

BREWERY CASES ARE AT ISSUE TODAY

BREWERY INDICTEES ON TRIAL IN THE CIRCUIT COURT TODAY

Attorney Elbert Hermann, of Counsel for the Defense Subjects Talesmen to a Prolonged and Rigid Examination--J. W. Winniford Excused for Cause

DEFENDANTS ABSENCE CONSPICUOUS

At a Late Hour This Afternoon Attorneys for Defense are Still Interrogating Talesmen--Not Believed that Trial Will Commence in Real Earnest Before Early Tomorrow--Trial Probably to Consume Three Days

At 4:30 o'clock this afternoon the attorneys were still interrogating the talesmen and it does not appear likely that a jury will be secured before late tonight, or early tomorrow.

Among those passed by both the prosecution and defense are J. F. Terry, C. M. Siegel, J. A. Jacques, T. W. Coffee, T. B. Dean, J. D. Wright, J. R. Dean, Frank Percy and O. E. Holdredge, O. H. Langdon, W. Chapman and J. A. Perry, the latter for whom was called to fill the vacancy caused by the dismissal of L. E. Winniford, were yet to be examined. In addition to excusing Mr. Winniford, it may be possible that several talesmen will be dismissed through peremptory challenges exercised by the State and defense. The State has three peremptory challenges, while the defense has twice that number. The taking of evidence will probably commence sometime before noon tomorrow.

A special venire of talesmen, composed of Guy McReynolds, George Holladay, E. W. Main, C. L. Chenoweth and R. R. Melton were drawn late today to serve in the event the regular venire is insufficient.

he was a prohibitionist, his attitude toward persons engaged in conducting a brewery, whether or not he was opposed to the existence of corporations, whether he had ever lived in a "dry" state, Attorney Hermann exerted special effort to ascertain whether or not the talesman questioned was a reader of The Evening News, and if he was acquainted with Sheriff George Quine. Then to make sure that the talesman was telling the truth, the interrogating attorney would pass through the files of The News, and in an air of apparent egotism, point here and there to articles which might have had some effect in prejudicing the general public against the defendants at trial. In early every instance, the talesmen said they were regular subscribers of The News and had probably read most of the articles referred to by Mr. Hermann. Notwithstanding that they had read the articles, in question, the talesmen, with one exception, said they were not prejudiced, neither had they formed any opinion as to the guilt or innocence of the defendants. As honest men always do, these talesmen came out emphatically and said they would consider the evidence adduced during the progress of the trial, accept the law as laid down by the court, and arrive at a fair and honest verdict. In some instances the talesmen were questioned for nearly an hour by Attorney Hermann, and at noon, but five of their number had been examined. One of these, J. W. Winniford was challenged by the attorneys for the defense for the reason that he said "there must have been something in the air" or the Grand Jury would not have returned an indictment. Judge Hamilton questioned the talesmen briefly following the challenge of Mr. Hermann, and he was excused. Among those passed up to the noon hour were J. F. Terry, C. M. Siegel, J. A. Jacques, T. W. Coffee and T. B. Dean. All of these men were fair in their answers, and to the casual observer, were uninterested in the case, save to arrive at a clear and unbiased verdict.

Brown Is Thorough.

Although very thorough in his examination of talesmen, District Attorney George M. Brown consumed but little time in comparison with Attorney Hermann of the defense. Attorney Brown had nothing to say regarding the newspapers, neither was he particular regarding the early life of the person questioned. To the casual listener, it appeared that the district attorney had but one aim in view--to ascertain whether or not the talesmen were qualified and would give the defendants a fair and impartial trial. To gain his end, and combat the rigid examination of the attorneys for the defense, Attorney Brown repeatedly asked whether or not the talesman would be as fair in behalf of the State as he would on the part of the defense. Upon securing a statement to the effect that the talesman was unprejudiced against liquor prosecutions, would listen to the evidence as introduced, accept the law as given by the court, and arrive at a fair and impartial verdict, the person questioned was usually passed. It was not the dis-

trict attorney's desire to retire any man because he was a reader of any particular publication.

They Intend to Prove.

Although the jury will not be completed before late tonight or possibly tomorrow, it is already known what the opposing attorneys will contend. District Attorney Brown will attempt to prove that the liquid under controversy was purchased by Joseph Bartholemew from the Roseburg Brewing & Ice Company, on July 3, 1912, and was delivered to his establishment by Joseph Heidenrick, the brewery deliveryman. To substantiate that a sale was made the prosecution will introduce receipts, properly signed by representatives of the brewery, and filed with Mr. Bartholemew. In another step the State will introduce two chemists, representing Oregon's leading educational institutions, who will testify that the liquid contained that degree of alcohol rendering it intoxicating. With the sale proven and the analysis in evidence, the State will then introduce a certified copy of the court order declaring Douglas county "dry" territory. Upon this evidence, District Attorney Brown believes he will be able to secure a conviction. The defense will deny that the liquid was intoxicating, and according to reports, will introduce a chemist who will answer to that contention. In brief, the defense of the sale will be to the effect that the liquid was "near" beer, and was non-intoxicating. It is also said that the defense will claim that the action was not brought with a view of quelling liquor violations, but was engineered by persons desirous of securing public office.

Other Cases Considered.

This afternoon the Grand Jury is busy investigating a number of liquor violations, alleged to have occurred at Myrtle Creek, Gladale and other Southern Douglas county towns. Indictments, however, are not expected before sometime tomorrow.

Other Indictees Charged.

Following the present case, it is more than likely that Oscar Klinke, purported manager of the Roseburg Brewing & Ice Company, and Joseph Heidenrick, the brewery deliveryman, will be compelled to face the charge of violating the local option laws. These men are employed by a former Grand Jury.

LOCAL NEWS.

Henry Murphy, Frank Churchill and Charles Edwards, all of Coles Valley, were visitors in Roseburg today.

A. M. Gallagher, of Deer Creek, spent the day in Roseburg attending to business interests.

S. C. Bartrum, local forestry supervisor, spent last evening at Riddle looking after matters connected with his official duties.

Thomas B. Brogan, of The Dalles, left for his home this afternoon after a few days spent in Roseburg visiting with friends.

Mrs. Luther Page, who left here last evening for Tillamook has filed a suit for divorce against her husband, Luther Page, in the circuit court.

A. B. Bradley, the real estate man, has vacated the office room formerly occupied by him and situated in the Rose building on Cass street. Mr. Bradley expects to occupy other quarters within the near future.

Fred Warren, editor of the socialist paper, Appeal to Reason, which has been such an important factor in educating thousands to socialist doctrine, will be in Roseburg on Oct. 27. Warren will speak here on national issues at that time, and will attempt to show why the socialist party should be placed in power. The place of the meeting will be announced in due season.

IOWA SENATOR

Announces His Allegiance to Roosevelt Cause

TAFT HAS NOT MADE GOOD

Cummins Declares His Position Today--California Primaries Lively--Result Will Show Who Gets Electoral Vote.

DES MOINES, Sept. 3.--Senator Cummins announced today that he preferred Roosevelt to Taft for president and would therefore vote for the Colonel. He said that he was not in sympathy with the progressive party, and radically differed from some of the principles advocated in the platform, but would vote for Roosevelt because Taft's administration had not made good. Cummins also announced his opposition to the nomination of a third ticket in Iowa, which is expected to be placed in the field when the progressive state convention meets here tomorrow. Roosevelt will probably address this convention and no doubt urge a third state ticket. Cummins expressed the opinion today that the republican national committee at Chicago stole many delegates for Taft.

California Primaries Today.

SAN FRANCISCO, Sept. 3.--State, congressional and county primaries are being held throughout California today. A fight to the finish is on in the republican ranks between the Bull Moose and Taft branches of the party. The character of the legislative and county nominees will determine whether Taft or Roosevelt electors will go on the ballots as republican presidential electors.

No Delay in Becker Trial.

NEW YORK, Sept. 3.--All attempts by the defense today to delay the trial of Police Lieutenant Becker, charged with the murder of Rosenthal, were blocked today by Justice Goff, who over-ruled all motions of the defense, whose attorneys persisted in trying to delay the case. Judge Goff ordered the clerk to enter a plea of not guilty and Sept. 10 was set for the trial.

TRIAL DATE SEPT. 12TH.

Court Reconsiders And Fixes Date After Argument By District Attorney.

(Special to The Evening News.) NEW YORK CITY, Sept. 3.--District Attorney Whitman argued to Justice Goff this morning the question of the validity of fixing a trial with nine days after the formal plea had been entered by the defendant. The court after listening to the arguments decided that the district attorney was correct and therefore set the trial date as September 12. The defendants in the Rosenthal murder case will therefore face the jury on this date.

IS WEST COMING?

A report is current in Roseburg this afternoon that Governor West, of Salem, expects to spend tomorrow in Roseburg in an effort to substantiate the report of a State agent who recently spent a couple of weeks in this vicinity looking over conditions. Mr. West could not be reached by telephone this afternoon, and consequently the rumor could not be confirmed.

RECALL AMENDMENT SELF EXECUTING.

Petition Asking Recall Of District Attorney Cameron, Of Portland, Is Valid.

(Special to The Evening News.) SALEM, Ore., Sept. 3.--Judge Galloway today held the recall amendment to the constitution of this state is self executing. This being so the petition asking for the recall of District Attorney Cameron, of Multnomah County, is valid. It is problematical whether or not the election will be proceeded with or not for the reason that Cameron's term of office expires on December 31st. of this year.

WILL NOT DISBAND GUARDSMEN.

Governor West Modifies Previous Order And Only 13 Officers Are Affected.

(Special to The Evening News.) SALEM, Ore., Sept. 3.--After an exhaustive consideration of the case of the National Guardsmen who are accused of disobeying orders to march from Gates to Oakville, Washington, Governor West today announced that he would recommend to the General Staff that the order heretofore made disbanding the battalion be modified so as to apply only to the officers who number thirteen. The recommendation of the governor will be doubtless allowed.

VERMONT VOTING HEAVY.

Statewide Election Shows Much Interest In The Republican And Bull Moose Ranks.

(Special to The Evening News.) MONTPELIER, Vt., Sept. 3.--The relative strength of the Republican and Bull Moose parties in this state is being put to the acid test today. This election is the first held in the country since the organization of the new party and is therefore looked forward to by members of both parties. The early voting was heavy and is taken to indicate a victory for Taft.

WANTED--Girl to work for her board while attending school. Inquire of Mrs. Zureher, cor. Chadwick & Oak, or phone 246-L. 471F

FOR SALE--Choice Cotswold and Shropshire rams. Inquire Walter Adair, Happy Valley. 471F

GRAND JURY BEGINS WORK

Is Drawn by Clerk in Court this Morning

TWO MEN CONFINED IN JAIL

George Gray May Be Tried On Charge Of Attempting To Break Jail During Present Term Of Court.

Immediately following the call of the petit jury in the circuit court this morning, County Clerk Lenox drew the names of the above well-known Douglas County men who will serve as members of the Grand Jury during the present term of court.

Other than instructing the jury regarding its course of procedure in investigating and disposing of complaints brought to its attention, Judge Hamilton called particular notice of the jury to the several statutes which must be read in the presence of the Grand Jury prior to its retirement for deliberation. One of these statutes provides against the crime of libel, while another provides a penalty for the crime of prizefighting. The third and most important of the statutes prohibits the sale of intoxicating liquors in "dry" territory.

With the instructions to the jury concluded the jury retired to its private apartment directly across the hall from the sheriff's office in readiness to consider such complaints as are brought to its attention.

Two Men In Jail. In contrast to many previous terms of court held in Douglas county, there are at present but two men confined in the jail awaiting disposition at the hands of the proper authorities.

One of these men is no other than R. L. Mooney, alias George Gray, who is charged with obtaining \$50 from Mrs. Carrie Settle, of Oakland, through fraudulent representations. Gray is well remembered in Roseburg and vicinity, where a few months ago he posed as a brother of P. O. Gray, at that time confined in jail on a charge of embezzlement from Mrs. Settle. George Gray, or

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Eyes Fitted With Glasses
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Shown in Roseburg
Prices Very Reasonable
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