

The Bend Bulletin DAILY EDITION

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An Independent Newspaper, standing for the square deal, clean business, clean politics and the best interests of Bend and Central Oregon.

Table with 2 columns: Subscription Rates, By Mail and By Carrier. Includes rates for One Year, Six Months, and Three Months.

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THURSDAY, OCTOBER 1, 1925

The glad awakening:—As for me, I will behold thy face in righteousness: I shall be satisfied, when I awake, with thy likeness. Psalm 17:15.

WORKING FOR BEND One of the finest things that has appeared in recent years in the way of favorable publicity for Bend and Central Oregon is the illustrated article, "Bend—in Scenic Central Oregon," appearing in the current number of the Union Pacific magazine.

Mr. Cramb's work in placing this informative matter in such a magazine as the Union Pacific organ is of a piece with his consistent efforts in discharging the duties of his office. A resident of Bend but a comparatively brief time, Mr. Cramb has rapidly familiarized himself with local conditions and needs, and has labored diligently to meet those needs.

The last grading contract on The Dalles-California highway has been let, and another big surfacing contract will be awarded the latter part of this month. Real progress.

Congratulations to the city government on its decision to aid with a substantial appropriation in the work of advertising Bend to the rest of the world.

In the contract signed by Jack Dempsey and Harry Wills for a fight next fall, time is apparently the essence.

Bend will regret the withdrawal of Mrs. Larson from the business life of the community.

Former Bend Resident Passes at Santa Cruz

Information that John F. Pierce, for a number of years a resident of Bend and the father of Mrs. H. E. Beach of this city, died in Santa Cruz, California, September 20, has been received here.

Pierce, at the time of his death 77 years of age, was a Civil war veteran, enlisting at the age of 14. He was a member of the opposing army when Sherman made his march through Georgia to the sea. Soon after the Civil war, he moved to Colorado, and helped with the first big drive of cattle from Texas to Colorado.

Pierce and his family moved to Santa Cruz from Bend about six years ago. Aside from his wife and Mrs. Beach, the Civil war veteran is survived by two sons, Roy F. Pierce of Los Angeles and Stanley Pierce of Merced. He is also survived by five grandchildren.

An orange tree has been known to produce in one year 20,000 oranges fit for packing, exclusive of damaged fruit and waste estimated at one-fifth more.

Comes a Time In the Lives of All Parents



MAFALDA

By John Goodwin

"I am not here to defend Jill Seaton. But I say this, that there is no evidence against either Jill Seaton or Pietro Gaete, except the evidence of their own mouths. There is no evidence that Gaete dealt the wound that caused Brough's death. The evidence brought against him is evidence of supposition, clouded with doubt and vagueness. Men are not condemned on supposition. When there is a doubt the accused is entitled to the benefit of it.

"I do not qualify my plea, I ask you to acquit Gaete of the charge of having killed Tatham Brough." There was some applause, rapidly hushed, at the conclusion of Belhouse's speech.

"House at his best!" whispered a junior barrister with admiration, "bricks without straw—but he has done all he could for his man. Pulled his neck out of the rope, at the worst."

His companion did not answer, for his eyes were on the judge, who was about to sum up.

The jury started almost with relief to the scarlet robed figure who looked so impressive and immovable. There was no eloquence here, nothing but the voice of cool reason and logic, relentlessly emitting facts.

"Members of the jury," said his lordship. "You have heard the evidence of both sides; you have heard the speeches for the prosecution and the defense. It only remains that I should direct you as to what is and what is not permissible in considering your verdict.

"First of all, I ask you to wipe

from your minds altogether the performance of the girl Mafalda Seaton at Grosvenor terrace as bearing upon the death of Tatham Brough or as evidence for or against the accused.

"It was better that this incident, of which so much had been made, should be brought forward openly, commented on, and disposed of. I consider it fairer to the accused that that course should be taken, and I will say frankly the defense has shown it to be an incident of no value, and you will pay no attention to it whatever in weighing the evidence. In other words, you should clear the deck of it entirely."

The judge then gave a clear and skillful summary and direction, but a brief one, on the evidence in the earlier part of the case. He kept strictly to facts. There are judges who would have summed up strongly against Pete, and in favor of Jill. His lordship was not one of those who take strong lines. He had his reward in that his cases were never reversed on appeal. He was no sentimentalist.

"Amid the difficulties of this case," he said, "there is but one certainty. Tatham Brough met his death wound from a hatpin which Jill Seaton had worn, and you have Pietro Gaete's admission that he put Brough in the river, though he does not admit that he killed him.

"What does that mean? Had Brough been merely found drowned but not wounded, is still follows that Gaete would be indicted for having caused his death. And he could be convicted on his own statement—the

confession he has made. It would be sufficiently clear that Brough's death was caused by Gaete's act.

"But Brough did not merely die by drowning through a fall in the river, however he may have got there; he was stabbed. The question you have to decide is, Who stabbed him?"

"A plea has been suggested by Gaete's counsel which amounts to this—that the police have not solved the case and there exists the possibility that Brough met his death, not at the hands of the accused, but by the later act of some person or persons still undiscovered. But no evidence has been brought forward to support that theory, and you should reject it equally as you reject the story of Mafalda Seaton's supposed knowledge of the crime. Men are neither condemned nor exonerated by theories.

"Neither is it correct to say that there is no evidence against either of the accused. There is strong circumstantial evidence; so strong that I think you will not hesitate to say Brough met his death at the hands of either one or both of the accused."

"I will take first the case of Jill Seaton. If you believe her statement that she did not stab Brough with the hatpin, it is your duty to acquit her entirely.

"With this pin that she was wearing, Brough received a wound. That is unquestioned. She says she did not deal that wound. Gaete says he did not see her do it; in fact, he states that she did not. You must draw your own conclusions from that; you will have to decide whether or not you believe her.

"If you have a reasonable doubt, she is entitled to the benefit of that doubt, and you must acquit her."

CHAPTER XXX The Verdict

"If you acquit her, then one natural and inevitable conclusion follows. That hatpin did not get into the body of Brough of its own accord. No one else but Gaete was present. Gaete must therefore have possessed himself of the hatpin (you will remember that all this happened in darkness on an unlit wharf) with or without the girl's knowledge, and having with his own hand buried it in Brough's breast, have flung him

into the river. "If you accept that explanation, which seems to me is the only possible alternative, then, of course, the account which Gaete has given is entirely untrue, and he committed a vindictive and diabolical murder, the consequences of which he has attempted to escape by throwing the guilt upon Jill Seaton, who he knew was innocent.

"You have seen Gaete in the witness box, you have heard his examination and cross examination; it will be for you to say whether you believe his denial or not.

"And in this connection I must point out to you that even if you find it established that Gaete was the man who changed Brough's money next day at the bank, this in itself is not a proof that Gaete stabbed Brough. It does, however, shake his credibility, for there is a well known legal maxim, falsus in uno, falsus in omnibus—false in one thing, false in all—since he has denied that he ever had the notes or that he changed them. Do you believe him? If you do not, you will ask yourselves whether, having lied about the notes, he has also lied about the hatpin. Whether, briefly, he is a thief, a murderer and a treacherous hypocrite who from first to last has done his best to fasten the guilt on the woman who now stands with him in the dock.

"If that is so, from my experience of the criminal courts I consider it rather surprising that he did not invent a better story to shield himself than the one he has told you, and so far I agree with the counsel who defended him."

The judge paused. He looked thoughtfully at the faces, grave and noncommittal, of the jury.

"Now, if that wound was not inflicted by Gaete, you are faced by the only alternative—that it was done by Jill Seaton. That is the case advanced by the prosecution; in a moment of anger and resentment, and during something resembling a struggle with Brough, she retaliated by wounding him with this pin; the pin that she was wearing, and which in the hands of an angry man or woman is of course capable of being used as a deadly weapon.

"She says she did not do so. She admits under cross examination that she may have struck at Brough, trying to free herself, but not with the pin. You will have, therefore, to decide whether you believe her. And you will ask yourselves whether also it is possible that she could have done such a thing without knowing it, in the anger and excitement of the encounter. She has told you that she fainted and that she cannot give a clear account of the affair. Has she told you the truth?"

"If you conclude there is sufficient evidence for you to decide that it was Jill Seaton who dealt that wound, it will be for you to consider whether there was justification, for that must affect your verdict. "I must warn you at this point

Coming Sunday MILTON SILLS in "I WANT MY MAN"

JAMES J. CROSSLEY of Portland, Oregon Hereby announces that he is a candidate for the Republican nomination for U. S. Senator at the May, 1926, Primaries.

OFFICE FURNITURE and FIXTURES SOLD IN BEND



It is no longer necessary for you to send out of Central Oregon and experience delays in the installation and replacing of office fixtures, furniture and supplies. We carry Globe-Wernicke and such other lines and our prices are as low as you can purchase these articles anywhere.

Pilot Butte Pharmacy

"Service Unsurpassed—Stock Complete" 917 Wall St., next to Postoffice Phone 555

CLOSED AFTER NOON TOMORROW Bend Day at the Deschutes County Fair

that no citizen can at law be held justified in killing or wounding a fellow creature except in actual defense of life. No such plea has been made either by or on behalf of Jill Seaton. Her answer is a denial of the charge. It is alleged that there was an altercation and a quarrel. But there is no suggestion that her life was in any danger during that quarrel.

Success lies not so much in finding a suitable place as in making yourself suitable for the place you have found.

ELITE STUDIO Upstairs, corner Wall and Oregon ROY VAN VLEET, Prop. CLOSED After 12 Noon Friday, Bend Day at the Deschutes County Fair



BOYS! Keep Aerials Away from Power Lines

- Don't attach any wires or nail any posts to an electric pole. Don't string aerials over or near electric wires. Don't string aerials through the trees in such a way that a storm or falling branch might drag the aerial across the power line. Don't feed your aerial or antenna through a window when there are electric wires nearby going into the house.

Bend Water, Light & Power Co.



THE HOME TOWN

He lived in Mudville long, and always ran it down; the adjectives were strong with which he scored the town. "It is too dead to skin," he said, in accents sad; "no delegate can win a roll in such a grad. The main street's green with grass, so little traffic's here, and strangers, as they pass, can only josh and jeer. I'd like to move away, to Punktown-in-the-Dell; there life is fine and gay, there only boosters dwell. That Punktown village grows, while Mudville's standing still, and there the wise man goes, if he can foot the bill." At last this grouchy gent to Punktown made his way, and there his discontent was voiced day after day. "This town's a false alarm, it's hoodooed, sure," said he; "it has no sort of charm, it gives a pain to me. Deary Mudville was my home, a village sweet and fair, and bats were in my dome when I pulled out of there. In Mudville there's a chance for every honest guy to prosper and advance, and put some money by. That town is up to date, it booms forevermore, there's work for every skate, and credit at the store." "Go back to Mudville, then," the Punktown people cried; "we have no use for men who can't be satisfied." And so he journeyed there, and paced the Mudville street, and started in to swear that Punktown can't be beat. They ran him out of town; what burg can stand the lad who always runs it down, and boosts the other grad?

Albers Carnation Mush. Illustration of a man looking at a can of Carnation Mush. Text: 'Albers stands for Better Breakfasts' The grocer who sells you Carnation Mush sells you Nature's first and finest food—whole wheat—in fragrant, flaky form!