

**This is the Law**



By ROBERT E. LEE  
(For the N. C. Bar Association)

**Circumstantial Evidence**

May a person be convicted of a crime solely on the basis of circumstantial evidence?

Yes. The law books are full of such cases. Newspapers have recently carried the detailed accounts of recent ones. Probably the most famous one with in the memory of many living persons is the trial of Bruno Hauptman, who was convicted of kidnaping and murdering the infant son of Colonel Charles A. Lindberg.

The facts in issue at a trial may be proved either by direct or circumstantial evidence. The case of Commonwealth v. Webster, decided by the Supreme Court of Massachusetts in 1850, may be used to furnish us with an understanding of the difference between the two.

The defendant, Dr. Webster, a professor of chemistry in a medical college at Boston, was indicted for the murder of Dr. George Parkman, also of Boston, by stabbing, hitting with hammer, and striking and kicking in an assault. Dr. Parkman, quite peculiar in person and manners and very well known, left his home in good healthy condition and in good spirits and was last seen entering the medical college and never returned.

About a week later certain parts of a human body were discovered in the defendant's laboratory in the college, and a number of fragments of human bones, teeth, etc., were found in a furnace of the laboratory. It was found the remains closely resembled the body of Dr. Parkman—a dentist testified to having made a set of teeth recently for Dr. Parkman which were identical with those found in or near the furnace; it was shown the defendant was indebted to him on notes and had been pressed for payment, and defendant had asked the doctor to visit him on the day he left, so that he could "pay him." It appeared that the defendant had no means of paying and the notes were afterward found in his possession. It was alleged that certain letters in a disguised handwriting had been addressed to the City Marshal of Boston, between the time of the disappearance of the deceased and the arrest of the prisoner, in which various suggestions were made, calculated to divert suspicion from the medical col-

lege. The defendant was convicted on the circumstantial evidence, and as to the propriety and sufficiency of this evidence to sustain the conviction, Chief Justice Shaw said:

"The advantage of positive evidence is that it is the direct testimony of a witness to the fact to be proved, who, if he speaks the truth, saw it done, and the only question is whether he is entitled to belief. The disadvantage is that the witness may be false and corrupt and that the case may not afford the means of detecting his falsehood. But in a case of circumstantial evidence where no witness can testify directly to the fact to be proved, it is arrived at by a series of other facts which by experience have been found so associated with the fact in question that in the relation of cause and effect they lead to a satisfactory and certain conclusion; as when footprints are discovered after a recent snow, it is certain that some animated being has passed over the snow since it fell, and from the form and number of footprints it can be determined with equal certainty whether they are those of a man or bird or of a quadruped."

**Bonner Speaker At Lions Meeting**

Continued from Page 1, Section 1

the opinion that frequent elections made for good government and that the voters should give the matter of candidate selection a good deal of consideration. He stated that there were a number of qualified persons who could represent this area in Congress, Senate, the White House and in Raleigh. One of the reasons given by the speaker for favoring frequent elections was that he enjoys going about and meeting his constituents to get to know them and their needs so he can properly represent them in Congress. He revealed that his tenure of office had enabled him to occupy a favorable place in Congress, but he pointed out that such a position does not make one immune from criticism. As an illustration of the power of a committee chairmanship, such as he holds, he stated that all legislation had to clear through one of the committees before being enacted.

Bonner explained that he was in favor of having available the maximum amount of education a child can absorb; that he favored any person qualified having the right to vote in an election. He explained his position against Civil Rights legislation as stemming from the fear that whenever and wherever an individual gains control over education and voting it leads to dictatorship. He cited Hitler as an example of a person who gained such control.

Bonner told his audience that the three most important institutions in America are its churches, schools and court houses and that all men should support each of these institutions by participating in and



**PSYCHOLOGICAL WARRIOR**—Just the sight of this U.S. soldier, dressed in chemical, radioactive protected gear, could send the enemy running in fear. The practical, but not beautiful, costume is seen during maneuvers in Germany.

supporting church programs, PTA activities and serving as jurors.

Bonner expressed his dislike for deficit spending and cited foreign aid and armed forces as two areas which should operate on a more practical basis. He stated that he had not voted for foreign aid for the past seven years because the recipients had become prosperous and competitive with U. S. manufacturers.

Bonner explained the road situation in North Carolina by pointing out that there was only one interstate highway crossing the state from north to south (301) and that the federal government finances 90% of this highway. Highway 301 is the national defense highway, on

which the federal government will spend around \$10,000,000 this year, he informed his audience. Highway 17, which is secondary, receives half federal funds and half state funds, and will receive about \$24,000,000 this year.

Congressman Bonner concluded his remarks by assuring his audience that he is subservient to the people and whatever the outcome of the election might be, it would not change his love and affection for the people of North Carolina.

Henceforth I learn that to obey is best,  
And love with fear the only God.  
—Milton.



**Calvert Reserve**  
\$2.50  
Pint

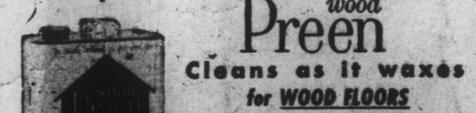
BLENDING WHISKEY—FULL 85 PROOF—65% GRAIN NEUTRAL SPIRITS—©1960 CALVERT DIST. CO., N.Y.C.

**WOOD FLOORS and KITCHEN FLOORS NEED DIFFERENT CARE**



At last, a true paste-type wax in self-polishing form. Keeps linoleum, vinyl, asphalt and rubber tile beautiful without constant rewaxing. Dries sparkling bright, with a slip-resistant surface that remains lovely even after many washings. Ordinary dry mopping removes scuff marks; improves the shine. Guaranteed to last longer or your money back.

1/2 gallon 2 49 large size 98¢  
gallon 4 79



This combination of "dry cleaners" and genuine paste-type waxes gives wood floors a rich, new beauty. It cleans and waxes in one operation. Dirt and old wax comes up on the cloth; new wax remains on the freshly cleaned surface. Light buffing gives Preen a rich, mellow polish that improves each time it is dry-mopped.

1/2 gallon 2 09 quart 1 29  
FOR PERFECTLY WAXED FLOORS—BUT BOTH

**BELK-TYLER'S**  
Edenton, N. C.

"We are very proud of the representation that Mr. Bonner has given us in the First Congressional District of North Carolina. We think a lot of Mr. Bonner, and he rendered us a service."  
—Dr. Paul Jones, Pitt County, Farmville, North Carolina

(As published in the March 31, 1960 issue of The Chowan Herald)

**LET'S SET THE RECORD STRAIGHT**

Recently a newspaper ad appeared throughout the First Congressional District that misled the people to believe Dr. Paul E. Jones of Farmville was supporting Herbert C. Bonner.

In order to SET THE RECORD STRAIGHT, Dr. Jones issued the following statement to the press:

"THE STATEMENT I MADE BEFORE THE SUBCOMMITTEE ON AGRICULTURE IN WASHINGTON RECENTLY COMMENDING THE RECORD OF SERVICE OF MR. BONNER WAS MADE SINCERELY AND WITH THE APPROVAL OF OUR WHOLE DELEGATION OF SIX FARMERS. IT WAS NEVER INTENDED OR CONTEMPLATED THAT IT WAS AN ENDORSEMENT BY ANY MEMBER OF THE COMMITTEE OF ANY CANDIDATE FOR ANY PUBLIC OFFICE.

"IN MY OWN CASE I SHALL SUPPORT WALTER B. JONES, OUR PITT COUNTY CANDIDATE FOR CONGRESS WHO IS MY CLOSE NEIGHBOR AND FELLOW TOWNSMAN."

**DON'T BE MISLED.....**

The friends and supporters of Walter B. Jones for Congress throughout this district pledge themselves to KEEP THE RECORD STRAIGHT in order that you will be accurately informed on the issues that arise in this political campaign. WE DO NOT WANT YOU TO BE MISLED.

WALTER B. JONES has an outstanding record of public service to his community, his county and the state of North Carolina that will stand the closest inspection. His legislative record, the bills he has introduced and guided to adoption show clearly he has remained close to the people he represents. He has fought to carry out the will of the people even in the face of forceful, organized opposition. He will continue to fight for the will of the people throughout the First Congressional District.

**SUPPORT WALTER B. JONES**  
"The Candidate With A Future"  
**Candidate For Congress**  
**First Congressional District**  
**Democratic Primary**  
**May 28, 1960**  
**BE SURE TO REGISTER!**

This ad paid for by Edenton friends and supporters of Walter B. Jones

**Attention! PEANUT GROWERS**  
We Have Rebuilt Our Seed Peanut Sheller!

... it is now in perfect condition and we are ready to shell your peanuts.

REMEMBER: AN EXPERIENCED OPERATOR CAN SAVE YOU MONEY!

OUR PLANT IS LOCATED ON NORTH BROAD STREET IN FRONT OF GEORGE CHEVROLET CO.

We Also Have Seed Peanuts For Sale.

**LEARY BROS. Storage Co.**  
(formerly Satterfield & Leary)

PHONE 2141 EDENTON