

**ACTION BALLOT MAY FREE MURDERERS**

**Pender and Wilkins to Escape Death and Prison if Noose Is Abolished.**

**GAP IN MEASURE FOILS**

**Attorneys Say Amendment, Which Has No First Degree Penalty, Nullifies Sentences and Creates Serious Interim.**

Will John Arthur Pender and Lloyd H. Wilkins, under sentence of death for first-degree murder, go free in case the initiative measure to abolish capital punishment, carries November 3, Portland attorneys to whom the question was submitted yesterday, were of the opinion that there will be no alternative except to free Pender and Wilkins if their cases were allowed to stand as at present until after the general election, providing the death penalty is then abolished.

Pender and Wilkins are under reprieve from Governor West, who could recall his reprieve, it is believed, and set a date for their execution or commute the sentences to life imprisonment before election.

The reason for the belief that Pender and Wilkins will go free is the standing of their cases is not altered, and the death penalty is abolished November 3, so that the proposed anti-capital punishment amendment simply repeals Section 1903 of Lord's Oregon Laws, providing that the punishment for first-degree murder shall be death.

**Gap Seen in Measure.**  
Thus, it seems that the crime of first-degree murder would be left without any punishment from November 3 until such time as the Legislature might provide a punishment.

This being the case, there would be no penalty for the crime of which Pender and Wilkins were convicted, say attorneys who discussed the subject yesterday. Any law subsequently enacted providing a penalty could not apply to their cases, and they could not again be tried for crimes for which they had been acquitted.

Another point raised by the form in which the proposed amendment is presented, lacking as it does any substitute penalty for the crime of which the persons might commit first-degree murder in the interim between the abolition of the death penalty and the time that a penalty might be provided in its stead by the Legislature.

**Lesser Indictments May Ensnare.**  
In the opinion of Alfred E. Clark, Dan J. Maloney and other attorneys, such a contingency would be met by prosecutors bringing indictments for second-degree murder, for which the penalty, life imprisonment, would remain undisturbed.

"The crime of first-degree murder," said Mr. Maloney, "of course includes that of second-degree murder, such as slaughter and assault. The technical defect of no punishment for first-degree murder would be met by the prosecutors who would ask for second-degree indictments."

"But persons already convicted of first-degree murder and under sentence of death at the time of the passage of a law abolishing capital punishment," said Mr. Clark, "could not, it would seem, be punished by the proposed constitutional amendment. If enacted, it will repeal all acts in conflict therewith, and this includes the death penalty."

**Freeing Result Probable.**  
Mr. Maloney was not expected to say, without further consideration, that the effect of the amendment, if adopted, would be to free anyone under sentence of death at the time of its adoption, but said that it looked like such persons would, of necessity, be turned loose.

"I don't believe there is any power that could substitute a punishment other than the one prescribed by the statute in which they were convicted," said Mr. Maloney.

Attorney-General Crawford coincides with the opinion of Portland attorneys as to the effect of the adoption of the amendment abolishing capital punishment. In an interview with The Oregonian's correspondent at Salem last night he expressed the opinion that the adoption of the amendment would mean liberty to Pender and Wilkins if they are kept under sentence of death until the adoption of the amendment.

**Two May Go Free.**  
"The only legal punishment for first-degree murder at present," said the Attorney-General, "is death. If this penalty should be abolished by the adoption of an amendment without a saving clause there would be no penalty prescribed for first-degree murder. The men could not be arrested, nor retried, nor hanged. They would go free."

John Arthur Pender was convicted of first-degree murder for killing Mrs. Daisy Wehrmann and her young son, Harold, on the evening of September 4, 1914, at their home three and one-half miles southeast of Seaside, in Columbia county. According to the evidence, Pender entered the house in the absence of Mrs. Wehrmann and who is a baker in Portland. The woman was shot three times, and her skull was fractured. The boy also was shot three times. The State Supreme Court was that the boy was slain to prevent his testifying against the slayer.

**Seratches First Clew.**  
Seratches on Pender's face after the murder gave the first clew as to the identity of the murderer. He lived near the Wehrmann home. The shooting was done with a pistol which had been taken from a cabin of friends of Pender, and it was shown that he had once borrowed the pistol and knew that it was kept in a trunk in the house. In the absence of the residents of the house, the house was searched and the pistol was taken. The weapon was unloaded at that time. Later it was found loaded in the trunk.

Pender was tried twice and his conviction was affirmed by the State Supreme Court, June 20, 1911.

Lloyd H. Wilkins was convicted of the murder of Lou L. Winters, was sentenced by Judge Morrow, of the Multnomah County Circuit Court, January 5, 1914, to hang March 24, 1914. He appealed to the State Supreme Court, which affirmed the conviction June 22, 1914.

**LAND SHOW READY TO OPEN ON TIME**

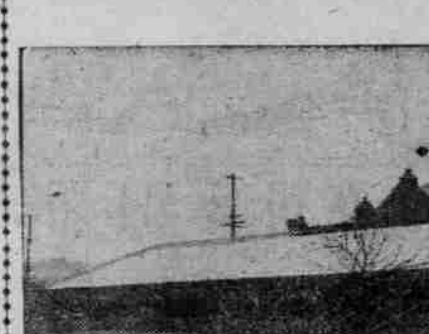
**Buildings Rushed to Finish as Displays of Products Begin to Come In.**

**DECORATORS ARE AT WORK**

**Outlying Towns to Have Special Days When Clubs Will Visit Exhibit in Body—Fiddlers' Contest May Be Held.**

"The exposition will be more than 60 per cent complete by Friday and ready in every detail opening day, Monday," said Louis W. Buckley, general manager of the Manufacturers' and Land Products Show, yesterday.

**GREAT PAVILION FOR MANUFACTURERS' AND LAND PRODUCTS SHOW BEGINS TO TAKE SHAPE.**



TEMPORARY STRUCTURES UNDER CONSTRUCTION ADJOINING ARMORY.

ager of the Manufacturers' and Land Products Show, yesterday.

"The temporary exhibition buildings are ready for the exhibitors," he continued, "and the work of decoration has commenced. Booth-building will be well under way by Wednesday and by Next Sunday more than 80 per cent of the exhibits will be in place."

**Exhibitors Sign Up Readily.**  
"Portland's greatest exposition since the Lewis and Clark Fair, a week before the opening of its doors to the people of the Northwest gives promise of living up to all claims made for it. We have more than 300 exhibitors signed up and the entertainment features are such as to provide amusement of a high-class character afternoon and night during the progress of the show."

The Armory and temporary buildings were a scene of life and action yesterday. More than 75 painters, decorators and carpenters were at work yesterday and this force will be increased greatly today. The general offices of the land show yesterday were moved from the Commercial Club building to the Armory.

Pioneers of Portland and the state have taken up with the land show management the question of a fiddlers' contest at the exposition. F. W. Prapp has agreed to take charge of this feature and entries sent to him will be considered. All old fiddlers are requested to make themselves known to the land show offices at the Armory.

**Samuel Hill to Talk of Roads.**  
November 3 yesterday was set aside as Builders' Exchange night at the exposition. O. H. Hughson and B. M. Hurst, the committee in charge, announced that the feature of the programme will be a lecture on good roads by Samuel Hill, president of the Home Telephone Company.

J. E. Hiller, secretary of the St. Johns Commercial Club, has conferred with the exposition management about a special day at the exposition. The members of the club plan to charter streetcars and come to the land show in a body. Vancouver will have a special day, and will Oregon City and places in Oregon and Washington, adjacent to Portland.

Various business, fraternal and social organizations in the city are holding meetings this week to make final arrangements for the party they will arrange in London for the exhibition. Prominent among such societies are the Women's Free Club, Parent-Teacher, Congress of Mothers, People's Institute, Coterie, Woodmen of the World and Rotary Club.

Space has been set aside for an exhibit by the United States Forestry Service. Charles B. Flory, assistant district forester, will install this exhibit and during the progress of the exposition will lecture on "The Purpose of the National Forests and Their Protection."

The report with those from various committees and heads of departments will be heard before the convention at Grants Pass. Every Baptist church in the state will send delegates.

**COUNTY 'O. K.' REQUIRED**

**PLATS FOR CITY STREET CHANGES ORDERED SUBMITTED.**

**Ruling by District Attorney's Office Says Object Is to Assist Assessor in Listing Property.**

That the plat for the opening, widening, extension or vacation of a street, when filed by a municipal corporation, should be approved by the County Commissioners and the County Assessor, is the ruling just made by District Attorney Evans' office in response to an inquiry on the subject from Assessor Reed. Deputy District Attorney Murphy, who wrote the opinion, construed sections 250 and 264 of the Portland charter, in connection with the state law governing the filing of plats.

Mr. Murphy says the state law was enacted not to entail needless work on the county officials, but to protect the public against fraud, to provide a uniform and satisfactory method of public improvement and to keep the taxing officers of the state fully informed as to the ownership and legal description of all taxable property.

Discussing this decision yesterday, Assessor Reed said: "All plats of additions heretofore filed for record carry on their face the certificate of the County Treasurer or the Sheriff that all general taxes for 10 years past have been paid. Plats filed by municipalities in regard to the opening, widening, extension or vacation of streets hereafter will follow the same course as plats of additions and require the same approval."

Copies of the decision were sent yesterday to County Clerk Coffey and to the City Engineer.

**Idahoans to Hold Some Apples.**

LEWISTON, Idaho, Oct. 15.—(Special)—The apple-packing season is

**BALLOT 35 INCHES LONG**

**Order for 324,000 Placed to Be Delivered Next Monday.**

**Decorators Rushed to Finish as Displays of Products Begin to Come In.**

Bearing striking resemblance in size to the old roller towel that used to hang at the kitchen door of the farmhouse, the official ballot to be used in November was approved yesterday by County Clerk Coffey and a large supply was ordered for use at the November election. The ballot is 14 by 35 inches in size. Glass & Frudhumm were awarded the contract of supplying 133,000 official ballots and 185,000 sample ballots. This are expected to prove ample to fill the needs of voters of the 226 precincts in the county.

A notable saving in the cost of printing the ballots was effected by the arrangement just made by Clerk Coffey. The entire supply will be furnished at a cost to the county of \$950. Two years ago, at the last general election, ballots cost \$1488. At that time only 85,488 official and 84,460 sample ballots were used. There were then but 191 precincts in the county. The ballots for the coming election will be delivered next Monday to Mr. Coffey and will be delivered shortly thereafter to the various election boards throughout the county.

**FEDERAL POSTS VACANT**

**Civil Service Examinations for November Scheduled**

The United States Civil Service Commission announces the following examinations:

November 10—Assistant in cooperative grain elevator accounting, man, for a position in the office of markets and rural organization, Washington, D. C., salary \$1300 to \$2400 per annum; agriculturist for reclamation projects, man, for a position in the Department of Agriculture, salary \$1300 per annum; marketing specialist (dairy products), man, for a position in the office of markets, Department of Agriculture, Washington, D. C., salary \$1300 to \$2400 per annum.

November 17—Oil and gas inspector, man, for a position in the Bureau of Mines in Oklahoma, salary \$1800 to \$2400 per annum; oil and gas inspector, well records, man, for service in the same bureau and state, salary \$1800 to \$2400 per annum.

November 18—Junior explosive engineer, man, for a position in the Bureau of Mines in Oklahoma, salary \$1200 to \$1500 per annum; assistant in school and home gardening, woman, for a position in the Bureau of Education, Washington, D. C., salary \$1500 per annum.

Complete information and application blanks will be provided by T. V. Hutchins, local secretary, at the Portland Postoffice.

**NEGRO CRIPPLE NEEDS AID**

**Appeal Made for Funds to Send Man to Relatives in California.**

Mrs. E. D. Cannady, secretary of the National Association for the Advancement of the Colored People, cooperating with the Associated Charities, is endeavoring to raise funds to send George Shaftner, a negro cripple, who is destitute and in serious need, to California, where he has relatives.

The Associated Charities undertook to locate the relative some time ago, when Shaftner was arrested for peddling shoestrings without a license. Judge Stevenson paroled him on condition that arrangements should be made to return him to his relatives. There is need of sufficient funds at least for the payment of his railroad fare to London, for his maintenance, which Mr. Cannady is editor, a request is made that all colored people in Portland who are desirous of helping George Shaftner in his need communicate with the office or with the Associated Charities.

**WOMAN WARNS AMERICANS**

**Donations of Clothes Spoil British Plan for Idle, Says Mrs. Wilder.**

Mrs. Frank Wilder, 384 Thurman street, who has returned to Portland from Europe, where she was held in London for her part in the outbreak of the war, has brought the message that American women are adopting the wrong methods in aiding the British Red Cross, by making and sending garments to England.

Mrs. Wilder says the factories of England are running to provide employment for their own people. Their output to the nation at greatly reduced prices. By Americans making garments and sending them abroad the output of the factories is defeated. The clothes, she says, are providing the factories at a price less than what they can be made in America and sent abroad.

**MUSICIANS HEAR ADDRESS**

**A. G. Clark Advocates Honesty in Advertising as Paying Proposition.**

Twenty-two members of the Portland Musicians' Club met at the Portland Hotel yesterday and enjoyed a luncheon-talk, under the direction of William R. Boone, president of the club. A. G. Clark, formerly president of the Portland Ad Club, delivered an address on "Advertising." Mr. Clark said that only "honest" advertising pays and that the motto of the up-to-date advertiser is "honesty."

**Complexion perfection; Sanitizing Lotion—Adv.**

**Dolls, Toys, Games, Hallow'en Novelties, Sporting Goods, Etc. 4th Fl. Apple Day October 20—Order a Box of Oregon Apples—Grocery Dept.**

**Olds, Wortman & King**  
Reliable Merchandise—Reliable Methods  
Pacific Phone Marshall 4800 Home Phone A 6231

**Double Trading Stamps**

With Cash Purchases All Over the Store Today!



Over 8,000,000 People Collect S. & H. Stamps! WHY NOT YOU?

**"Bargain Circle" Specials**

- Main Floor—The following items will be on sale today at the Bargain Circle, between elevators:
  - Extra large fancy bordered 50c
  - Good Towels—65c grade only 25c
  - Both heavy grade Turkish Bath Towels, special at low price of 98c
  - Embroidered and Initialed Pillow Cases at low price, the pair
  - Full-size hemmed Bed Spreads, Heavy quality, \$3.60
  - Full-size scalloped and cut corner Bed Spreads, Spel \$4.15
  - Manufacturers' Sample Line Fine Linen
  - Damask Towels—slightly soiled—to be closed out at greatly reduced prices now.

**\$2 Lace Curtains 98c**

On Sale Today—Third Floor  
200 pairs fine quality Nottingham Lace Curtains offered today at about half price. Great variety of handsome new designs to select from and all are in good widths. Shown in white, cream and ecru. This is one of the very best offerings in Curtains we have ever made and no doubt they will sell quickly. Standard \$1.75 to \$2.00 Curtains, pair 98c

**"Hotpoint" Irons**

Third Floor—Iron the "Hotpoint" way and save time, labor and temper. "Hotpoint" Irons are guaranteed for ten years. Priced Tuesday, \$3.50 \$3.00 and at \$3.50 \$2 Ironing Tables now \$1.59 \$1.25 Garbage Cans now 99c No. 8 Wash Boilers for \$1 Good Clothes Wringers at \$2 \$1.50 Clothes Racks for 98c Parlor Brooms, special at 59c

**CLARKE PARTIES BUSY**

REPUBLICANS PUBLISH PICTURES OF THEIR CANDIDATES.

Progressives Prepare Booklet Containing Platform—Democrats Also Send Out Campaign Literature.

**SOAP ON HAIR CAUSES DANDRUFF, SCALP GETS DRY, HAIR FALLS OUT**

Girls! Get a 25-Cent Bottle and Try a "Danderine Hair Cleanse."

**Olds, Wortman & King**  
Reliable Merchandise—Reliable Methods  
Pacific Phone Marshall 4800 Home Phone A 6231

Thousands of thrifty buyers will take advantage of this special offer and fill their Christmas Stamp Books in double-quick time. Every department of the store is included in this Double Stamp offering—Men's, Women's and Children's Wearing Apparel of all kinds, Groceries, Shoes, Furniture, Draperies, Toys, Sporting Goods, Hardware, China, etc., etc. With stocks throughout the store now at their best, shrewd folks will do their Fall and Winter buying today. Shop in the morning if you can.

**Featuring New Coats**

For women and misses in the season's most favored models and fabrics. Three special lines moderately priced for today.  
Second Floor—Women's and misses Coats in smart belted-back styles with large storm collars and cuffs. Also Balmain and other attractive styles. The materials are the new heavy mixtures in plain colors, stripes, plaids, etc. Great many handsome Coats to select from at this very \$12.50 low price of \$12.50

**At \$18.50**

A wonderful assortment of styles, both for sport and dress wear. Zibelines, chevots, serges, broadcloths, tweeds and novelty weaves of various kinds. Belted models, Balmain and flare skirt effects in all the new colors and all sizes. Ask to see these styles in new coats, priced at \$18.50

**At \$25.00**

Not the ordinary \$25 Coats you see elsewhere, but the best coats in town at the price. We want you to see this line—examine the tailoring and the materials—and, above all, the distinctive styles. Various models to suit every fancy. Beautiful new shades \$25.00 and black. Complete range of all sizes \$25.00  
Complete Line Raincoats Priced \$5 - \$35

**\$2 Lace Curtains 98c**

On Sale Today—Third Floor  
200 pairs fine quality Nottingham Lace Curtains offered today at about half price. Great variety of handsome new designs to select from and all are in good widths. Shown in white, cream and ecru. This is one of the very best offerings in Curtains we have ever made and no doubt they will sell quickly. Standard \$1.75 to \$2.00 Curtains, pair 98c

**"Apron Day" Today**

Center Circle, First Floor—Two special lines of Women's Aprons, in popular styles. Underpriced for Tuesday.

**New Kimono Aprons**

Women's Kimono Aprons, open in back with strap and large pocket. In good full styles, light and dark colors. Special now at 54c

**New Overall Aprons**

Women's Overall Aprons, open side-front with strap back and pocket. Striped and checked ginghams now on sale in sizes 30 to 44. 79c

Special priced Tuesday at 59c

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**SOAP ON HAIR CAUSES DANDRUFF, SCALP GETS DRY, HAIR FALLS OUT**

Girls! Get a 25-Cent Bottle and Try a "Danderine Hair Cleanse."

Wavy, fluffy and abundant, and possesses an incomparable softness and luster. Besides cleansing and beautifying the hair, an application of Danderine dissolves every particle of dandruff; stimulates the scalp, stopping itching and falling hair. Danderine is to the hair what fresh showers of rain and sunshine are to vegetation. It goes right to the roots, invigorates and strengthens them. Its exhilarating and life-producing properties cause the hair to grow long, strong and beautiful. Men! Ladies! You can surely have lots of charming hair. Get a 25-cent bottle of Knowlton's Danderine from any drug store or toilet counter and try it—Adv.