

# WEEKLY EDITION THE BEND BULLETIN.

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## ED HALVORSON CASE OPENS IN CIRCUIT COURT

### Defendant Regards Outcome as "Walk Away"

## JURORS PASS EASILY

### Attorneys Start Addresses in Garrett Murder Trial Today—Circumstantial Evidence to Feature Case

Confident of a favorable outcome of the case, and rather pleased than otherwise over the opportunity for a final hearing, Ed Halvorson, pioneer rancher of the Bend country, sat calmly in circuit court yesterday during the selection of the jury which will determine his guilt or innocence of the charge of second degree murder of Willard Garrett.

"I think it is a walk away, don't you?" Halvorson said as he talked with a Bulletin reporter during the morning recess. He welcomed the chance of clearing his record, he said, and the trial is doubly welcome to him after his confinement in the county jail. He has lost much of his strength while in jail because of lack of exercise, he said.

Halvorson watched prospective jurors closely as they were being examined.

### Demurrer Overruled

At the opening of the case Wednesday, Judge T. E. J. Duffy overruled a demurrer setting forth that the indictment did not allege facts sufficient to constitute the crime charged, and that commission of more than one crime is charged.

Introduction of testimony began at the opening of court Thursday morning, the rapidly with which the jury is being examined indicating that this phase of the case would be concluded this afternoon in time for attorneys to deliver their opening addresses.

### Jury Examination Rapid

Questioning of veniremen progressed with much greater rapidity than is usual in cases of the kind. Up to the morning recess, six had been examined, and five passed for cause. Ralph Curtis, the first juror drawn, was excused because of a fixed opinion as to the guilt or innocence of the defendant, and Blaine Garner, William Montgomery, E. W. Gurney, E. J. Dougherty and A. J. Goggans were accepted by both state and defense, subject to later possible peremptory challenges.

Following the recess, L. S. Sillery, Elmer Lehnher, Tom Vedder, K. E. Sawyer, G. A. Lemke, Vernon R. Manny and L. E. Seelye were passed for cause, John Farrell, R. V. Randall and C. L. Mannheimer being excused by the court on motion of the defense. Dougherty was challenged by the defense, and George Bates, drawn to take his place, was passed for cause. The defense excused Vedder, and the name of R. A. Meek was drawn.

### New Venire Required

Meek was examined and passed after noon. The state removed Goggans, and Byron Royce was drawn and passed. The defense excused Gurney, then excused Frank May after he had been passed for cause. After C. E. McIne had been passed, the state excused Montgomery. M. L. Crow was drawn and excused for cause on the state's motion. A Stipe was passed for cause and was removed by the defense.

The defense waived its next peremptory, and on the state's excusing Garner, H. J. Power was drawn and passed for cause. This exhausted the venire. The defense again waived its peremptory, and when the state excused Seelye, the court ordered the drawing of the second extra venire. The jury was completed last night, and opening addresses to the jury were given this morning.

That the state will rely to a large extent on circumstantial evidence in its effort to secure a conviction was indicated by the questions put by H. De Armond, associated with L. H. Mahan, special prosecutor, and A. Moore, district attorney. E. O. Stadter and Denton G. Burdick are representing the defendant.

## FOREST HERBARIUM HAS MANY SPECIES

### Study of Flora Offers Valuable Check on Use or Misuse of Grazing Areas

One hundred and sixty-nine separate genera and more than 200 different species are included in the collection of plant specimens gathered in the office of the supervisor of the Deschutes national forest. The herbarium, which includes only plants gathered on the east side of the Cascade divide between Mount Jefferson and Crater Lake national park is in charge of Forest Examiner Jack Horton.

In the herbarium are 47 different species of grasses, 21 different grass-like plants, such as sedges and rushes, 185 nongrasslike plants, and 47 trees and shrubs.

All plants are mounted and have rather complete economic notes attached. They are filed in such a manner as to allow any specimen to be located quickly and easily. They are available for public reference at any time.

Study of the vegetation within the forest, explains Horton, affords a valuable check on whether the range is being properly used or overgrazed.

An increase in the number of certain classes of plants indicates that the grasses are suffering from overstocking of the range, and steps may be at once taken to remedy the difficulty.

## MEN CONFESS TO ROBBERIES

### Prisoners Taken in Portland Admit Logging Camp Holdup

PORTLAND, Nov. 16. — Ernest Crabtree and Wayne Dimmick, members of families well known in Oregon, yesterday confessed to the holdup at Shevlin-Hixon Camp No. 1, near Bend, along with seven other robbers recently committed in Oregon. They were arrested in an automobile sales room in Portland, when they were attempting to turn back to the dealers the car they had used in their robberies, planning to quit the life of crime and go to work in a logging camp, they said. Crabtree gave at first the name of C. E. Stevenson, and Dimmick that of David A. Mason. Crabtree is 38 years of age, and Dimmick 22. Crabtree is charged in Portland with slashing his wife's cheeks with a knife, when she refused to live with him last July.

Knowing that the 10th of the month was payday and expecting a large haul, the men cut the telephone wires leading to Bend from Shevlin-Hixon Camp No. 1, and then broke into the poker game, forced one of the players to rifle the pockets of the others, and made away with \$220, the men confessed.

Other robberies to which they confessed were that of a store at Warren, the holdup of a Mount Scott pedestrian, from whom they took 30 cents, the holdup of a street car in Salem, holdup of a store proprietor in Crabtree, Oregon, named after Crabtree's grandfather, robbery of stores at Hopewell and Perrydale, and the looting of a store in Hood River while election ballots were being counted in another part of the store.

## SALVATION ARMY WORKERS ARRIVE

To open active Salvation Army work in Bend, Captain L. S. Broadbent and Mrs. Broadbent arrived in Bend yesterday. As soon as furniture arrives for their meeting hall on the corner of Wall and Oregon streets, they will announce an opening meeting, the captain stated.

An endeavor to cooperate with all of the local organizations will be made by the Salvation Army. Captain Broadbent stated at the Commercial club luncheon. Its work will be first that of protection of women; second, that of social work among the men; and third, religious, he explained.

## BULBS ARE RECEIVED FOR PRIZE WINNERS

Bulbs awarded for prizes in the Bend flower show this year have arrived, and may now be secured by calling at the Riverside Florists, Mrs. W. P. Myers, who had charge of the show, announces.

## ISOLATE MANY IN EFFORT TO STOP DISEASE

### 52 Pupils Held Under Precautionary Quarantine

## BOARD GIVES ORDERS

### Children Exposed to Scarlet Fever in Reid School Must Be Kept Home for 10 Days—Closing of Building Avoided

Because of the increased prevalence of scarlet fever, and indications that it is being spread largely by pupils, orders were issued Tuesday by City Physician C. A. Fowler for the quarantine for 10 days of all children in the Fifth A and Fifth B grades of the Reid school, two cases of the disease having been detected in these grades. At first it had been intended to close the entire school, but following a meeting of the school board, Miss Nellie Tift, principal, and the city physician, it was decided that a less drastic measure might prove sufficient. The room in which the two pupils contracting the disease were registered, was fumigated Monday night.

Pupils in other schools, coming from homes in which the precautionary quarantine is being enforced, will not be permitted to attend classes until the 10 day period has passed, and then only if the home is found to be free of the disease. City Superintendent G. W. Ager emphasizes.

Fifty-two pupils from the Reid in addition to those actually confined with scarlet fever, are under quarantine.

Miss Grace MacDowell, nurse for the county health association, inspected at the Kenwood school yesterday and at the Reid.

Homes quarantined included those of H. E. Allen and Sylvester Staats. There are 17 cases under quarantine.

## JURY'S VERDICT FREES DANMEIER

### Charge of Assault Disproved—Agreement Reached Late at Night

A verdict of not guilty was brought in shortly before midnight Tuesday night by the jury in the case of Walter Danmeier, who was charged with assault and battery on Owen Thompson, as the sequel to an encounter at the O'Neil & Johnson cigar store on the morning of November 12. Danmeier was represented by R. M. Turner, and the state by District Attorney A. J. Moore.

Thompson, Lee Anderson and H. Stearns were witnesses for the state, and Mearle Barber, Joe Pival and Danmeier for the defense. Danmeier's corroborated testimony was to the effect that he had launched a blow at Thompson, and then seized a chair, only after Thompson had started to reach for a weapon.

Thompson's declaration was that he drew his gun after Danmeier had struck him and rushed him with the uplifted chair.

## ATTEMPT TO RESTORE CHILD'S LOST SIGHT

### County Nurse and Red Cross Official Accompany Twelve Year Old Girl to Portland

Further treatment for 12 year old Genevieve Nelson, Tumalo girl who suddenly lost the sight of one eye, will be necessary, it was learned Tuesday night, following the return to Bend from Portland of Miss Grace MacDowell, county nurse, and Mrs. V. A. Forbes, of the home service section of the American Red Cross. Miss MacDowell and Mrs. Forbes had accompanied the child to Portland.

Elsie Giltner, suffering from the effects of infantile paralysis, was also taken to Portland and remedial treatment given, and Mrs. Thelma Lilley, under a diagnosis of tuberculosis, was accompanied as far as Portland before being returned to her home in Los Angeles.

## SHEVLIN-HIXON MILL EXTERIOR FINISHED SOON

### First Machinery to Arrive Within 2 Weeks

## WORK IS SPEEDED UP

### Framework of New Unit Completed, Will Be Covered by Saturday—Machine Shop Busy—New Welder in Operation

Exterior construction of the new unit of the Shevlin-Hixon mill will be completed this week except for windows, it was predicted yesterday by Mechanical Engineer G. A. Horstkotte, in charge of erecting the building. He has rushed work up to this point in order to have the structure covered before any bad storms should occur. Fifty men are now employed on the building. The framework of the mill structure is all in place, and much of the siding has been done.

No machinery has been received to date, but the first shipment should come within two weeks, Horstkotte stated. March 1 was set as the late for the mill to be ready for operation, and it should be easily completed by that time, Horstkotte stated. Less than a month has seen the entire framework put in place.

Construction of a new green chain is included in the plans for the new mill, the lumber for the yard being pulled off from the new chain, directly in the rear of the unit, while that for the stacker is to be conveyed on the present chain.

The present lath mill will be used, some rearrangement being necessary, the slabs and edgings from the new unit being cut up on the slasher in the present No. 2 mill. The large burner now in use will handle the waste from all three units, although if it should not, the old burner could be utilized.

Some dredging will be necessary for the approach to the log slip, which will be exactly like those on the present units.

### Kilns Now in Use

Some of the new dry kilns which have been under construction are now in use, and the entire new battery will be operating by the end of the next week.

The Shevlin-Hixon machine shop is running at full speed, getting ready for the work which will be necessary in connection with installing machinery in the new mill and also for the annual overhauling of the old mills, which will be fairly complete at the same time that only a brief shutdown is planned. New trucks have already been prepared for all of the carriages.

Repair work is expedited by the recent installation at the roundhouse of electric arc welding equipment in addition to the acetylene welder formerly used. The electric welder does away with the necessity of heating the material previous to welding, and the broken parts are joined so perfectly that the break can hardly be detected, employes state.

## DESCHUTES BOY IN LAST COLLEGE YEAR

CORVALLIS, Nov. 16. — William U. McCormack, son of Mr. and Mrs. W. K. McCormack of Deschutes, is a senior student in the school of agriculture. He has been quite active in student and class affairs. During his sophomore year in college he was forensic manager of his class, advertising manager for the junior annual during his junior year, and this year he is chairman of the student body social committee.

McCormack is specializing in agricultural economics, designed to give the student special training in rural leadership.

## SIX NEW MEMBERS RECEIVED BY CLUB

Applications of six men for membership in the Bend Commercial club were accepted by the directors today. The new members are Dr. Herbert Mallett, M. Murray, George T. Pearce, Oscar Carlson, Thomas E. Lyons and G. W. Ager.

## OVERTURF IS WINNER BY 27 VOTE MARGIN

### Bend Man Takes Third Seat for District in Lower House in Hard Fought Race

Official returns from all counties in the district, the last of which was received yesterday afternoon, give H. J. Overturf of Bend a seat in the 1923 house of representatives, totals showing him to be 27 votes ahead of R. E. Bradbury of Klamath county, who for a time was thought to be safely ahead. The count leaves Overturf in third place among the candidates for the lower house, with Burdick and Ezell first and second, respectively. Overturf had a total of 3,575 and Bradbury 3,548.

The vote by counties stands: Overturf—Deschutes, 1,279; Crook, 385; Jefferson, 309; Klamath, 1,077; Lake, 625.

Bradbury—Deschutes, 1,073; Crook, 401; Jefferson, 250; Klamath, 1,457; Lake, 462.

## JUDGE SCORES GUN CARRYING; PENALTY HEAVY

"More violent deaths come as the result of carrying concealed weapons than from any other cause. The time for such extraordinary measures of protection is past. Action of the kind is a constant temptation to a man to take the law into his own hands. I consider the offense a very serious one indeed."

Such was the summing up of the case of Owen Thompson, given by Circuit Judge T. E. J. Duffy Thursday morning before passing a sentence which went the limit as far as a fine is concerned, and which imposed half the jail term which can be given under the statute. Thompson, who was indicted, and who pleaded guilty after drawing a revolver on Walter Danmeier, must pay \$200 and must serve 30 days in the county jail.

### Protected Money, Excuse

Thompson heard the sentence without a change of expression, and turned to join the sheriff, who escorted him from the court room. The defendant, previous to the pronouncement of judgment, had offered as an excuse the statement that he carried the revolver only to protect his money which he carried home at night from his shop, and on his return in the morning. Had he gone direct to his shop instead of stopping at the O'Neil & Johnson cigar store Sunday morning, the trouble never would have occurred, he said. Judge Duffy declared the excuse utterly inadequate.

The jury in the case of C. R. Gartrell vs. the Bend Garage, a suit to recover \$1,200 damages for a car burned in a recent garage fire, returned a verdict for the defendant.

R. S. Hamilton represented the garage, W. P. Myers appearing for the plaintiff.

## KANSAS OPENS FIGHT ON KLAN

### Attorney General Asks That It Be Ousted From State, and Receiver Named

(By United Press to The Bend Bulletin.)

TOPEKA, Kans., Nov. 22. — The fight on the Ku Klux Klan started here today. The attorney general's office named seven Klan officials, and asked in the supreme court that the Klan be ousted from Kansas and a receiver appointed.

The petition cited the Klan as a Georgia corporation for operating in Kansas without a proper license.

## UNION SERVICE IS THANKSGIVING PLAN

Thanksgiving day, November 30, will be observed by the Protestant churches in Bend in a union service at the Presbyterian church at 10 o'clock a. m. it was announced today. Rev. S. A. Stenseth of the Lutheran church will deliver the sermon. Each of the other ministers will have a part in the service. Special music is being prepared by the Presbyterian choir.

## BEND PROGRESS COMMENTED ON BY HOTEL MAN

### P. R. Brooks Pleased With Development Made

## NEW WING IS HINTED

### Construction to Double Capacity of Inn as Soon as Conditions Entirely Auspicious—Management Wins Praise

Highly pleased with the development which Bend is making and with the assured future of the city in general and of the hotel business in particular, P. R. Brooks of Vancouver, B. C., owner of the Pilot Butte Inn, stated Thursday morning that as soon as conditions are entirely auspicious and the need absolute, he will begin construction of another wing. He was unable to state during his visit here just when such construction would begin. An additional wing, such as was suggested to the Commercial club by Brooks in the course of a visit here several years ago, would virtually double the capacity of the Inn with practically no additional overhead cost on such items as heating, dining room, and living room service.

Both from an inspection of his property and from reports which have come to him from travelers and other hotel men, Brooks is more than satisfied with the management of the Inn under R. M. Wood. "A hotel manager in Portland told me that Mr. Wood is the liveliest man in the business in Oregon outside of Portland," he mentioned, "and I'm rather inclined to believe him."

### To Beautify Property

During his visit in Bend, he made one suggestion as to beautification of the property, which will be carried out at once. The tennis court at the north side of the present building is to be dismantled, the cinders removed, and the ground turned into a lawn. In case of additional construction, this would be the probable site of the new wing.

## INDIAN TIMBER WILL GO SOON

### January 17 Sale Date—Permanent Milling Industry Hope

Sale of more than half a billion feet of timber in the Metolius timber unit on the Warm Springs Indian reservation will be made by the department of the interior on January 17 of next year. Advertising has already been started by the department.

The unit includes some \$4,000 acres of timber with a stand of approximately 526,000,000 feet of yellow and sugar pine, Douglas fir and incense cedar, of which approximately 90 per cent is yellow pine. An excellent mill site may be had on the Deschutes river, where electrical power may be developed for sawmills and logging railroads. Two railroads parallel the river which will afford ample transportation for the manufactured product to Portland and eastern markets.

The Warm Springs Indian reservation contains one of the largest compact bodies of yellow pine timber in the west, estimated at 3,000,000,000 feet, sales of which will be made from time to time. The Indian forest service is now cruising the timber lands and preparing a topographic map of the entire area. There is seen a great opportunity for the permanent location of a large band mill. Besides the Indian timber there are large tracts of private timber holdings which may be purchased.

## QUARTERS SECURED BY SALVATION ARMY

Headquarters on the second floor of the old E. M. Lara building, on the corner of Oregon and Wall, were secured yesterday for the Salvation Army by Brigadier John W. Hay, of the Oregon division, who was here arranging for the arrival of Captain and Mrs. Thomas Broadbent, who will open the work here next week. Hay left last night for Portland.