

What Is The Law?

This column is prepared as a public service by the College of Law, Willamette University, Salem, to explain basic legal principles, not to provide legal advice. The reader is cautioned not to apply these cases to his own problems without an attorney's advice, for differing facts may change the outcome.

EVEN CONFESSED KILLER MAY BE INNOCENT

Joseph was killed by a shot from a gun and death obviously was not a suicide. The death weapon had belonged to the late Karl Dunn and had been in the home of widow Dunn.

Widow Dunn's son, William, tells lawyer Marrow that he committed the homicide and asks Marrow to defend him. The lawyer questions him at some length; and, although the confessed killer is vague, William constantly contends he did the killing because the murdered man had attacked his sister.

Lawyer Undecided

The lawyer realizes a person is presumed innocent until proved guilty, but here is a man who insists he committed the killing. If William ac-

tually did the killing, the lawyer is unsure whether he was sane or insane when it happened. He is unsure whether the act were manslaughter, murder in the second degree (done in the heat of passion), murder in the first degree (premeditated), or a justifiable killing such as self defense.

The lawyer realizes that although taking the case may be an unpopular thing to do, everyone is entitled to being represented in court. From a sense of duty the lawyer takes the case. His fee will be meager because William Dunn is very poor.

William is brought to trial and conviction appears very probable. (What the lawyer does not know is that William is very sure that his mother killed Joseph Johnson.

He is actually trying to protect her, hoping to be convicted only of second degree murder and, by being a model prisoner, to be paroled before long.)

Killing Admitted

The jury is closeted to arrive at a verdict when the widow of the murdered man goes to the judge to tell him she committed the killing. She had had ample motives and had stolen the gun to protect herself from her husband who had had the habit of getting drunk, beating her, and bragging about his affairs with other women.

This case clearly demonstrates that one who appears guilty and confesses to a killing should never be assumed guilty until he is found to be so; and even then he may be innocent. Regardless of the situation, everyone is entitled to representation in court and expert presentation of his case. The lawyer cannot in good conscience refuse a case simply because at the moment it is not the popular thing to do.

Theodore Roosevelt at 42 was the youngest inaugurated as president.



TRUNK MURDER—The body of Mrs. Mary Jean Prestridge, 26, of Fresno, Calif., was discovered in the trunk of her own car, parked and abandoned on a Los Angeles street. Mrs. Prestridge was the mother of two children. She was last seen by her husband July 3; he thought she had gone to visit relatives.

Falling Tree Hits, Kills Portland Man

Portland—(UP)—Charles Edward Seymour, 40, of Portland, was killed when struck by a falling tree Friday as he was clearing a timber and brush-covered lot at S. W. 63rd Ave. and Vermont St. here.

Deputy Sheriff William Forsyth said a loading scoop on a tractor Seymour was operating apparently struck the tree, toppling it on the tractor.

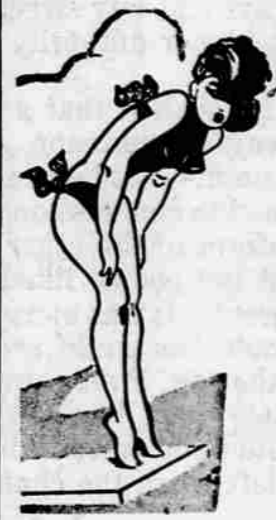
Seymour was struck across the head, knocked off the tractor and killed instantly, the deputy said.

TEEN-AGE MARRIAGES

Memphis, Tenn. (UP)—County school officials are cracking down on teen-aged motherhood and marriage. They announced Friday that henceforth expectant mothers will be permanently ousted from high school. In addition, grade transcripts will be withheld from students who marry secretly.

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MAIL TRIBUNE, Medford, Or. Monday, July 13, 1959 3
The U.S. division of forestry was established in 1880.



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