

# WEEKLY EDITION THE BEND BULLETIN.

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BEND, DESCHUTES COUNTY, OREGON, THURSDAY, NOVEMBER 25, 1920.

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## IMPASSIONED DENIAL MADE BY PRISONER

### LIFE IMPRISONMENT IS SENTENCE

## AFFIRMS INNOCENCE

#### A. J. Weston, Convicted of Krug Murder, Sobs That He Is Victim of Revenge—Would Carry Own Commitment to Penitentiary

In a dramatic statement, made just before sentence was passed by Circuit Judge T. E. J. Duffy at the opening of the afternoon session of court on Wednesday, A. J. Weston, convicted murderer of Robert H. Krug, declared his innocence, asserted that he is the victim of a revengeful plot, then offered to deliver his commitment in person to the warden of the penitentiary at Salem. As the penalty for second degree murder, Weston was sentenced to imprisonment for the remainder of his natural life.

The courtroom was crowded, many standing, as Weston entered, under guard, and took his seat. The prisoner was fighting hard to repress visible evidences of his intense nervousness, but the strain under which he was laboring was shown by constant working of the fingers, and an incessant rocking to and fro in his chair. He bit his lip and forced a smile as he nodded to an acquaintance in the room. His eyes were red from the sleepless nights spent since his conviction.

#### Plea of Innocence Sobbed.

At the command of Judge Duffy, the prisoner rose and heard the judge extend to him the customary privilege of being allowed to speak in his own behalf before the passing of sentence.

"I can say this, truthfully and in all sincerity, that you are passing judgment on an innocent man," Weston half sobbed, his voice rising to a high pitch. He raised his hands in appeal as he spoke. "It is only revenge; it's too bad you can't hang me. If you will give me my commitment, I will deliver it in person. Help yourself, that's all I can say."

The prisoner dried his eyes, then stood with folded arms, eyes at first downcast, then looking up as Judge Duffy quietly informed him that his plea could not be considered as a reason for a stay of judgment.

#### To Wear "Oregon Boot."

"It's all right, your honor," he declared resignedly, then stood impassively, making scarcely a sign that he heard as the sentence of the court was pronounced. He resumed his seat at a word from his attorney, and a moment later was taken out by his guards to reenter his cell.

The time for Weston's departure for Salem has not been definitely determined. Sheriff S. E. Roberts stated after the iron door had closed behind Deschutes county's first convicted murderer. When he goes, however, he will wear an "Oregon boot" and will be accompanied by the sheriff and by at least one other guard.

The prisoner's attorneys have abandoned their plans for a motion for a new trial and will instead appeal directly to the supreme court, Allan R. Joy, one of Weston's representatives in the recent trial stated.

## AUTO CASE IS SENT TO JUVENILE COURT

The case of Marlon O. Arnett, charged with stealing an auto belonging to E. R. Culey of this city, has been turned over to the juvenile court. Arnett was arrested in Portland and returned to Bend Tuesday. He carried a chauffeur's license which gave his age as 19 years, but he admitted in justice court that he is only 15. Birth records bore out his admission.

## COMPLETION OF HIGHWAY NEAR; WORK IS RAPID

### FIRST GRAVEL COURSE ALMOST TO BEND

#### SYSTEM IS EFFICIENT

#### Finish Course Expected To Be Laid Between Here and Redmond By Christmas Time—Quick Packing Road Material Is Used.

Laying the first course of gravel on the Dalles-California highway from the pit on the Ovid Riley land in to the point near the city limits, where the Oskar Huber crew is still at work completing Huber's grading contract, was finished Wednesday and the second surfacing course will be started at once. The contractors, Wickner, Sharp & Childahl, now have 15 auto trucks working, carrying approximately five tons to a load, and laying completed road at the rate of a quarter of a mile a day. Not satisfied with this, however, Mr. Childahl has eight more trucks on the way, and expects to have the highway finished between Bend and the present end of the gravel, a mile and a half from Redmond, by Christmas.

All of this part of the work will be taken care of from the Riley pit, the remaining mile and a half to Redmond and the six miles of graveling beyond to be taken care of from gravel deposits near Redmond.

#### Gravel Binds Rapidly.

The contractors declare that the gravel taken from the Riley pit is the best for road-building purposes they have ever had experience with in Oregon. It binds so rapidly that, although only the first four-inch course has been laid, with no finishing layer, the road is now almost as hard as a paved highway. Gravel from the C. O. I. deposit has not shown such excellent binding qualities, but the section of the highway on which it has been used—north from the Swalley ditch, will be in excellent condition by spring, as the road is to be worked and the gravel surfacing shaped throughout the winter.

The top course of gravel on this section of the highway is still somewhat loose and the contractors warn autists against attempting to make sudden turns. There is really no reason why machines should not turn out when a safe distance separates them, it is pointed out, as this part of the highway is almost without curves. Sudden turning by the driver, at this stage in the construction of the road, frequently results in the machine going off the grade, or at least stalling. By spring, the entire stretch of highway will be in excellent shape, and H. F. Wickner of the contracting company, predicts that there will be no difficulty whatever in driving the 16½ miles to which the distance between the Bend and Redmond city limits has been reduced, in less than 30 minutes.

#### Efficient System Used.

The development of a highly efficient system is responsible for the rapid progress made by the contractors in graveling the recently completed grade, a visit to the pit on the Riley land showed yesterday. Scrapers, 18 or 20 of them, are employed constantly, bringing the gravel to the top of a trap, from which it is dumped into the waiting truck beneath. On the short hauls, a truck is loaded and sent out every two minutes, meaning a ton of gravel placed on the highway every 24 seconds. This time is made possible by the fact that two traps are used.

The system is elastic, for, on the longer hauls, the scrapers and teams that would otherwise be kept waiting are employed in stripping the layer of soil from extensions of the gravel deposit which may be needed later. The work on the highway and at the pit is under the personal supervision of A. L. Chindahl.

## CLUB MEETING TO BE FRIDAY

### MEMBERS' FORUM WILL DISCUSS ROADS

#### Subject of Irrigation Considered At Last Night's Session, And Appointment of Special Committee Is Provided By Resolution.

The second members' forum meeting to be held by the newly organized Bend Commercial club is scheduled for 7:30 o'clock Friday evening, November 26, at the Hippodrome, with A. J. Goggans presiding. H. J. Overturf, chosen in the last elections as one of the representatives to the legislature from this district, will lead the discussion on the subject of good roads. In addition to the discussion there will be entertainment features and refreshments.

With A. Whelan presiding, the first forum meeting of the club was held at the Hippodrome on Monday, the subject of irrigation being discussed under the leadership of R. W. Sawyer. The attendance was larger than usual for such gatherings, the interest being taken evidencing itself in the number of persons on hand who have hitherto paid slight attention to club proceedings.

Discussion centered about the Deschutes project and an interesting talk was given by Fred N. Wallace in explanation of the action now sought for reservoir repair and extension of the Tumalo project. A resolution was adopted authorizing the executive board to name a special committee to stimulate greater interest in irrigation development.

## ONLY ONE DEFECTIVE FOUND IN SCHOOLS

Only one mentally defective child was found by Miss Ruth Montgomery of the University of Oregon in her survey of the Reid and Kenwood grade schools, it was reported Wednesday by City Superintendent S. W. Moore. Group tests had already been conducted in the city schools and Miss Montgomery's individual tests were based on the results previously obtained. The percentage of normal pupils is considered unusually high.

## LUMBER DUE TO RECOVER SOON FROM PRESENT SLUMP BELIEVED

Representative lumber manufacturers, wholesalers and retailers of the Pacific coast express the view that the lumber industry will soon recover from its present slump, states a news story in the Oregonian, under a Tacoma date line.

The belief is expressed that the marked housing shortage throughout the country will be the cause of a renewed demand for lumber and that conditions in the lumber-producing industry will begin to show improvement after the first of the new year. The poll was taken by the American Lumberman.

"This country must have homes. The building program depends on the ability of the carriers to transport lumber to consuming territory," said the Weyerhaeuser Sales company of Spokane. "Railroads are short both rolling stock and motive power. Such equipment as they have must be utilized constantly if the great need for building is to be supplied. Lumber is now selling at producing points at one-half to two-thirds of prices that prevailed in 1920. Widespread prosperity, caused by a big crop sold at high prices, and steady employment of labor at big wages, have put in the hands of the people tremendous purchasing power, which means a big consumption of lumber."

A. C. Dixon, manager of the Booth-Kelly Lumber company of Eugene and vice president of the West Coast Lumbermen's association, said: "The result of the election, in my opinion, will not have any immediate effect

## IMPORTANCE OF FARMING SEEN

### CENSUS FIGURES FOR COUNTY GIVEN

#### 751 Farms in Deschutes With Value of \$5,120,000, Federal Enumerator Finds—Stock and Crop Resources Are Large.

The importance of farming in Deschutes county is shown by preliminary figures given by the census of agriculture for this part of the state, made in connection with the 1920 government enumeration of population. These figures show 751 farms in the county, all but one of which are operated by white men. Of the total, 646 are operated by owners or managers and 105 by tenants. The total acreage in farm lands is given as 144,979, with 51,744 acres listed as improved. Value of land and buildings on the farms of the county is set at \$5,120,960.

The census finds that 643 of the farms report domestic animals and lists the stock reported as follows: Horses, 3278; mules, 103; cattle, 11,616; sheep, 13,192; swine, 1774.

Acreage in principal crops, up to the time the census was completed, was: Rye, 1667; wheat, 1166; oats, 927; hay, 24,981; and potatoes, 1226. As the result of the work represented by these figures, 9300 bushels of rye, 14,654 bushels of wheat, 20,631 bushels of oats, 32,062 tons of hay, and 83,489 bushels of potatoes were harvested.

The same report finds a total of 572 farms in Jefferson county, of which 277 are rented, 440,926 acres in farm land, 132,812 acres of which the improved. The total value of Jefferson county farm lands and buildings is set at \$6,026,310. Wheat comprises the greater part of the acreage under cultivation.

## TO TRY McDONALD CASE NEXT SPRING

Due to the fact that the state's evidence had not been fully prepared, the case against Ed McDonald, charged with stealing an automobile belonging to A. R. Davis of this city, has been continued until the spring term of court by order of Circuit Judge Duffy.

## Hog Market Hits Lowest Price In Four Years Time

(By United Press to The Bend Bulletin)

KANSAS CITY, Nov. 19. — The decline in the hog market here continued today. Prices ranged from \$11 to \$11.65 per 100 pounds, a new low mark for the last four years.

#### SLUMP IS GENERAL

CHICAGO, Nov. 19. — Hog prices slumped again today on the leading livestock exchanges of the country, new low levels since 1917 being established. Cleveland reported the biggest drop, the market falling off 65 cents at the opening. It is predicted that prices will go still lower, due to the drop in the price of corn.

## BEND REALTY VALUES GAIN

#### BUSINESS SITE SOLD LESS THAN A YEAR AGO FOR \$5,500, REPURCHASED FROM W. R. SPECK FOR \$3,000 MORE.

A business site, bought less than a year ago by William R. Speck from the Central Oregon Realty Co. for \$5500, was repurchased by the realtors Friday for \$3000 in advance of that price for San Francisco clients, Mr. Speck has announced. The lot is opposite the Pilot Butte Inn, on the corner of Wall and Greenwood, and is now occupied by the M. & C. service station.

Among other deals handled through the Central Oregon Realty Co. are the purchase of the H. O. Snider property on St. Helens drive by Ed Hessel of McMinnville, for \$4000; the transfer of the J. H. Henderson residence on Lake place to C. W. Allison, formerly of Lebanon, at a consideration of \$1850, and the sale by R. Sanders of his home on Division street to Mrs. Emma A. street for \$1750.

## ED HALVORSEN FOUND GUILTY

#### JURY MODIFIES CHARGE REFERRED IN INDICTMENT, FINDING VERDICT OF ASSAULT AND BATTERY.

Ed Halvorsen was found guilty in circuit court Tuesday afternoon of assault and battery, committed last May against G. W. Brown, rancher near Bend. The verdict, which was returned in three hours after the jury had been instructed, was a modification of the indictment found by the grand jury, charging assault with a dangerous weapon, under which Halvorsen was tried. Sentence will be passed Friday. Halvorsen is also defendant in a civil action, in which Brown is plaintiff, and in which upwards of \$5000 damages is asked for injuries alleged to have been received by Brown in his encounter with the defendant.

## FIRST OFFENSE IS SUCCESSFUL PLEA

#### Took Only Two Drinks, George Martin Tells Police Judge—Suspended Jail Sentence Is Passed.

It was his first offense, George Martin, rancher near Bend, pleaded yesterday when he was arraigned before Miss Nell Markel, police judge, on a charge of drunkenness and disorderly conduct. Martin had only taken two drinks, he said, but the result was much more disconcerting than he had expected. A 20-day suspended jail sentence was the penalty imposed.

Martin was arrested Tuesday night when he was vainly endeavoring to steer a straight course by the North star, while progressing up Bond street. Officer McDonald was his captor.

## A. J. WESTON LOSES CASE, NERVE GOES

### SOBS AND PROTESTS INNOCENCE

## JURY OUT 17 HOURS

#### Convicted Murderer of Robert H. Krug Remains Calm As He Hears Verdict, But Breaks Down Utterly In His Cell In Jail.

Deschutes county's first accused killer was convicted of the crime of murder in the second degree Sunday afternoon when, at 21 minutes to 5, the jury in the case of A. J. Weston brought in a verdict of "Guilty as charged." Weston took the decision unflinchingly, showing no change of expression, and merely shaking his head slightly as the verdict was read by County Clerk J. H. Haner.

Weston's iron nerve was shattered, however, by the ordeal through which he had passed, and he broke down utterly in his cell early in the evening. He sobbed like a child, and his jailer, E. W. Gurney, heard him declare his innocence and cry that he would sooner walk out of his cell and step into his coffin than to go to the penitentiary for life. A visit from his attorneys cheered him somewhat. He ate nothing Sunday night, slept not at all, and Monday morning continued his fast. He ordered ham and eggs for breakfast, but did not touch the food. He has aged 10 years since the day he took the witness stand.

#### August Krug Pleased.

August Krug, brother of Robert H. Krug of Sisters, whom Weston was charged with killing, heard the verdict and appeared satisfied with the decision. Afterward he shook Sheriff S. E. Roberts warmly by the hand, thanking him for the long investigation which resulted in Weston's apprehension and conviction.

Mrs. Weston was not present at Sunday afternoon's brief session. She is grief-stricken over the outcome of the trial. Weston's daughter, Mrs. A. J. Moore, burst into a violent fit of weeping as the verdict was read.

Allan R. Joy, for the defense, insisted on a poll being taken. The decision was confirmed, each juror responding as his name was called: "That is my verdict." Mr. Joy expects to file a motion for a new trial.

#### Many Hear Verdict.

As court adjourned, Weston rose and was taken back to his cell in the county jail. His only comment, made to Rex Haines, his guard, was: "I'll ask you to hang up my coat outside, if you will please." The result of the trial seemed, however, to weigh heavily on the prisoner's mind and he had lost the smile which he wore during the greater part of the hearing.

Time for the passing of sentence has not yet been set.

Following the instructions given by Circuit Judge T. E. J. Duffy, the jury filed out Saturday night at 11 o'clock. The crowd, which had jammed the courtroom throughout the trial, was somewhat diminished, but the seats were still full until 12:30 o'clock Sunday morning, when it became apparent that the verdict could not be speedily arrived at. A few hours before noon Sunday, word was sent to the judge that an agreement could not be reached. His reply was that a verdict must be found. Many who had heard the testimony loitered about the courthouse all day Sunday, and when the verdict was handed to the bailiff by Foreman George Gove, every seat in the courtroom was filled.

#### Evidence Is Halted.

The case closed with the presentation of arguments by attorneys for state and defense, ending shortly after 10:30 o'clock Saturday night.

(Continued on page 6.)