associated Service Station, 4th and Main. 4-17

CARD OF THANKS

We wish to thank our friends and neighbors for their kindness and sympathy and the beautiful floral offerings during the sickness and death of the late William Morgan.

THE MORGAN FAMILY

MOZART OPERA SUGGESTED IN CONCERT PLAN

Klamath Falls looks forward to another season of top-flight music and entertainment as the 1941 Klamath Community Concert association campaign had all the ear marks of ending in a whirlwind of success.

Mrs. Lester Offield, membership chairman, stated Wednesday morning the response from former members was practically 100 per cent and that workers felt the new membership increase would bring the total to 1500. In that case even finer programs will be offered than could have been included under the 1940 membership of 850. Local headquarters are in the Willard hotel.

Herbert O. Fox of Seattle, campaign manager, here in the interests of the association, stated Wednesday morning there was growing enthusiasm for the presentation here of one group number in the coming series, and seriously considered is the "Marriage of Figaro" presented by the Julliard school of New York. This performance is staged in an extremely modern manner, the staging patterned after the successful, "Our Town." It is a modern, stream-lined version of Mozart's favorite and has been a big success wherever presented," Fox stated. The performance is given in English.

In discussing "The Marriage of Figaro," Fox said John Tyres, who sings the title role, was a recent runner-up in the Metropolitan audition of the air and appeared more recently in Life. Helen Van Loon, who is "Suzanna," was also a runner-up last year in the audition.

Another seeming favorite of membership holders is the dance troupe of Carmelita Maracci, "the world's finest dancer," according to the New York Times critics.

With Paul Robeson already booked to sing here in the early fall, it is of interest to learn the famous negro singer has broken attendance records where he has appeared throughout the northwest. Robeson was booked in Vancouver, B. C., Seattle, Portland, Eugene and Corvallis, and in the first three cities has been reengaged due to the tremendous success of his original appearance. In Seattle Robeson sold out one month in advance, in Portland he sang to 5000 persons, and in Corvallis and Eugene was heard by the greatest crowd ever assembled in the two gymnasiums. He was more recently heard by 150,000 persons in Grant park, Chicago.

VITAL STATISTICS

OWENS—Born at Klamath Valley hospital, Klamath Falls, Ore., April 15, 1941, to Mr. and Mrs. Ed Owens, 2144 Vine avenue, a girl. Weight: 6 pounds 10 1/2 ounces.

Man Fined for Sale Of Liquor to Indian

A stiff fine was meted out to Otto Smith, transient, who entered a plea of guilty to the charge of selling liquor to Indians.

Smith was fined \$50 or 25 days in the city jail.

Alfred O. Smith, no relation, was charged with operating a car with a revoked license, the fine given him in police court

Wednesday morning amounting to \$25 or 12 1/2 days in jail.

Twelve drunks, two traffic tickets, one drunk and disorder-

ly, and one disorderly case made up the balance of the morning court report, according to Police Judge Leigh Ackerman.

STARTING SUNDAY

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The Great Dictator

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CARTOON NEWS

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THURSDAY FRIDAY SATURDAY

ESQUIRE

HIT No. 1 • WOW! WHAT A SHOW • HIT No. 2

MAKE MUSIC WITH THE BUMSTEADS!

... as they go rolling down to Rio on waves of laughter and rhythm ... in the greatest and grandest of all the Blondie triumphs!

BLONDIE GOES LATIN

YOUR FAVORITE FUN FAMILY GOES MERRILY MUSICAL!

THIS FEATURE AT 2:15 5:15 7:15 9:15

Based upon the comic strip created by CHIC YOUNG with THE BUMSTEADS

Penny SINGLETON as Blondie Arthur LAKE as Dagwood Larry SIMMS as Baby Dumpling with TERRY and GUSZAK

A COLUMBIA PICTURE

A BIG 2 HIT EVENT

IT'S TERROR-IFIC! YEAH MAN!

... the police of two continents have tried to catch him! He gives no warning ... he leaves no trail! Only the mark of a parrot's beak.

A RUTHLESS KILLER COMMITS A CLUELESS MURDER IN THIS BREATHLESS MYSTERY!

The Black Parrot... mark of the strangest killer you've ever seen! We'll bet you can't beat the police to the solution!

THE CASE OF THE BLACK PARROT

WILLIAM LUNDIGAN MARIS WRIXON - EDDIE FOY, JR. LULI DESTE - PAUL CAVANAGH

NEWS OF THE WORLD IN PARAMOUNT NEWS

LOOK AROUND YOU AT THE BALL PARK ...

you'll see the clean white Chesterfield pack on every side

Every smoker who enjoys a Cooler smoke that's definitely Milder and Better-Tasting is a Chesterfield fan.

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FOR REAL MILDNESS AND BETTER TASTE

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