

CONFESION FALSE, SAYS ELDER SIERKS

Father Says Son Is Innocent but Capable of Crime He Said He Committed.

IDIOT'S LETTERS REVEALED

Asylum Inmate Declares He Admitted Wehrman Deed to "Help Pender Out"—Subject Left for Dr. Withycombe to Handle.

(Continued From First Page.)

All of his life for what he done and today (the 10th of September) I read about him again in another paper. That he had fired five shots; three shots were fired in Mrs. Wehrman and two were fired in the little baby boy, Harold, and that they were all round and mamma, her name was also in both papers that she had committed (Mr. Sierks says he meant to write discovered) the crime.

That is too bad about that poor woman, anyhow, that she had to lose her life, on account of misery. Every body that read about her says that he will find the way into the pen for that, if the sheriff finds him, they say.

Pender's Name Mentioned.

In a letter written to his father September 25, 1914, Sierks says: "I read in the paper yesterday about the crime that happened down there in Scappoose. I read in the paper yesterday that they thought that John A. Pender might be the murderer of this woman and her little son. It is an awful dirty trick whoever done this. He ought to be hung up by his ears for doing that. I wish they could find the right man who done that. I would put a word that they hang him up for that murder business."

The authorities think the sentence, which they could find the right man who done this," after Sierks had mentioned reading of Pender's arrest, is significant.

Mr. Sierks said that he had positive proof that his son could not have killed Mrs. Wehrman and her child, but he told in detail of the numerous threats made by the young man to harm members of his family. He related one incident as follows:

"He worked with me and another man by the name of August Schmidt, a neighbor, on a house—on a house I was building for myself there. He could not work on the scaffold and he had to work with the chickens. He was working around so that we could watch him.

Threat to Kill Related. "He said to his sister and the folks there that he was going to shoot the old man and every damned thing off the scaffold to see them fall. Well, we watched him all the time. I took him away from the work and put him to turn over some other thing that had been wet several times and was damp. I told him just to turn it over and dry it out. I saw that he was making big eyes at me. Well, he would put a stop to my damned business somehow. He said: "You make your own damn mind."

Mr. Sierks then said his son started to leave home with a shotgun and a rifle, but that he bought the guns, and another man bought the pistol from him. It was not long, however, until he obtained another pistol.

Poison Plot Reported. Regarding an incident in which "poisoned wheat" played a prominent part the father said: "John came to me one day and said: 'Father, we have got a lot to look after. Lena she got so damned mad here a few days ago that she wanted to take poison.' I said, 'John, there is no poison on the wheat. Well, I said, 'Now I know that it is a damned lie, that she is not going to take any poison, and that she is not going to give someone here poison, are you?' He said, 'No, not exactly.'"

"Now then, after he had spoken about this poison, he had spoken about being taken away for some time after that, but after he was gone the girl told me about John wanting to take poison when he had it in his little brother. He said his brother was in the way."

Mr. Sierks said that the girl informed him that she had urged her not to tell of the "poisoned wheat" story, and had said if she did he would get even with her.

String of Blast Recalls. The father told of his son having placed a giant stump under a stump which was intended to remove. He did not fire the charge, but his sister did when he was away from her. When he heard that she had done so he became angered, but let his father suppose that he had actually fired the blast.

"I didn't think much about this," said Mr. Sierks, "until only a short time ago. One of my neighbors was talking about John and he said that it was a good thing that I had gotten him away that John had set out giant powder under a stump and if it had not been for the stump it would have blown him up. He would have gotten the old man all right. He had reference to this stump, I reckon. I did not know that he had intentions to catch with the stump and blow it out of the middle of the house."

Mr. Sierks said that his son once had struck his mother with a stick, but that he did not know of his sister treating her otherwise. The boy had told his mother that he intended to get rid of his father, so that he would have a home and get married, reported the elder Sierks.

Father Is Questioned. Following is a portion of the stenographic report of the questioning of Sierks, Sr., concerning his son by the asylum physicians and Mr. Thacher, Dr. Griffith and John ever fire a stump that did the house any damage?

Mr. Sierks—Well, not particularly. I will tell you about it. After the first time there was some stuff on the second floor that we could see. It was a fire and there was a stump that had been burned and a charge would not do any good under it. I told him to dig that stump out and he would help him. Well, I went away from home; meanwhile he went and put a blast under the premises of the stump and his little brother was with him. He got his little brother to crawl under the house and he had the charge and run quite a distance away from there and the charge went off and there was a very large root come up and settled in the middle of the house on a joint. It was a place that was so heavy that when Alvin Smith came to throw it out that he saw it was so heavy it was all that he could do to lift it. If it had not fallen over the partition, very likely it would have broken the joint and gone through to the ground and there was a chance of it killing the little boy.

Family Not Attacked. Dr. Griffith—Did John ever make any improper proposal? Mr. Sierks—Oh, no; no, there was nothing of that kind ever happened in the family; there was no complaint made to me. Dr. Steiner—Was it not possible that he

may have attacked his mother and she not tell you about it? Mr. Sierks—No, I don't think so; she would have told me now. Dr. Steiner—Every member of your family was afraid of John? Mr. Sierks—Oh, yes; yes. Dr. Steiner—What he was going to take your life? Mr. Sierks—Yes, sir. Now, then, here is another thing that I would like to mention. Of course, it is all against John. I know that I have had an unlimited lot of trouble with him. He has said things that I accused him of. But, I am just as strongly convinced that he is innocent of this murder and, consequently, I shall do all that is in my power to defend him in that of which he is not guilty.

Now, there is a neighbor there with some girls—maybe three or four girls—they are on a straight line not far from our house. My children went there and played with the children. John always was more inclined to play with smaller children than those of his own class; well he went over there and played with the children and the parents of these children expressed a desire to have us keep John away from them. So I told John about it.

Sometimes after that the children went over there to play. He took my rifle from the house, said he was going to go hunting. Which direction

EUROPEAN MAGICIANS HERE ON WORLD TOUR.

Mr. Talmu, of Le Roy, Talmu and Bosco Company.

Le Roy, Talmu and Bosco, the triple alliance of European magicians, and a company of 50 mystery people, fakers, jugglers and illusionists, come to the Helix Theater today for three days, with a matinee Saturday. Mr. Roy, Talmu and Bosco are now in a round-the-world tour which has taken 12 years. Their first American appearance took place at the Cort Theater, San Francisco, early in December.

Le Roy, Talmu and Bosco offer, with few exceptions, a repertoire of tricks and illusions never before seen in the United States.

He went his mother did not know. She was at home. The children were playing here. They went from the house down to the chicken-house. They were playing in the chicken-house, and while there heard three shots fired and that a bullet came through the roof of the chicken-house, and the children left the chicken-house and went to the house, and they said to the mother, there at that time, that somebody had shot through the roof. While they got to telling and worrying about it, he was not long until John came here with a rifle he was packing and said, 'I want you damned kids to come home.' The woman there told John to go away and the children came home, and that that shooting, but circumstances convince me that it was not John. This is circumstantial evidence. This is close enough to send a man up."

Father in Fear of Son. Dr. Steiner—Was he in the habit of drinking? Mr. Sierks—I do not know that I ever saw him drunk, but heard from others that he got so drunk that he had to be taken to bed.

Mr. Steiner—Did he smoke cigarettes? Mr. Sierks—I always cautioned him not to use tobacco. I thought that if he used tobacco that he would cultivate what I called a tobacco heart and that he would get so used to it that he would be unable to get away from it. He said that he did not smoke. That was his answer. He always took the opposite stand from me, so to say, in everything. He wanted me to go out hunting from time to time and I would ask him where he would go. Well, he would usually would propose some outlandish place. Of course, I watched him and studied him right along, and he did not get in the woods with him on account that I thought he would follow me up and shoot me. I had reason to believe this.

Retraction of Confession of Murder Is Like Blow. Plan to Plead for Pardon of Man Convicted of Killing Wehrmans to Await Test of Sierks' Story.

News from Salem yesterday that John Sierks had retracted his confession that he had killed Mrs. Daisy Wehrman and her little son near Scappoose September 4, 1914, was received as a severe blow by the family and friends of John A. Pender, who is serving a life sentence in the penitentiary for the Wehrman murders.

Pender's aged mother, his wife and two sisters are downcast and attorneys for Pender, who have been framing a petition for a pardon are amazed at the turn the affair has taken.

It had been arranged to take Sierks to the scene of the crime yesterday and give him a chance to illustrate how he committed the double murder and show where he hid the bodies of Wehrman, Colonel Lawson, superintendent of the penitentiary, accompanied by George A. Thacher, was to have brought Sierks down on the city at 9:15 o'clock, but because of the trip made by Sierks' father to Salem, this was postponed until the day. Then the retraction followed.

W. G. McLaren, who helped obtain the confession from Sierks, and Roscoe Hurst, attorney for the Prisoners' Aid Society, had planned to accompany Sierks to Scappoose after meeting W. B. Dillard, District Attorney for Clatsop County at Burlington. When the plan was changed, all went to Salem to learn what had transpired there and returned to the city last night.

President Wilson Invited Governor West to Speak at Jackson Club Banquet.

Following the usual courteous custom, the Jackson Club has invited President Wilson and other prominent Democrats, including the Oregon Senators, to be present at its annual banquet at the Commercial Club, January 8, at 8:30 P. M.

Colonel Robert A. Miller, the club's new president, will be toastmaster, and Governor West has accepted an invitation to be one of the speakers.

It is intended to have a large number of short impromptu talks instead of long set speeches, which has been the practice heretofore.

New York's forest preserve contains 1,625,000 acres and is valued at \$30,000,000.

MR. THACHER SAYS CRIMINOLOGIST SOLVED

Criminologist Reviews Sierks' Case and Points to Facts Revealed.

FATHER'S ACT PRAISED

Expert Expresses Hope That Investigation, Whatever May Become of Pender, Will Be Beneficial to Oregon.

BY GEORGE A. THACHER.

It is something of an undertaking to clear up a murder mystery that is about three and one-half years old, and especially where a man has been convicted of the murder, sentenced to death, and had his sentence commuted to life imprisonment.

The difficulty is increased where the charge of sex perversion is assumed against the convicted man. The ordinary analytical and deductive methods are hopeless in a case of this kind. The only hope is the inductive method, and this involves a search for a mass of basic facts, and where the public is to be convinced there must be ample testimony to prove these facts.

The work that I am through with the case. What remains is a mere matter of detail which the state's officers can attend to better than anyone else.

The first point was the demonstration that Pender was convicted without any real evidence against him. Last Saturday's Oregonian, in my article and analysis of the testimony upon which Pender was convicted. One of the deputy district attorneys in Portland said to me after reading the case that there must be more in the case against Pender than I had brought out. I am disposed to claim that as a tribute to the way the work was done, for there was nothing more than I gave.

The second point was the demonstration that this was not a sadistic murder. No newspaper would print the details about sadism can only refer the reader to Kraft-Ebing's "Psychopathia Sexualis." August Forel, German physician and investigator, Iwan Bloch, who is the greatest authority of this generation.

The third point was that this murder was committed by a being in the form of a man who never had any moral sense or power of self-control. Such a person would stamp upon or assault or shoot or beat with the flat side of a hatchet the dead body of his victim. Mr. Hyde, the alter ego of Dr. Jekyll, was such a creature. Who ever has read the details of the murder of Mrs. Wehrman and her child will instantly agree that this murder was of this type.

Search for Pervert Begun. The fourth point was to prove that there was a man in the neighborhood of Mrs. Wehrman, and preferably one who knew her, who was such a moral monster as to possess the cleverness and skill to do the deed, and the cunning to avoid betraying himself.

Such a man was found in John G. H. Sierks, a high-grade mental defective, absolutely without moral sense and with a cunning which is unbelievable in a mild, boyish-looking person of 15 or 17 years of age. He was 25 years old. This statement of mine about John Sierks is absolutely proved by the testimony of his own father, G. H. Sierks, of Scappoose, who is in the office at the State Insane Asylum yesterday in my presence, and in the presence of Dr. Steiner, Dr. Griffith and Frank Snodgrass, parole officer.

The whole conversation was taken down by stenographers. Comment on it is superfluous, but I wish to refer to Mr. Levings' statement that this confession of John Sierks was made by a man, and that the Sierks family had the right to be satisfied with the Telegram's assertion that an idiot was an idiot under whatever circumstances he might be placed.

John Sierks is a feeble-minded man—a moron, or high-grade defective, and he has no moral sense, as his father's story shows, and he has considerable intelligence and cunning, as his letters to his father show. I think everyone will agree to this. His father told the story that he had written to his boy that he was responsible for anything he might say or do. It is certainly true that the boy is not responsible, and his father and mother every intelligent person in Oregon.

His father, now 66 years of age, and who is serving a life sentence in the penitentiary for the Wehrman murders, showed the finest courage that a man could show in trying to protect his child "once more," as he pathetically said, in spite of the fact that the boy had planned to kill him several times and had also hoped to kill his mother and sister and brother. Whatever his faults may be, G. H. Sierks, of Scappoose, is as brave an old man as ever faced trouble or death in any form.

Problem Deemed Solved. The various points have been demonstrated and the problem solved, unless there was another person of his type in the neighborhood of Mrs. Wehrman's cabin the night she and her child were killed.

I took up this work as a director of the Oregon Prisoners' Aid Society and without solicitation from any one. As he said, there has been no unwholesome advantage taken of any human being in this investigation, and no unkindness shown or "sweating" method used. The effort was made to get to the facts and that effort was successful.

I should have failed lamentably if it had not been for the intelligent assistance and cordial co-operation of Dr. Steiner, superintendent of the Insane Asylum; Colonel B. K. Lawson, warden of the State Penitentiary; W. G. McLaren, chaplain of the Oregon Prisoners' Aid Society, and Frank Snodgrass, parole officer of the Penitentiary.

They acted under a sense of duty to the people of Oregon and they have been criticized sharply when they might have avoided it all by simply following their daily routine. He fervently wishes that the families in Oregon who send patients to his institution would send him a full account of the facts, so that he might be able to help them in the means of saving valuable human lives.

Dr. Steiner bears heavy responsibility. He has more than 1500 patients in his institution and 218 attendants. He has a farm to manage and heavy financial cares on his hands. As he said to me yesterday, "I can't, with my duties, investigate every case that is committed to the asylum. I know nothing whatever of the history of this case, and I might have found it hard to resist an application for his release if it had been made."

In an electric gun invented in England, which seems to be successful, a projectile is hurled through a tube by the action of electric magnets on the outside.

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REPORT FOR PENDER

Spanish War Veterans Declare Comrade Isn't Murderer.

INVESTIGATION IS MADE

Man Convicted of Killing Mrs. Wehrman and Child Shown to Have Had Exemplary Army Record—Auxiliary Concurs.

After a careful investigation of the Wehrman murders, undertaken at the request of friends of John A. Pender because he served in the Philippines during the Spanish-American War, the Spanish War Veterans' committee has completed a report in which the inhumanity of Pender is asserted and the organization is pledged to use all lawful means for his release.

The report is signed by Seneca Pouts, chairman, and Jay H. Upton, secretary of the special committee named by the veterans to investigate the killing. Two theories of the murders were followed out by the investigators. They considered that the double murder was committed by one in frenzied rage of a dog belonging to the Wehrmans, with neither of these theories could the arrest and conviction of Pender be reconciled by the committee.

Army Record Good. There was no direct evidence to connect Pender with the crime, reports the committee. It was learned in the investigation that for some time before the trial of the case, stories of the conduct of Pender against Pender while he was a soldier in the Philippines were circulated throughout Columbia County, presumably by the soldier who was a volunteer soldier and inquired into by the committee and statements obtained to show that his conduct in the war was above reproach.

If the crime were committed by one morally deficient, the committee found that suspicion might be lodged against John G. H. Sierks, who lived in the neighborhood, and whose habits were found to have been vicious and depraved. He had previously annoyed Mrs. Wehrman, it was said, and complaint had been made to his mother.

Ill-feeling between Pender and the Sierks family because of the shooting of Mrs. Wehrman by Pender by the father of John Sierks was investigated and the silence of the mother of the Sierks when she first discovered the bodies of Mrs. Wehrman and her son in the cabin, keeping it a secret for a time, is reported as a suspicious circumstance indicating that the mother was one who had suspected her own son of the crime.

Innocence Is Asserted. In concluding, the report reads: "We have verified the character and reputation of Pender by his command officer in the Philippines, by persons who knew him from childhood and by fellow-employees who worked with him in the train service, and we are therefore unqualifiedly of the opinion that there was a gross miscarriage of justice in his case and that it is not fair to keep him in prison. We believe that the Ladies' Auxiliary of the Spanish War Veterans also named a committee, consisting of Sara E. Bodley, Jessie C. Auterson and Margaret E. Becker, which investigated the case and con-

cluded in the conclusions reached by the veterans.

Because Pender was a member of the Order of Railway Trainmen, the Central Labor Council named a committee, of which J. L. Ledwidge was chairman, that pursued independent investigation and reported to the same effect as the Spanish War Veterans.

FREE CLINIC TREATS 124

Needy Who Are Ill Are Aided by Wives of Rotarians.

The clinic which has been operated by the wives of members of the Rotary Club and backed financially by the club, in Room 229, Seating building, for the benefit of ill people unable to pay for a doctor, has treated 124 patients, medicine, medical attention, medical supplies and some have been cared for at hospitals, including confinement and surgical cases. Thirty cases have been reported cured.

It was thought that the clinic would close after Christmas, but the Rotary Club has decided to continue the work until February 1. A woman is at the office from 9 until 5 o'clock in the afternoon and outside cases, when reported, will be investigated. The telephone number is Main 5169. Mrs. C. V. Cooper is chairman of the executive committee.

PERSONAL MENTION.

W. L. Freres, of Salem, is at the Seward. A. G. Allingham, of Redmond, is at the Perkins. W. S. Grey, a Seattle manufacturer, is at the Perkins.

Dr. H. Offlander, of Lakeview, is registered at the Carlton. A. P. Fletcher, of Lafayette, is staying at the Eaton. W. L. Johnson, of Seattle, is registered at the Eaton.

Fred A. Lee, a Seattle business man, arrived at the Carlton yesterday. A. B. Cornell, a Grants Pass insurance man, is at the Multnomah.

J. H. Lauterman, a Salem insurance man, is registered at the Seward. B. W. Rothwell arrived at the Eaton yesterday from Vancouver, B. C. W. H. Pierce and Thomas Bates, of

Aberdeen, Wash., are registered at the Oregon. Wesley W. Caviness, a pioneer stockman of Vale, is registered at the Perkins.

Fred H. Hartwell, an attorney of La Crosse, Wis., arrived at the Multnomah yesterday. O. Laugegard, engineer of the Tumalo irrigation project, with headquarters at Laidlaw, is at the Oregon.

Frank Sloan and R. N. Stanfield, of Stanfield, are at the Imperial. Mr. Stanfield is president of the Oregon Wool-growers' Association.

Hugh O'Kane, of Bend, arrived at the Imperial yesterday. He is a delegate to the Oregon Irrigation Congress, which will convene today.

F. E. Fortner, a banker of Moro, and his brother, F. R. Fortner, who is a banker at Wasco, are registered at the Carlton. The latter is accompanied by his wife.

E. J. McKail, a merchant of Woodland, Wash., is registered at the Oregon. W. H. Ragadead, State Senator of Moro, is at the Multnomah, accompanied by his family.

Clyde M. Graves, an official of the Spokane & Inland Empire Railway system, arrived at the Benson yesterday from Spokane, accompanied by his family. They are on their way to California to pass the winter.

R. F. Smith, a merchant of Garfield, Wash., arrived at the Carlton yesterday. E. D. Miller, a furniture dealer of Newberg, is registered at the Nortonia. F. B. Waite, of the Sutherland Land Company, of Sutherland, is at the Imperial.

Alaskan Nominee Confirmed. OREGONIAN NEWS BUREAU, Washington, Jan. 6.—The Senate today confirmed

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