

JURY IS CHOSEN IN WAYNE CASE

Tactics of the Lawyers Show That Every Step Will Be Hard Fought.

CROWDS FLOCK TO TRIAL

Testimony for State Will Begin This Morning and Mayor Lane Will Be the Chief Witness, Telling of the Alleged Conspiracy.

Mrs. Belle Waymire and E. E. Radding were placed on trial in the State Circuit Court yesterday, under charges growing out of a scene in Mayor Harry Lane's private medical office last September, as the result of which the woman and Radding were arrested for attempting to compromise the Mayor and blacken his reputation.

While all day was occupied in the selection of jurors, it was made plain that the case is to be hard fought by both sides. As was declared by one of the lawyers in the case, the liberty of Mrs. Waymire and Radding at stake on the one hand, and the reputation of Mayor Lane on the other. As the testimony of the two sides will necessarily be of a flimsy character, the jury will have to select from the standpoint of probability.

Extreme caution and care were shown throughout in the examination of witnesses. The Waymire-Radding camp of lawyers was careful to accept no man on the jury who might be amenable to political influence or who was too hearty in admiration of the Mayor's political reform measure. Each juror accepted by the defense had to first aver that the Mayor's official capacity would in no way affect a decision in the case.

Questioned as to Politics.

Mayor Lane's lawyers, on the other hand, were careful to get none of the anti-reform element aboard the jury. Each spokesman was made to state to his attitude towards Mayor Lane and his policies. The majority of those examined said they had never heard anything about the Mayor's political reform. The accepted jurors were also put on record as having no special sympathy for a woman charged with a crime. If guilty they would vote to punish her to the full. The jury was then asked. The accused parties were represented by Seneca Potts, W. R. McGarry and John F. Logan. The state was represented by District Attorney General, assisted by R. W. Montague and Dan J. Malarky, as special prosecutors.

It took practically all day to secure the jury, the hour being 12:30 o'clock when the last man was secured. The case was accordingly postponed until today without further procedure. Opening statements will be made this morning by both sides and the hearing of evidence will then be taken up. The first witness will probably be Dr. White, who occupies the office in the Hamilton building with Dr. Lane. He will be examined as to the arrangements of the medical office, and possibly as to the Mayor's political reform therein. Mayor Lane will be the principal witness for the state.

Room Crowded All Day.

Judge O. U. Gantenbein is hearing the case and his division of the Circuit Court was the mecca of curious and interested crowds all day. Few scenes remained in the courtroom, nothing was to be heard more exciting than the examination of witnesses. Yet the room was crowded all day by the shifting throngs of people who thronged. No sooner would one spectator leave than another would take his place. Even standing room was a prize at the afternoon session, the impression having been made that the Mayor would be on the witness stand.

Mrs. Waymire was the only woman in the courtroom. She sat at the nearest possible to the witness stand, and watched the examination of witnesses closely. She had on a chic new tailored suit of light gray material with a new hat to match. Her weight was at least 35 pounds lighter than at the time of the preliminary examination, obviously having lost much weight; but whether by diet or by the use of anti-fat preparation was not explained. She appeared to good advantage and looked very little the part of an adventurous woman. She was very much of herself. He, too, had invested in new raincoat and otherwise was conspicuous for his sober mien. The scornful, skeptical manner that was his expression at the preliminary hearing had gone. Mayor Lane was on hand until the middle of the afternoon when announcement was made that witnesses might leave. He then went out.

Young Men Not Accepted.

The jury was selected with quite as much care as is exercised in an important life-and-death murder trial. Talesmen were not only examined, but were watched. Questions were asked to develop the various habits of each man. Not only who has been suspected of political interests was tolerated. Most of those accepted were old men, all past middle age. Plainly the state did not wish to entrust its case to younger and possibly more susceptible men, whose sense of gallantry might be aroused by Mrs. Waymire's somewhat more than mediocre comeliness.

During the examination of Juror J. D. Hennessy, Attorney Logan inquired of him if he could receive the testimony of Mayor Lane with the same weight as that of all other witnesses. "Well, I believe the Mayor is not on trial," Hennessy replied. "No, the Mayor is not directly on trial," responded Logan, with suggestive intonation.

Each juror was asked if he knew of Mayor Lane's policy regarding the North End districts and of his more rigorous enforcement of law therein than had been customary in past administrations. When such a question was first put by Mr. Manning, Mr. Logan was up at once. He thought the question wasn't fair and that it gave the Mayor undue credit.

Objects to Lane's "Halo."

"That is not a true statement of fact, Your Honor," he said, addressing the court. "The police department and District Attorney Manning are doing things in this city. There is altogether too much of a halo about the head of the Mayor. Mayor Lane's character is no better than that of the lowest citizen of this town and he ought to have no more protection."

"Well, you ought to," said Logan, loudly and turning to the court. "Your Honor, I object to the Mayor getting all the honor."

"I think the juror may answer the questions," said the Judge, very judiciously.

clausily sidestepping the lawyer's objections. At the conclusion of the day's proceedings the following jurors had been accepted: R. M. Cannon, R. Burthenshaw, E. Schmedler, W. C. Hasseltine, Thomas H. Smith, W. Church, J. D. Hennessy, John Cronquist, N. Harris, William Sales, C. W. Bowie and S. F. Starr.

History of the Case.

Briefly stated, the facts leading up to the trial are as follows: Last September Mrs. Waymire, a divorced woman from a small town in Oklahoma, began calling on Mayor Lane, saying she wanted his official assistance in recovering possession of her child, then with the father's parents in Kansas. She wanted Mayor Lane to give her a letter to the Kansas authorities.

After several calls at the executive office at the City Hall, Mrs. Waymire went to the private office in the Hamilton building. She says the Mayor asked her to call there. He denied that. Late in the afternoon a woman's screams were heard in the Mayor's office. Radding promptly smashed in the door.

Mrs. Waymire left the building immediately. Radding also left. No demand was made for money or property. Believing the scene preliminary to an attempt to blackmail him, Mayor Lane made the affair public. He said the woman attacked him, and at the same time tore his clothing with her hands, while screaming for help that was the Mayor's aid. He said she was as strong as a tigress. She inflicted injuries upon him which required medical attention.

Mrs. Waymire, in company with a jeweler named Bell, went to Vancouver, Wash., at once. Radding disappeared. She appeared the next day at the Oregonian office to make a public statement of the case. He was arrested while leaving the Oregonian building. Mrs. Waymire was arrested later while on \$750 bail, furnished by parties whose names are withheld. She has maintained her room at the Hamilton building since that time.

He caused great dissension among the members, and has aroused bitterness among the clergy of the denomination seldom known in such a body. It is predicted by some that the battle is not over, for it is asserted by those favoring "open" meetings that the action taken yesterday is unconstitutional and that it will have to be rescinded.

Efforts to Bar Press Representatives.

Efforts to bar press representatives from the Methodist Ministerial Association have been made from time to time within the past year. Dr. E. B. Ford, pastor of Sunnyside Church, is president of the organization and has always ruled that there is nothing in the articles barring press representatives, and that the press representatives, by interpreting a portion of one of the articles of the organization. Matters thus ran along until the return of Dr. Ford to the chair, which occurred three weeks ago. At that session it was moved that the rule be enforced barring out newspaper representatives, and that the press representatives be excluded. However, this was not done, and the press representatives were not excluded.

At a later meeting, Dr. Ford again contradicted the rule, holding that they did not bar reporters, and that they move at the following meeting to bar press representatives; but he never did, although he is strictly opposed to publicity and has always favored "executive" sessions. Matters reached a crisis yesterday morning, when Rev. Asa Siebth moved that it be the sense of the organization that reporters be excluded. A heated debate followed, in which Rev. Mr. Hollingshead, Rev. Mr. Wilson and Rev. Mr. Young took part. The "closed" meeting, and Dr. W. H. Hepp, pastor of Grace Methodist Episcopal Church, and others spoke in favor of admitting press representatives.

Some of the Ministers, in discussing the conditions declared their remarks had been published at times in a manner that caused them great humiliation, but Dr. Hepp replied that it seemed strange that only a very few of the preachers had any such cause for complaint. He declared he had never yet been misrepresented by the newspapers, and said he was unable to see why certain of the members were so frequently humiliated in this manner. For his part, he declared, he wished the reporters to be admitted, and he so voted. Dr. Ford advised that reporters be admitted, and if they should misrepresent any of the members at any time, then to act on the case; but his thought it unfair and unwise to exclude every representative of the newspapers at every meeting.

When the ballot was cast, it resulted in a victory for the non-publicity members.

Probate Court Notes.

The will of Myra Schock was filed with the County Clerk yesterday and provides that the estate, worth \$1500,

Eye Glasses \$1.00 at Metzger's.

Metzger fits glasses for \$1.00.

PRESS IS EXCLUDED

Methodist Ministers Bar Reporters From Meetings.

CLOSE VOTE ON QUESTION

Hollingshead and Wilson Lead the Fight for Motion, While Ford and Hepp Oppose, and It Is Carried 15 to 11.

Led by Rev. W. B. Hollingshead, presiding elder of Portland district, Rev. Clarence True Wilson, pastor of Centenary Church; Rev. B. F. Young, pastor of Taylor-street Church; and Rev. Asa Siebth, a fight to exclude representatives of the press from the sessions of the Methodist Ministerial Association carried yesterday morning by a vote of 15 to 11. The subject is one that

shall go to the children, but that they shall provide for their grandmothers, Mrs. Schock's mother. In addition to the real property, an insurance policy is left to the children.

Letters of administration to the estate of Margaret Cooney have been applied for by Charles Cooney, the husband. The estate is said to be worth \$200, to which the husband is the one heir.

Robert Livingstone has made application for letters to the estate of Elizabeth Henry, a widow of 82, who left property recently worth \$1500. Two grandchildren living in San Francisco are the heirs.

FAIL TO RECOVER DEPOSITS

Court Withholds Money and Deed in Title Bank.

In the United States Court yesterday Judge Wolverton dismissed the application of J. W. Collins and Julia Z. Collins for an order of the court directing the receiver of the Title Guarantees & Trust Company to return to them \$800 that was deposited August 20, 1907, in escrow in the wrecked bank. The court held that time was not an essence to the contract involving these funds and said that was a question of some doubt as to whether the vendors were entitled to have their consideration money advanced. This question suggested the court could best be settled by the opposing claimants interpleading as between themselves and litigating their respective rights.

Bank Examiner Wilson, who has been in charge of the institution since it closed, is almost as much gratified at the suspension of the bank officers. He attributes the ruin of the bank to the splendid spirit of co-operation shown by the creditors of the institution and the good work of the bank officials. President Watson includes Mr. Wilson in the list as one of the leading factors in the bank's rehabilitation. Mr. Wilson leaves today for his home in Seattle.

Bank Closed Three Months.

The Merchants National closed November 12 and remained in the care of the bank examiner a trifle over three months. The suspension was caused by a persistent failure to pay deposits. The bank was brought on by idle rumors that the bank was in difficulties. On the contrary, the institution was carrying twice its required cash reserve and before the vicissitudes had done its work and closed the bank, the paying tellers had paid out about \$2,000,000. Bank Examiner Gatch, of Salem, was placed in charge and maintained there until relieved by Mr. Wilson. After a trip to Washington, D. C., where he conferred with the Controller of the Currency, President Watson announced a plan of reorganization whereby the bank would be reopened. The chief provision of this plan was the exchanging of demand deposits for time certificates of deposit, payable not later than two years. Small depositors were not asked to participate in this arrangement, for it was recognized that those having small balances would need their money when the bank opened. This work of exchanging demand deposits for time certificates was accomplished in just 30 days. Mr. Wilson notified the Controller on February 6 that the bank was ready to resume business.

Smuggling Charge Falls.

The case of the United States against S. F. Kildall, of the West Coast Commercial Company, has been dismissed by the Alaskan courts. Kildall was charged with a violation of the custom laws and when he was arrested attempted to prevent the transfer of his case to Alaska for trial. District Judge Bell filed a motion with Judge Wolverton protesting against the removal of his case from this state but the motion was overruled. A trial being held, the charge was dismissed and Kildall was discharged.

Marquam Files Amended Complaint.

P. A. Marquam, through his attorneys, has filed in the Circuit Court an amended complaint in the long-standing suit by which the Marquam building from the hands of the Title Guarantees & Trust Company. The document covers 150 typewritten pages, and eliminates the objectionable points which caused a previous complaint to be ruled out of court by Judge Cleland on the demurrer of the defendants.

Smith Tried for Non-Support.

A. Smith was tried before Judge Webster, of the County Court, yesterday for non-support. The evidence showed that Mr. and Mrs. Smith were married in Vancouver and made three successful attempts to live together, but could not agree. Since last time Smith left home he is charged with not supporting his wife. Judge Webster has taken the case under advisement.

Bankruptcy Petition Argued.

The application of the State of Oregon for the appointment of a receiver for the Three Slayers Irrigation Company was argued and submitted in the United States Court yesterday. Under the Carey act the irrigation company contracted with the State Land Board for the reclamation of about 37,000 acres of arid land in Eastern Oregon. It is charged by Attorney-General Crawford, who appeared for the state, that the company failed to fulfill the terms of its contract.

Lumber Manufacturer Bankrupt.

Orris E. Karhart, a lumber manufacturer of Black Rock, Polk County, yesterday filed a petition in bankruptcy in the United States Court. He owes \$2873.37 and has assets, less exemptions, of \$288.30.

Tomorrow and Thursday will positively be the last days for discount on East Side gas bills.

Eye Glasses \$1.00 at Metzger's.

DAK REOPENING LIKE RECEPTION

Thousands of Friends Call at Merchants National to Pay Respects.

DAY'S BUSINESS IS HEAVY

Total Deposits Over \$360,000, and Withdrawals Are Small—Bank Closed November 12 as Result of Run—Never Insolvent.

It only lacked an orchestra and a few women in pink gowns to make the opening of the Merchants National Bank yesterday morning a genuine reception. The counters of the bank were covered with flowers and the occasion was a festive one. A huge horseshoe was one of the features of the floral pieces and there were bouquets galore.

Thousands of friends of the institution came in during the day to express their congratulations and for a time President Watson and Vice-President Durham stood at the head of the receiving line and showed their appreciation of the kindly wishes expressed by depositors and other friends of the bank.

But the support the bank received yesterday was more substantial than mere good wishes. Deposits poured in from the moment the doors opened at 10 A. M. until 3 o'clock in the afternoon, when banking hours ended. Deposits were ten times the amount of withdrawals and the gold coin paid into the bank over the counter during the day far exceeded the amounts drawn out. In addition to the deposits at the bank, a favorable balance of \$23,000 was reported by the clearing-house.

Day's Deposits Over \$360,000.

Total deposits for the day amounted to \$399,642.99 and withdrawals against this sum were \$44,884.88. This showing proves that the institution has the implicit confidence of the people of the city. Business men generally made a point of deposit in the reopened bank yesterday as an evidence of loyalty to the institution.

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FIGHTS TO SECURE SENTENCE

Burkhart Desires Penalty on Which to Appeal.

Attorneys for Municipal Judge Cameron appeared before Judge Cleland yesterday afternoon and argued a demurrer to the writ of mandamus recently issued to compel the judge of the lower court to pronounce sentence on Herman Burkhart, who was convicted of resisting Officer N. H. Suttler last December, but not sentenced. Judge Cameron consented that he would make the statement, when a motion was made that sentence be given, that Burkhart had received enough punishment.

Burkhart wished to appeal the case, and says he cannot do so until the case is discharged from the lower court. The attorney for Judge Cameron consented that it was not obligatory on the judge to pronounce sentence, but that he might, as he did, indefinitely postpone it. Judge Cleland has taken the case under advisement, and will announce his decision later.

WASHINGTON-STREET SALE

MATTHEIEN PROPERTY IS BOUGHT FOR \$50,000.

M. W. Hunt and F. L. Shull Will Open Street and Apartments Will Be Erected.

One of the largest sales on upper Washington street negotiated for some time was made yesterday when M. W. Hunt and F. L. Shull bought from John Mattheisen an irregularly shaped tract extending from Washington to Davis, between Twenty-first and Twenty-second streets. The tract was bought by the agents were Vanduyck & Walton and the sale, which involved a consideration of \$50,000, assures a large expenditure in the improvement of the tract.

The ground sold has 150 feet frontage on the north side of Washington street, and 121 feet on Davis, but does not face either Twenty-first or Twenty-second. It is now entirely unimproved, but the purchasers expect to sell it in single lots. More than two-thirds of the tract has already been contracted for by investors who will build flats and apartment houses.

The first move of the new owners will be to open a street through the center of the property. This will be an extension of King street and will be improved with hard-surface pavement. The tract will now be platted into 11 lots, irregular in shape.

Much money has been spent during the past two years in building along Washington street and property there meets with ready demand when it is put on the market. The improvements to be made on the Mattheisen tract will be of a substantial nature and will add attractiveness to the appearance of this part of Washington street.

Sues Standard Oil Company.

That the Standard Oil Company erected a building overlapping upon her land, thereby taking a strip 100 feet long and 12 inches wide, in the allegation of Mrs. B. Sinnott in a suit filed by her in the Circuit Court yesterday. She asks \$500 damages, and that the court order the company to move the building.

Mullane's Cincinnati Taffies—Sig Sichel & Co. sole agents.

Eye Glasses \$1.00 at Metzger's.

ENGLAND SAYS NO ALUM IN FOOD

and strictly prohibits the sale of alum baking powder—So does France So does Germany

The sale of alum foods has been made illegal in Washington and the District of Columbia, and alum baking powders are everywhere recognized as injurious.

To protect yourself against alum, when ordering baking powder, Say plainly—ROYAL BAKING POWDER

and be very sure you get Royal. Royal is the only Baking Powder made from Royal Grape Cream of Tartar. It adds to the digestibility and wholesomeness of the food.

Dr. Warren was worked up by Police-man Drugg, a new man on the force, who secured evidence against him a few days ago and himself made the complaint.

SAYS CHUM ROBBED HIM

Ted Burns Arrested on Complaint of Hotel Clerk.

Charged with robbing the room of his own friend and chum, Ted Burns, 24 years old, was arrested last night and lodged in jail. The complainant against Burns is Guillermo de la Cruz, a young Filipino boy, who is employed as porter at the Hotel Van Nooy. De la Cruz speaks very little English and had a hard time last night to make known his troubles to the police. He asserted that Burns, who has been employed in a dining and cleaning establishment came to him yesterday evening and asked for a pass-key to some of the rooms occupied by guests of the hotel. Burns said he wished to get clothing that the guests had ordered mended, according to De la Cruz. Having been very friendly with Burns, the Filipino thought nothing unusual of the request and gave him the key. A little later De la Cruz went to his own room and found that it had been completely ransacked and that two diamond rings, a gold watch and chain, several scarf pins, and a small amount of money had been taken. Then he rushed to the police station and told his story. He went when the complainant was being prepared for his signature and said that the party of his friend had him more than the loss of his valuables. When arrested, several pins were found on Burns but the rings and watch and chain could not be located.

Naval Deserter Captured.

VANCOUVER, Wash., Feb. 17.—(Special.)—Harry Sheffield, a deserter from the United States Navy, was arrested here yesterday by Sheriff Sappington. Sheffield will be taken to Bremerton by Deputy Sheriff Johnson tomorrow.

FRANTIC WOMEN

Organic disturbances of the feminine system act like a firebrand on the nerves of women, often driving them fairly frantic. A nervous, irritable woman is a source of misery not only to herself, but to all those who come under her influence. That such conditions can be entirely overcome by taking

LYDIA E. PINKHAM'S VEGETABLE COMPOUND

is proven by the following letters. Mrs. Mary Wood, of Christiana, Tenn., writes to Mrs. Pinkham: "I had the worst form of female troubles and my nerves were all torn to pieces; sometimes I suffered so much that it seemed as though I could not live. I began to take Lydia E. Pinkham's Vegetable Compound and now I feel like a different person. Your medicine is worth its weight in gold, and I cannot say enough for your advice."

FACTS FOR SICK WOMEN.

For thirty years Lydia E. Pinkham's Vegetable Compound, made from roots and herbs, has been the standard remedy for female ills, and has positively cured thousands of women who have been troubled with displacements, inflammation, ulceration, irregularities, periodic pains, backache, Why don't you try it? Mrs. Pinkham invites all sick women to write her for advice. She has guided thousands to health. Address, Lynn, Mass.



Dr. Tucker, who occupied the chair, declared that the State Board of Medical Examiners can and will revoke the license of any doctor who practices thereby to prove him guilty of malpractice is shown, or where such physician has been found guilty of a felony, such as in building on the ground that he is a member of the profession and is able to brand these malefactors according to their proper classification; to make the names of criminal practitioners public and to bring to the notice of justice who engage in such practices were discussed yesterday. This, however, did not seem to meet with much enthusiasm, and other means of bringing those to justice who engage in such practices were discussed yesterday.

HEAVY TRAFFIC ON BRIDGE

Count Shows That More Cross Steel Than Madison.

During the four days from February 12 to 15, inclusive, 32,243 foot passengers passed over the Steel bridge, and 24,165 over the Madison bridge. The daily average for the former was 8,061, and for the latter, 6,041. This is shown by a report handed to the County Court yesterday by men appointed to make the count and does not include the persons riding over the bridge during the four days.

During the same time 7984 teams went over the Steel bridge, or a daily average of 1996, and 6226 teams passed over the Madison bridge in that time, or an average of 1556. Reports have not been submitted by the men appointed to count the pedestrians and teams crossing the Burnside and Morrison bridges in these four days. The Steel bridge will probably be used by the East Side for its efforts to have a new bridge constructed across the Willamette below the Steel bridge.

Druggist Accused of Selling Liquor.

Dr. Ernest Warren, who conducts the Montavilla Pharmacy at 106 Base Line road, was arrested last night by Police-man Drugg, charged with violating the ordinance which regulates the sale of wines and spirituous liquors. People in that neighborhood have complained that liquor has been open for sale at this drug-store without the formality of a physician's prescription. The case against