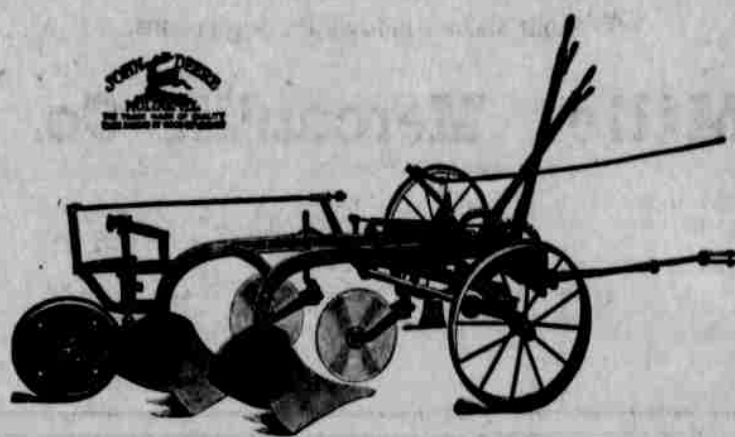




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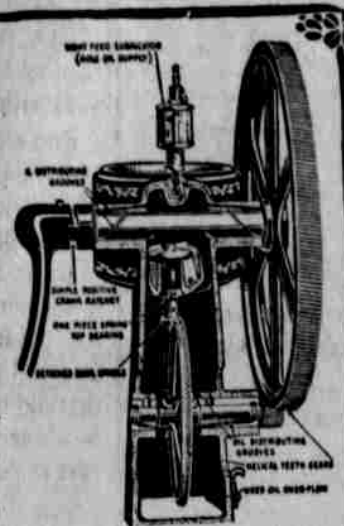
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WINEGAR & LORENCE, Monmouth

A Self Confessed Criminal

The Law and the Facts in Her
Case.

By EDWARD BLAKE

A lawyer, especially a criminal lawyer, has often great difficulty in learning from his client the exact facts in a case for which he is retained. The lawyer should know whether or no his client, if accused of a crime, is guilty or innocent. Soon after I began to practice my profession I was retained by a woman accused of forgery. I asked her if she was innocent, and she confessed that she was guilty. I submitted a similar hypothetical case to the judge before whom the woman was to be tried and asked him whether it was my duty, knowing her to be guilty, to defend her or refuse to do so.

His reply was that it was my duty to defend her; that it was the business of the jury, not the attorney nor the judge, to determine the matter of guilt or innocence.

Mrs. Rebecca Irwin, my self confessed client, was a very feminine person, but back of her femininity was evidently a certain peculiar strength. I would take her rather for one to give away what she had than to take money from another, especially dishonestly. She was somewhere between thirty and forty years old and a very pretty woman. I became interested in my client at once.

The crime was forging a check of Edgar Jones, payable to himself. When the forgery was discovered and reported the officers of the bank, suspecting that some one of the bank's clerks had something to do with the fraud, employed a detective to investigate the matter. He was at work on the case when my client went to the president of the bank and confessed that she had made the forged check and had drawn the money.

I entered a plea of not guilty for my client and called in two experts in chirography to pass upon the writing. The body of the check was in one hand, while the signatures were in another. My experts stated that the writing in the body was something similar to that of my client, but they pronounced the signatures to have been made by another person from the filler of the paper and certainly not that of my client. The prosecuting attorney's experts declared that my client had both filled in the check and written the signatures.

What puzzled me was that Mrs. Irwin manifested no interest in securing an acquittal. She said she felt that she had committed a sin and could never hope to obtain any mental comfort in the matter till she had paid the penalty. Her actions were so strangely at variance with her confession that I was forced to the conclusion that she was laboring under a hallucination. Without intimating to her my object I asked her for information as to her family record, thinking I might discover that there was insanity in her family which had cropped out in her. She resolutely declined to assist me in the matter, but I hunted up a cousin of hers, who informed me that a maternal grandmother of his own and Mrs. Irwin's had in her old age fancied herself to be troubled with malignant spirits.

Acting upon this, I called in alienists, hoping to prove by them an abnormal mental condition on the part of my client. The first alienist who examined her pronounced her in perfect health in every respect, including her mind. The second, after a great deal of cross questioning, in which he was endeavoring to fulfill a theory, gave it as his opinion that she had received at some time a severe shock which might have produced mental aberration.

Never did an attorney get hold of a more puzzling case, and both judge and jury were similarly affected. As for me my sympathies were so far enlisted for my client that I could not fix my mind on any other subject. If she were of sound mind and guilty of the crime there was something unusual, something no-

ble, in her desire to expiate it. If she were not of sound mind and not guilty, the mystery of the case was sufficient to enlist one's deepest interest.

The result of all this was that I fell in love with my client. She was fully ten years my senior, a widow, and living on the slenderest income. None of these considerations was in itself sufficient to prevent my loving her or marrying her, but to feel that my happiness was dependent upon a union with a self confessed forger was sufficient to drive me to insanity.

The jury was obliged to bring in a verdict of guilty, but recommended the culprit to mercy. The consequence was that in sentencing her the judge gave her the lightest sentence possible within the law. He condemned her to serve a term of six months in the state penitentiary.

That a woman I had come to love should spend one minute behind bars was not only abhorrent to me, but it unbalanced my equanimity. I at once moved for a new trial, then when alone with my client confessed my love for her.

She was strangely moved by my confession. It seemed to give her both happiness and misery. When I asked her as to her feelings toward me she broke down, weeping profusely, but gave no answer. When she had quieted she begged me to let the sentence of the court stand. She would serve her term and the suspense would be ended.

I would not agree to this. I obtained a new trial, which could not be brought to pass for several months, but the judge was willing to accept bail, and I furnished the necessary amount myself, so that my client's liberty until the case was finally closed was not in question.

One morning the president of the bank on which the forged check had been drawn sent for me. I went at once to see him. He took me into his private office and said to me:

"This case of yours in the matter of the state against Mrs. Rebecca Irwin is a very singular one. Do you know that your client is not guilty?"

"I believe it, but I can't prove it. And this fact is driving me mad."

"You don't need to prove it. We have the proof here in the bank."

"What do you mean?"

"Listen. From the first we have had a detective working on the case. When Mrs. Irwin confessed I told him that there was no further use for his services. He replied that the case would prove to be a mystery and that he had got hold of a clew which might lead to its solution. Of course I told him to go ahead. He claimed that Mrs. Irwin's confession, turning suspicion from the real culprit, would aid him (the detective) greatly in prosecuting his investigations.

"Well, he has just made a report. It is this: One of our clerks named Dixon, a youngster of twenty, is the forger. He has been friendly with Julian Irwin, aged sixteen, the son of the self accused woman."

"What!" I interrupted. "She never told me she had a son."

"Young Irwin was one day scribbling on some blank checks. Dixon got hold of one of those checks, the body of which was filled in, the name of the drawer of the check and the person to whom it was made payable alone being wanting. Dixon filled in the name and made the indorsement and a long while afterward asked Irwin as a favor to draw the money."

"When Irwin, though innocent, found himself implicated in the matter he went to his mother and told her the circumstances. An attorney was consulted, who told the mother and son that if Dixon was prosecuted Irwin must stand trial for forgery, with the probability of conviction, for Dixon would doubtless try to throw the whole responsibility on the boy he had made his tool."

"I see it all. But go on."

"To hush the matter up, thus saving her son from a blighted life, his mother confessed herself a forger."

"God bless her!" I exclaimed. "She tried to conceal her nobility from me, but failed. My client has not yet been informed of this discovery?" I asked.

"No. You are the only person thus far, besides myself, to know it."

Getting from him the address of young Irwin, I called a carriage and drove to where he was employed

and told him I wished him to go with me to his mother. He did so, and I announced to both that there was no necessity for further mystery, since the case had been worked out to a finish. Their first act after the announcement was to spring into each other's arms. Mrs. Irwin had persuaded her son to make no opposition to her course, assuring him that she would never have to go to prison.

And so it was that I fell in love with a confessed forger and married a noble woman.

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