

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.

Proof of Murder Must Be Beyond a Reasonable Doubt

Most of us have the impression that a man cannot be convicted of murder unless the body of the victim is found. Popularly, it is often thought that a "corpus delicti" is the victim's body. The impression is not correct. The words corpus delicti mean, literally translated, the body of the crime. Stated in another way, it is said that there can be no conviction of a defendant for a crime unless it is first proved that a crime has actually been committed.

In murder cases it is necessary to prove that the victim is dead and that the death was caused by the criminal act of someone other than the victim. This is known as proof of the corpus delicti. The proof must be made beyond a reasonable doubt. In the early history of criminal law, direct evidence of the commission of the crime was, indeed, required; but down through the years the law has changed, so that today the corpus delicti may be proved by circumstantial evidence.

Even though the corpus delicti is proved, the defendant cannot be convicted unless it is proved beyond a reasonable doubt that he is the person who committed the crime. Proof that the defendant is the person who committed the crime is not part of the corpus delicti itself, however. Not long ago the California courts affirmed the conviction for murder of a husband whose wife disappeared. The wife's body was never found. Shortly after the disappearance of the wife the husband began to forge her name to her stock certificates and other securities. Various portions of the wife's personal effects were found burned and buried in the back yard of the home which had been occupied by the husband and wife.

The court held that under all the facts and circumstances the corpus delicti had been proved beyond a reasonable doubt, even though the body of the murdered woman was never found. In other words, the court found that the crime charged, the unlawful killing of a human being by another with malice aforethought, had been committed. The disappearance of a person is not enough; there must be proof of facts leading to the conclusion that the person is dead and met death by the hand of another. The fact of death and the fact that death was caused by a person other than the deceased cannot be established solely by the confession of the defendant made out of court. The corpus delicti may, however, be proved by the out of court confession of the defendant if that confession is corroborated by other facts and circumstances proved at the trial.

This column of general legal principles is presented by the Willamette University College of Law. It is not taken as legal advice. Slight changes in the facts may change the outcome of a case.

Finch To Return To Witness Stand Again on Tuesday

Los Angeles—(UPI)—Dr. R. Bernard Finch returns to the witness box Tuesday and his testimony is expected to take up all of the holiday-shortened week.

Finch, 43, and his 23-year-old mistress Carole Tregoff, are on trial for their lives for the murder in the first degree for the gun shot slaying of his wife Barbara Jean July 18, 1959.

In addition to today's recess in observance of Labor Day, court will recess Friday for California Admission Day. Told of Armistice. Called to the stand Thursday after Miss Tregoff told her story, the greying surgeon related reaching a marital armistice with his wife whereby each could go their own way. He said they reached this decision when their love cooled and a divorce was ruled out because of his practice.

It was then, he said, he began dating Carole, his Auburn-haired medical secretary, and rented a hideaway apartment where they met secretly and were frequently intimate.

Finch, in jail since the day after his wife's body was found, denied "intentionally killing" her when she asked for a divorce and a share of his property once estimated at \$750,000.

Shot Said Accidental. The prosecution contends he and Carole went to the hill-top home in nearby West Covina with a "murder kit" and a plan to take the socialite's life. Finch testified the fatal shot was fired as he attempted to throw the gun away during an argument.

Tuesday will make the 10th week of the second trial, which probably will continue into October. The first trial lasted three months and ended with a hung jury.

Grange Notes

Griffin Creek Grange met recently with Master Herman Kamping presiding. Regular committee reports were not given since it was the social evening.

William D. Arby reported that he finished pruning a tree at the corner of the lot to better enable people using Poorman Creek rd. to see traffic approaching from the left.

Jack Bierma reported on installation of a new water tank since the old one was faulty. A turkey dinner was scheduled Nov. 6 at the Grange hall.

During the lecturer's hour, a discussion of the Cuban situation was held. The meeting was adjourned, and refreshments served. The next meeting will be Thursday, Sept. 8.

Upper Rogue Grange met Thursday, Sept. 1, with Master Eda Torrance presiding. Members voted a donation to the Oregon State Grange to aid in the campaign for the defeat of the daylight saving measure on the November ballot.

It was recommended that a letter be sent to the Jackson County court notifying them of the extremely dangerous condition of the catwalk on the Laurelhurst bridge. Warning posters will be installed at each end of the bridge.

The HEC chairman made reports on the recent rummage sale and announced that the meeting Sept. 8 will be a potluck at 1 p.m. at Torrance's home. Members are urged to attend to make plans for the public dinner Sept. 18.

During the lecturer's hour, Mrs. Torrance and Mrs. Chamberlain displayed their collections of shells and coral and English Toby rugs depicting Dickens' characters.

Mr. and Mrs. Ted Shimek and Mr. and Mrs. Charles Moorehead served refreshments.

Parachute Jumper Didn't Have Time To Describe Fall

Augusta, Ga.—(UPI)—When Teresa Ann Bichmeier, a native of Munich, Germany, married Carl F. Morgan, an ex-U.S. paratrooper in 1955, she promised she would try to follow him in anything he did.

When Morgan became an Army pilot, Mrs. Morgan followed him into the cockpit and learned to fly. When he resumed jumping, she donned a parachute and learned to jump.

Sunday, Mrs. Morgan, 29, was fitted with her parachutes, a small hand microphone and a radio broadcasting set. She climbed into a small plane with pilot Dick Hafner and flew to about 5,300 feet for her third jump. To Describe Sensation. As she fell, she was supposed to describe the sensation to the crowd of 1,500 spectators at Augusta Speedway. But the radio was never used. Mrs. Morgan's parachutes failed to open and she plummeted to her death in a swamp.

"As the pilot explained it," her husband said, "she was on her back when she left the plane. The main parachute couldn't open. On her back she couldn't see the ground she was coming up to. She waited too long to pull the reserve chute rip cord."

Mrs. Morgan's body was found near the racetrack by motorcycle racers who interrupted their race to help find her. Beside her body was the release handle for the emergency parachute. Around her lay the partially opened safety chute.

John Philip Sousa, the United States military band leader and composer who died in 1932, was the son of a Portuguese musician.

Duke of Bedford Takes Third Wife

Woburn, England—(UPI)—The flamboyant Duke of Bedford was married Sunday to his third wife, wealthy French television producer Nicole Millnair who showed up for the ceremony with her four children by a previous marriage.

The duke, 43, and Nicole, 40, slipped out of the duke's tourist-jammed stately home in a grocery truck and were married in a civil ceremony at the registrar's office in Amptill, a village near the Duke's estate, Woburn Abbey. Two of the duke's three children also attended the ceremony.

The duke has won fame in Britain—and displeasure among some of the nobility—by opening his stately home

Fair Weather in Most of Nation

By United Press International. Picnic weather was on tap today for most of the United States.

The U. S. Weather Bureau said few exceptions would cloud generally fair skies. Exceptions included the Florida Peninsula and the Gulf Coast. Eastern North Dakota and Northern Minnesota were due for scattered showers. Isolated rainfall was forecast for Arizona and New Mexico

to tourists to help pay the millions of dollars in inheritance taxes he owed. He was equipped with a jukebox, zoo, espresso bar and once held a nudist convention there.

The duke and the new duchess boarded an airliner unnotified and 45 minutes early for a flight to Venice and a honeymoon.

mountains and the Northwest Pacific states.

Northern Maryland and Pennsylvania - Ohio thunderstorms diminished as Labor Day began. Earlier Toledo, Ohio, had reported 1.87 inches of rain in less than an hour.

Cool air spilled over heated land and produced a band of low clouds and fog from Eastern Minnesota across the Great Lakes into Pennsylvania. Lightning accompanied storms in the Northern Great Plains from Wyoming and Montana into the Dakotas and Western Nebraska.

Some early morning temperatures were: Boston, 60 degrees; Miami, 77; Detroit, 65; Minneapolis, Minn., 75; Kansas City, Mo., 80; Atlanta, Ga., 74; Phoenix, Ariz., 83; San Francisco, Calif., 57; Seattle, Wash., 53; Anchorage, Alaska, 45, and Honolulu, 78.

Mississippi Miss Wants To Become Miss America

Atlantic City, N.J.—(UPI)—A business later today with a long evening rehearsal for the show that will be put on by the contestants during the four nights of judging that begin Wednesday.

The prize to the pretty and talented girl who succeeds Miss Mead at Miss America is a \$10,000 scholarship and the possibility of receiving as much as \$80,000 in fees for appearances and modeling. Another \$25,000 in scholarships is up for grabs among those who only come close.

Miss McRaney was one of 25 "day early" arrivals Sunday for the Miss America pageant which officially opens today with registration of the contestants from all the 50 states, New York City, Chicago, Washington, D.C., and Canada. The pageant gets down to

Kennedy Helps Stranded Airmen

Detroit—(UPI)—Sen. John F. Kennedy provided space on his chartered campaign jetliner today for the emergency flight home of a serviceman notified his father was dying in Oklahoma.

The Democratic presidential candidate gave a free airborne lift to Airman 1c Lloyd D. Sheets, 25, and his wife, Shirley, 24, Hobart, Okla., on Kennedy's flight here from Anchorage, Alaska. The senator's staff also radioed ahead for a reservation for him on the first available flight out of Detroit for his continued trip home.

Sheets told newsmen his father, Wilbur A. Sheets, a retired farmer, was hospitalized in Lawton, Okla. He said his father, a heart patient, had been ill since 1952 and his condition became serious

enough to require surgery three days ago.

Sheets said he was informed Sunday afternoon that doctors had given his father only a short time to live. He obtained emergency leave and tried to make plane connections but could not.

IRE FOUNDER DIES. Akron, Ohio—(UPI)—William F. O'Neil, 75, founder and board chairman of the General Tire & Rubber Co., died Sunday.

EX-BUSINESSMAN DIES. Rochester, N.Y.—(UPI)—Wesley M. Angle, 77, former president of the Stromberg-Carlson Co., died Saturday.

The United States uses enough wood in manufacturing paper to build a bridge of logs to the moon each year.

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(17) PLAY POOL. By DOUGHOY. REG. 5.00. **1⁹⁹** WITH COUPON

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(18) PENCIL TABLET. A Super Value. Reg. 25c. **19^c** With Coupon

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(19) 1.00 VALUE GRIFFIN SPRAY SHOE POLISH. WITH FREE BUFFER. **59^c** WITH COUPON

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(20) FLASHLIGHT BATTERIES. Leakproof. Reg. 20c Value. 4 for **23^c** With Coupon

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