

PENDER CASE JURY IS HARD TO SECURE

Special Verdict and Regular Panel Exhausted at Beginning of Trial in St. Helens.

CAPITAL PENALTY CAUSE

Taliesman Balk on Convicting Accused Murderer on Circumstantial Evidence—Opening Statements Expected Today, However.

ST. HELENS, Or., May 31.—(Special.)—A special venire of 12 talemsen and all the members of the regular panel having been exhausted without securing a jury to try the case of the state against John Arthur Pender, accused of the murder of Mrs. Daisy Wehrman and her 3-year-old son, Judge Campbell this afternoon ordered Sheriff Thompson to summon 12 more men to report for jury duty tomorrow morning. The indictment charges only the killing of the woman, the other charge being held in reserve.

There are now 11 talemsen in the box subject to peremptory challenge. The venire today exercised three peremptories, excusing Andrew Erickson, a farmer; J. T. Johnson, a liverman; and Norman Merrill, all of Clatskanie. The state excused peremptorily John W. Foster, a farmer who lives near Mt. Hood.

Capital Punishment Opposed. The difficulty in securing a jury is caused by the fact that many of those called for examination are opposed to capital punishment or averse to convicting on circumstantial evidence, which is the only character of evidence which the state has against Pender. Judge Campbell is saving a great deal of time by announcing the sentiments of veniremen on the subject of capital punishment to their examination by the attorneys.

In all 25 veniremen underwent examination today. Of those who passed for cause, 15 stated that they would not return a verdict of guilty because of the death penalty no matter how convincing the evidence presented by the prosecution. Five declared they would not be parties to hanging a man on circumstantial evidence.

Those passed for cause and yet unchallenged are J. P. Archibald, a farmer; George R. Hyde, of Yankton, a farmer; James Gatens, a farmer; Deer Island; Henry M. Olson, farmer; Marshall; William Anderson, a retired farmer of Scappoose; H. C. Johnston, a shingle manufacturer of Clatskanie; E. M. Davey, a dredger man of Clatskanie; G. F. Robertson, a handyman of St. Helens; John Topley, St. Helens, transferman; W. J. Deltz, of Rainier, retired; and H. F. Lee, Deer Island, lumber manufacturer. A defense has still nine peremptories and the state five.

It is anticipated that a jury will be secured before noon today and that the opening statement of counsel will be made this afternoon. District Attorney Tongue is prosecuting and John F. Logan and John H. Stevenson, attorneys of Portland, are appearing for the defense.

Although F. Lee, one of those passed today, stated that he would act as his own conception of the degree of proof required from the state in preference to accepting the instructions of the court on that point and that he would vote for acquittal if he felt there were the slightest possibility of his making a mistake, Judge Campbell would not allow a challenge offered by District Attorney Tongue. The judge held that the juror was confounding fact with law.

In his opening statement this afternoon District Attorney Tongue is expected to give a minute description of what the state hopes to prove. The state's case is based entirely on circumstantial evidence and it is admitted that much will depend upon the method of its presentation.

State Will Picture Crime. The evidence to be presented by the state will tend to show, it is stated, that Pender took from the postoffice at Scappoose on the morning of September 4, 1911 (Labor Day), a package addressed to Mrs. Wehrman, who with her husband and 3-year-old child lived in a lonely cabin six miles northwest of Scappoose. The husband was absent to Portland. The state will endeavor to show that Pender kept this package in his tent in the same general neighborhood as that in which the Wehrman family lived, and about midnight took it and a package addressed to Mrs. Wehrman, which he had taken from the crossroads mail box five days previously. The Wehrman cabin, where he attempted to criminally assault the woman.

On Wednesday, September 6, the body of Mrs. Wehrman and her baby were found in the cabin. Six bullets had been discharged into their heads and bodies. It was later discovered that the cabin of Mike Hanson and Joe Billey, who lived across the road from Pender, had been entered during their absence, and that a trunk, containing a revolver of the same caliber and characteristics as that with which the crime was committed, had been broken into. The revolver was in the trunk after Riley and Hanson discovered that the lock of the trunk had been taken off and rudely replaced, but the state, it is hinted, may be able to prove, because of a peculiar defect in one of the rifles in the trunk of this gun, that it was the identical one with which the killing was done.

A mass of circumstantial evidence of this kind is to be presented, including admissions made by Pender at the time of his arrest that he failed to perform several customary chores on the evening believed to have been that of the murder. The actual taking of evidence will occupy probably a week.

GRESHAM CARS TO PARADE

Neighboring City to Send Representation to Rose Festival.

GRESHAM, Or., May 31.—(Special.)—A division of nearly 30 automobiles will represent Gresham in the Rose Festival parade on June 12.

At a meeting of the Commercial Club last night a committee was appointed to make full arrangements for the event. Mayor Shattuck will proclaim a holiday for June 12.

CENTRALIA GREET BOOSTER THROUGS

Development Meeting Brings Record-Breaking Crowd to Washington City.

AEROPLANE FLIGHT IS SEEN

Tacoma Ad Club Is Host at Banquet and Delegates Visit Ball Park. Postoffice Is Dedicated and Library Cornerstone Laid.

CENTRALIA, Wash., May 31.—(Special.)—Visiting delegations to the mid-Summer meeting of the Southwest

NEW HIGH SCHOOL DEDICATED YESTERDAY AT CENTRALIA



MODERN BUILDING PUT UP AT COST OF \$125,000.

Thomas K. Ferguson, Arthur Benjamin Lehniger, Rodrick Allen McCallie, Victor Hugo Lewaux, Ralph Mills Kenton, Charles Ohling, Edmund Martin Parker, Gordon P. Ryals, Arthur Raymond Tomlinson, Robert Lansing Stewart, Marshall Wyman Dresser, Vera Estella Baldwin.

RAILWAY LAYS SURVEY

MULTNOMAH CENTRAL DUE TO BEGIN SANDY BRANCH.

Right of Way in Upper Hood River Valley Is Being Secured—Residents Are Hopeful.

SANDY, Or., May 31.—(Special.)—The Multnomah Central Railway Company, which is building from Cottleville to Sandy, is making preliminary surveys through the upper country east of here, and if the proper right of way and property inducements are given by the state, the proposed extension from here will be started immediately.

President E. R. Ernaberger and William Blonder, ex-contractor for the recently purchased Mount Hood Railroad by the Portland Railway, Light & Power Company, with other contractors, has thoroughly gone over the country and estimate that it will take a year to build the road, costing \$40,000 a mile.

The route of the railway will be up the Clear fork of the Sandy River, south of Bull Run and Lost Lake crossing at Sals Pass north of Mount Hood. Going over the Cascade Mountains, the road will tap the upper part of the Hood River Valley. The people around here are offering the company big inducements to keep on the old survey, which would pass through their community.

A Commercial Club has been organized at Sandy, with V. L. Mock president and Ed Hart secretary, to secure right of way for the company and develop the country. Mr. Blonder addressed the club, showing the benefit of the railroad, marketing of produce is very difficult now, it being necessary to haul to Bull Run or Boring. There is no doubt, he said, that the line will pass through the Firwood country.

"INNOCENCE" IS EXPLODED

Portland Boy Who Posed as Novice in Crime Recognized as 'Veteran.'

SEATTLE, Wash., May 31.—(Special.)—Walter E. Layman, the 19-year-old youth sentenced to three years at the United States Penitentiary on McNeill Island several months ago by Judge C. H. Hanford, in the United States District Court, after confessing to obtaining \$1800 through passing spurious money, was today identified by Sergeant Walter Hogan, of the Spokane police force, as Elmer Harris, arrested in that city in 1908 on the same charge. Because of Layman's youth and his claim that he had never stained before, Judge Hanford modified his sentence, giving him two years less than Richard McIntyre, through whose information Captain Thomas B. Foster, of the Government Secret Service, was enabled to break up the spurious money gang operating in this city. Layman, sentenced this week to the penitentiary, was the last of the gang out of prison. Friends of Layman have been busily engaged working toward a parole for him because of his youth and apparent secret record. With Hogan's identification, today Captain Foster declared that he would fight the parole with all the means at his command. Layman's parents and family live in Portland. His mother came to Seattle following his arrest here by Foster and asked the court to have the bumps on his head examined. Examination disclosed nothing which could be used for the benefit of the boy in alleviating his sentence.

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Washington Development Association began to reach the city this morning and tonight more than 500 were on hand to represent the several Commercial Clubs that are members of the association. Tomorrow is the big day of development meetings as well as the banner day of the Hub City Festival and it is believed Centralia will entertain the biggest crowd in the history of this city.

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CEMENT PLANT BUILDING

The main building will be three stories, 50x250 feet, constructed entirely of steel and cement. It will cost over \$200,000 and will be one of Oregon's greatest cement plants. Several other buildings will be erected, including a hotel for the men, there being nothing of the sort here, but a small frame manufacturing plant. It is expected that Gypsum, which is a flag station on the Snake River now, will be a town of 500 before the snow flies.

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Ghirardelli Cocoa advertisement featuring an illustration of a man in a top hat and a large cocoa tin. Text includes 'We're making a spread—we reach out over the whole field in this shirt game. The winners are new designs in figured or striped combinations. \$1.50 and \$2.00 perfect-fitting shirts, special for today only \$1.15' and 'For real solid Summer comfort come and get a cool, cosy home for your two feet. \$4.00 and \$5.00 Oxfords, in tans and black, are on special sale today \$2.95'.

For over 60 years the house of Ghirardelli has been making products from the health giving cocoa bean. For these 60 years, every effort has been put forth to make these products unequalled. In our Cocoa we have produced a product that for freshness, smoothness and uniformity has no equal. Cocoa is a delightful drink if made this way:

One cup of milk and one lump sugar for each person, heated in a double boiler. In a cup or bowl mix one teaspoonful cocoa for each person, with sufficient milk to make a thick liquid; add this to the hot milk. Lift top boiler out and boil up once. Stir well when serving—add sugar to taste.

Ghirardelli's Cocoa advertisement with a decorative border. Text includes 'and be sure you make it of Ghirardelli's Cocoa'.

CHRISTOFFERSON WILL FLY. Three-Passenger Machine to Be Used in Trials Next Week.

Today! "Special-Sale" Day for Economical Piano Buyers

- Valley Gem, oak \$ 85
Schaeffer, mahogany\$115
Furlong, mahogany\$145
Warner, oak\$150
Templeton, mahogany.....\$185
Thellen, mahogany\$175
Marshall & Wendell, walnut\$225
Hallet & Davis, mahogany\$240
Bush & Lane, mahogany.....\$287
All of them slightly used.

Push & Lane Piano Co. advertisement with logo and address: 325 Washington St.