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# ACCUSED SLAYER TAKES STAND TO DENY COMMONWEALTH EVIDENCE

## Claims Confessions Are False; Prosecution Produces Experts

Richard Millinder Contends He Confessed Because Was Tired, Sleepy and Deprived of Cigarettes

SAYS FAILURE OF RELATIVES TO VISIT HIM PROMPTED LAST STATEMENT

Textile Experts Find Suspect's Sweater Fibers and Victim's Fingernail Scrapings Identical; Police Used No Force, Threats

Richard Millinder, of Mt. Eagle, on trial for his life here this week, took the witness stand yesterday morning in an effort to discount the mass of scientific evidence produced by the Commonwealth tending to show that he is the person who battered Faye Gates to death on the Spook Hollow detour near Mt. Eagle, May 5.

Millinder, first witness called by Defense Attorney Lewis Orvis Harvey, of Bellefonte, testified that on June 14 he twice confessed to the crime at Rockview State Motor Police sub-station No. 2, because he was tired, sleepy, had been deprived of his cigarettes and was once denied a glass of water during the questioning.

He related from the stand that his confession at the Centre County jail, June 17, was made because his wife or one of his people came to see him at the jail and "he didn't care what happened to him."

### Denies Knowledge of Crime

Millinder claimed that when he left the Leathers home along the detour about 12:15 a. m., May 5, he walked steadily to his home opposite the Gates residence, one mile away. Near the Kennedy church, on a small hill overlooking his home, he said he heard the sound of an automobile horn far back of him, and turning, saw the reflection of its lights in the misty sky. He continued on home and didn't learn of the murder until the following morning.

### Was Not Beaten

Millinder declared that he was not beaten by police during the times they had him in custody. He said no threats or "direct" promises were made to him in getting him to sign confessions. He alleged, however, that Detective William A. Miller told him of a similar case in which the defendant was found guilty, got a life sentence, and was released under a parole or pardon this year later. Millinder indicated this was an indirect promise.

### Faye's Hair on Stone

Against the defendant's denials of guilt from the stand the Commonwealth in nearly two days of testimony, produced more than 50 exhibits as well as much expert testimony to connect the accused slayer with the crime.

Dr. Milton Eddy, of Carlisle, biology instructor at Dickinson College, said that hair found matted in blood and mud on the stone which the prosecution contends was the death weapon, were positively identified by him as matching the hair of Faye Gates. Dr. Eddy also said that samples of animal hair taken from the stone matched the fur on the collar of Faye's coat.

### Claim Fibers Match

Dr. Pauline Berry Mack and Dr.

J. Fred Oesterling, both of the textile chemistry department at Penn State, testified that of 34 types of fibers found in scrapings taken from the sweater Millinder wore on the night of the murder, 28 of the types were found in the scrapings from Miss Gates' fingernails. They added that the sweater scrapings included 3 blue rayon fibers which matched the material in the blue rayon dress Faye wore on the night of the slaying.

The two textile experts said the fibers matched in color, material, diameter, and other characteristics visible to experts. To prove their points yesterday morning they projected on a screen set up in the court room colored photomicrographs of the fiber samples taken from the Millinder sweater and the victim's fingernails, and pointed out the similarities.

### Human Blood on Stone

Dr. Theodore Anderson, bacteriologist at Penn State, testified he had examined the stains found on the alleged death weapon and found them to have been made by human blood.

Among other confessions witnessed said Millinder made were ones

### DENIES GUILT



Richard C. Millinder, on trial for his life here, yesterday told the jury he had nothing to do with the Faye Gates slaying.

### DEFENSE ATTORNEY



LEWIS ORVIS HARVEY, Bellefonte

heard by Sheriff and Mrs. Edward R. Miller, according to their testimony.

The Sheriff and Mrs. Miller both related that on the afternoon of June 17 when Mrs. Millinder and Lewis Orvis Harvey paid their first visit to the defendant at the jail, Millinder told them several times that "He did it." Mrs. Millinder insisted that he didn't, and told him not to say it again, the witnesses testified. Harvey told Millinder he had been retained as his attorney, and instructed him not to sign anything or talk about the case to anyone, the Millers said.

Sheriff Miller further said that on June 14 when Millinder's father and two brothers visited him at the jail, Millinder told them he "did it."

### Clothing Missing

The clothing Millinder wore on the night of the murder apparently has disappeared. The scrapings were taken from it about the middle of May when police went to the Millinder home and Mrs. Millinder gave them the items voluntarily. They were later returned. On June 20, after the suspect confessed, when Sheriff Edward R. Miller obtained a search warrant and went to the Millinder home to get the clothing, he said he could not find them.

### Suspect Not Starved

Millinder on the stand yesterday admitted that when police had him under questioning June 13 and 14, they brought him sandwiches and coffee. Under cross examination by the District Attorney, he said he wasn't starved but that he'd "have been glad to eat more if I had it."

### Says He Saw Photos

When asked how he could reconstruct the crime for police if he didn't know about it, he said that on May 15 when taken to Rockview sub-station for questioning the first time, he had seen photographs of the crime scene. He explained that he looked over the shoulder of State Police Commissioner Lynn G. Adams while the Commissioner was inspecting the photos.

At several points in his testimony, Millinder, in response to questions by his attorney, said he did not kill Faye Gates.

(Continued on page four)

## JURY IN MURDER CASE

A total of 77 of the panel of 100 jurors were examined by District Attorney Musser W. Gettig and defense attorney Lewis Orvis Harvey, Monday before a jury to serve in the Millinder trial was selected.

Some were challenged because they expressed conscientious objections to capital punishment; some were rejected because they had formed definite opinions on the matter, or because they were related to some of the principals in the case. Still others were excused through peremptory challenges, in which no reasons were given by the challenger.

The jurors, in the order of their acceptance, follows:

R. P. Dunsmore, Phillipsburg, merchant.  
John W. Perks, hardware clerk, Phillipsburg.  
Lawrence Weaver, Millheim, mill worker.

Charles G. Broberg, Osceola Mills, garageman.  
Garman A. Matter, Centre Hall, salesman.  
G. H. Wilson, Bellefonte, R. D., farmer.  
Ciell O. Miller, Blanchard, laborer.

Robert E. Strubie, State College, merchant.  
Dorothy D. Shontz, Phillipsburg, clerk.  
Lucy H. Merrell, Phillipsburg, housekeeper.  
Harry W. Masden, Howard, laborer.

Nora Eckenroth, Pleasant Gap, housekeeper.

The two alternate jurors named to serve in case of illness of any of the above-named jurors, are: Guy A. Symmonds, Bellefonte, machinist, and George Summers, Phillipsburg, R. D. service station operator.

## Jailed In Shooting



Garfield Gardiner, 60, (above), of near Osceola Mills, poses for photo at Centre county jail where he is under \$5,000 bail on a charge of assault with intent to murder. His victim, Mrs. Jane Miller, 39-year-old wife of an Edinboro WPA worker and mother of 7 children, is reported to have a 50-50 chance for life at the Phillipsburg State Hospital where surgeons last week removed a 38-caliber bullet from her spine. Gardiner, father of six children, is said to have fired the shot when Mrs. Miller spurned him. Mrs. Miller's condition at the hospital last night was reported to be "not good."

## Gunman Draws Police Arrest Long Sentence

7 1/2 to 15 Years Meted Out to Man Who Attempted to Kidnap Patrolman

William Howard Leach, of Pleasantville, N. J., drew a sentence of from 7 1/2 to 15 years when he entered a plea of guilty to a charge of armed robbery, at a special session of Court here Friday morning.

Leach, who attempted to kidnap Pvt. John A. Amick, of the Pleasant Gap sub-station State Motor Police last June 23, drew the long term on a formal charge of taking at pistol point a Plymouth sedan and a police revolver, both the property of the Commonwealth.

Judge Ivan Walker also sentenced Leach to serve 1 1/2 to 3 years for carrying firearms without a permit, and 1 year for wantonly pointing a firearm at Amick, but the two lesser sentences are to run concurrently with the 7 1/2 to 15 year term.

The defendant wise-cracking with his jailers as he was being taken to the Court House for sentencing, was noticeably quiet on the return trip to the jail, attaches said. When he received sentence, a kind of grim smile passed over his face. A criminal record in four states dating from 1928 to the present time, was carefully scanned by the Court before sentence was pronounced. Late Friday, Sheriff E. R. Miller and deputies took Leach to the Western penitentiary to begin his sentence.

Highlights of Leach's record are: assault and battery in Rahway, N. J.; two burglary counts in Patterson. (Continued on page three)

## 2nd Anniversary at Howard Camp

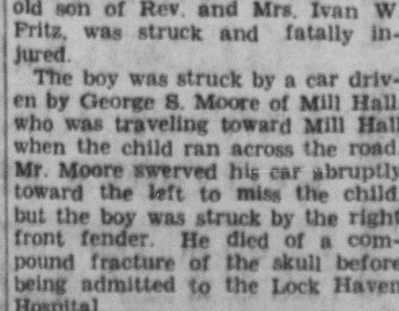
Public Invited to Attend CCC Celebration Sunday Afternoon

The second anniversary celebration of the founding of the Howard Nursery Side Camp will be held on September 15, 1940, from 2 to 4 p. m., the public being invited.

This camp, affording facilities for 80 men was first occupied by CCC enrollees and supervisory personnel on September 15, 1938. Since that time it has been reopened on the first of March to the first of December of each year. This year, however, the camp opened for an indefinite period.

The work program consists of nursery work. The enrollees pull and grade trees, transplant small ones, weed trees, and prepare the seed beds for seeding. At the present time there are close to 25,000-000 young seedlings in beds 100 feet long and 4 feet wide. 35 miles of (Continued on page two)

## PROSECUTOR



MUSSER W. GETTIG, Representing Commonwealth in Millinder Trial.

## Bellefonte Youths Surrender After Speeding Car Overtakes on Curve

Two local youths, Austin Keith, 27, of Coleville, and Earl Page, of Logan street, are under \$1,300 bail each for December court on charges of stealing a car, and forging 15 checks for a total of \$184.20 on Samuel Capparelli, of Coleville.

Arrest of Keith and Page, as well as of William Bryan, 19, of Quaker Hill, the latter of whom is charged with the larceny of a car at Lock Haven, was made late Thursday afternoon by Pts. H. R. Hancock and E. Barrie, of the Pleasant Gap sub-station State Motor Police, after the stolen car in which Bryan and Keith were attempting to evade capture wrecked on the Buffalo Run Valley road near Waddle.

The two youths, crawling from the overturned machine, started to run away on foot, but gave up when (Continued on page three)

## Lingenfelter Leases Geo. Bezer Garage

J. M. Lingenfelter, of the Lingenfelter Motor Company, of South Allegheny street, announced yesterday that he has leased the George A. Bezer Studebaker garage on North Water street, and will take possession of the property October 1.

Mr. Lingenfelter said the garage will continue the Studebaker agency and that the master mechanic at the Bezer garage will be retained to service Studebaker cars. The Lingenfelter Buick agency, now in the Lyons building at the corner of Allegheny street and Cherry Alley, will be moved to the Bezer garage after the end of this month.

Mr. Bezer, who has not been in good health for some time, expects to retire temporarily, and upon regaining his strength may accept a position with the Lingenfelter agency. Mr. Bezer, Studebaker agent in Bellefonte ever since that car passed the "gasoline buggy" stage, is one of the oldest, if not the oldest, Studebaker agent in the county, and several years ago was awarded a bronze plaque by the Studebaker Company for more than two decades of faithful service.

## 83 from County Enter Penn State

1500 in Class Will Include 51 From State College, 18 From Bellefonte

Eighty-three students from Centre county will be among the 1,500 freshmen who have been accepted for admittance to the college, Registrar William S. Hoffman announced today. Freshman week begins today.

State College will send 51 to the college, Bellefonte will advance 18, while 14 others will come from other communities in the county. Students from the county will include: Bellefonte: Thomas Beaver, Jean L. Caum, James B. Craig, Harry H. Curtin, Walter E. Forster, Richard Hartwick, David C. Kachik, Margaret A. Kelly, Willard H. Kissell, Donald A. Montgomery, William T. O'Brien, Evelyn E. Papp. (Continued on page 5-second sec.)

## J. Rand Miller Regains Title

Also Wins Medal Honors; Downs Alexander and Morris, Former Champs

J. Randall Miller, of Millheim regained the Nittany Country Club Golf Championship for the sixth time, on Labor Day, when he defeated the runner-up, and another ex-champion, Carey Alexander 1-up on the nineteenth hole.

Miller reached the final round with a victory over Robert Morris Jr. last year's champion, while Alexander defeated Hugh Quigley (Continued on page four)

## Boal Memorial to be Dedicated Saturday

### Stone Base Being Hauled on New Road

The first of the two stone base courses has been finished from State College borough line to Millbrook on the State College-Rockview section of the modern highway which will link State College and Bellefonte.

The section now completed extends to the point where the new highway leaves the old road near the Klinger farm. Approximately 20 trucks began hauling stone for the second course on Sunday. This final stone work should take about three days, weather permitting. Contract- or Sam Azzara said. Black-top will be laid following this.

On the Houseville-Rockview end of the project, stone will be laid following completion of the State College-Millbrook section. Since the amies for the highway is brought from Pleasant Gap, it is expected that the work will move along rapidly. The eastern end of the highway will be finished with all possible speed to permit surfacing before the cold weather sets in.

Work on the last of three bridges—the one over Spring Creek at the Houseville turn—is progressing and that structure is now ready for the floor. The cut from the Klinger farm to the Houseville turn is more than 75 per cent completed.

## To Survey Hospital Sites Here, Sept. 21

An engineer from the U. S. Veterans' Commission will be in Bellefonte on Saturday, September 21, to survey the local sites for the proposed new veterans' hospital to be built in central Pennsylvania, according to a schedule received this week by Karl Kusse, secretary of the Bellefonte Chamber of Commerce.

Bellefonte, located in the exact geographical center of the state, is believed to be a strong contender for the hospital site.

Four properties in this area will be shown to the engineer, it is reported. One is on the Zahniser lands near Unionville, another is on the Al Rishel and Epley White farms on Rishel's Hill south of Bellefonte, another is on the Dr. Brockhoff farm along the Jacksonville Road, and the fourth is on the Roy Baylett and Alfred Grove farms on Blanchard street, Bellefonte.

## Charged With School Plan Firing Woods Is Considered

### Arrest Follows Investigation Into Shooting Complaint by Linemen

Charged with setting fire to woodland, Clarence Jacob Sager, of State College, R. D. 1, was committed to the County jail in default of \$1000 bail after a hearing before Burgess Wilbur F. Leitze, at State College, Friday afternoon.

Sager was arrested last Thursday by Pts. George A. Panrock and John L. Eisenbush, of the Rockview sub-station State Motor Police, when Bell Telephone Company employees placing poles along Route 322 near Woodycrest complained that someone was firing a rifle in the direction of linemen on the poles.

The officers found Sager seated on the ground against a tree about 50 feet west of the highway thru (Continued on page 5-second sec.)

## Two Arrested For Relief Chiseling

Two persons entered pleas of guilty to relief chiseling during the weekend when arraigned before Justice of the Peace Harold D. Cowher, East Bishop street, Bellefonte.

Steve George, of Phillipsburg, in custody of Cpl. Robert Raymond of the Phillipsburg sub-station State Motor Police, was released from custody upon making restitution of \$16.02 fraudulently obtained, and paying the costs of prosecution.

Seward Ross, of State College R. D. 1, was committed to the county jail in default of \$300 bail. He is charged with having illegally obtained \$32. Pvt. H. R. Hancock, of the Pleasant Gap sub-station, was the arresting officer. Information against both defendants was obtained by Merrill A. Sweitzer, an agent of the Department of Public Assistance. (Continued on page six)

## Maj. Gen. Edward Martin Will Be Principal Speaker at Ceremony

### PROGRAM SLATED TO BEGIN AT 10 A. M.

### Shrine Will Perpetuate Record of Boalsburg Machine Gun Troop

The Department of Military Affairs in conjunction with the Society of the 28th Division, A. E. F., will dedicate a Memorial Altar to the late Colonel Theodore D. Boal, at the Boalsburg (28th Division) Shrine, Boalsburg, Centre county, Sunday, September 15, 1940, at 10 A. M., standard time.

Major General Edward Martin, Adjutant General, Commonwealth of Pennsylvania, is expected to make the principal address. W. Charles Gallagher, National President, Society of the 28th Division, A. E. F., of Wilkes Barre, will represent the Society. Colonel Wilbur Leitze of State College will read the military record of the late Colonel Boal, Reverend Owen M. Gallagher, Rector of Our Lady of Victory Catholic Church of State College will give the invocation and benediction. The State College Veterans of Foreign Wars Post, will present an American flag which will be raised on the new flag pole at the shrine with flying ceremonies. A salute will be fired by the 166th Field Artillery of Edinboro, while the 166th Field Artillery Band of Lewisburg and the Junior American Legion Drum Corps of State College will furnish suitable music for the occasion.

William A. Miller of Harrisburg, Past National President, Society of (Continued on page three)

## DEMOCRATIC HEADQUARTERS OPEN TO PUBLIC

The Democratic headquarters on West Bishop street, Bellefonte, are open each day to the public from 10 a. m. to 9 p. m. J. Frank Smith, assisted by Miss Marjorie Houser, are in charge. Any person desiring campaign literature including bumper cards should feel free to call at any time. No invitation to call is necessary. The doors are open to all parties interested in the Roosevelt campaign.

## Local Corporation to Finance Building Seen as Last Hope

Definite announcement was made Monday night that one way and only one, remains for Bellefonte to finance a new school building.

The announcement was made at a regular meeting of the Bellefonte School Board. The only way the town can obtain money for a new building is by providing the funds locally.

"This factor was agreed upon by virtually all members of the board which in recent months have been trying every possible avenue to find money to replace the building destroyed by fire on February 13, 1939.

But if the citizens of Bellefonte, and of the districts surrounding Bellefonte which send their children to the local schools, cooperate, there is every hope that an adequate building can be constructed and paid for, it was pointed out. A system under which the required \$200,000 can be obtained was (Continued on page two)

## West Penn Moves Into New Offices

The West Penn Power Company moved its offices Saturday to the location formerly occupied by the Hazel grocery store in the Crider Exchange building on North Allegheny street, Bellefonte. The new offices are two doors north to the former location.

The new rooms, which have been completely modernized and redecorated, provide more space for the commercial department, which will be housed on the ground floor. The operating room, which was back of the commercial office on the same floor, is now upstairs. The public is (Continued on page six)



The late Faye Gates, whose accused slayer, Richard Millinder is on trial in the Centre County Court here this week.