

WHY QUALIFY YET FOR WILDE JURY

Court Upholds Alternate Examination of Men in Jury Box.

CONVICT HERE FOR TRIAL One Questioned Declares He Would Not Believe Morris Under Oath. Judge Cautions Venire to Report if It is Approached.

(Continued From First Page.) suggested that the same procedure was observed during the trial of William James Hastings for murder a few months ago. "In previous criminal trials the District Attorney's office has acquiesced in the plan of alternate examination of jurors," insisted Mr. Malarkey, "and it is not right that they should at this time undertake to change that order. It would be manifestly unfair to the defendant in this case."

Special Prosecutor Clark suggested that although he considered it advisable that counsel ascertain how the statute governing the examination of jurors had been construed and applied, he had no objections personally to the alternate examination of veniremen, being convinced that the plan would work out decidedly to the convenience of the jurors themselves. On this suggestion from Mr. Clark, further objection by the prosecution was withdrawn and the examination of jurors was directed by Judge Kavanaugh to proceed in accordance with the plan recognized and observed under the rules of the court.

Mr. Malarkey insisted that the defense had the right to continue that form of interrogation from the fact that Morris would be the principal witness against Wilde. "We know the counsel for the state knows," declared Mr. Malarkey, "that Morris cannot be a witness against Wilde until the charge in this indictment is disposed of against Morris. There are only two ways by which it can be disposed of. Morris must either plead guilty to the indictment or the indictment as against him must be dismissed on motion of the District Attorney. The defense is entitled to ascertain in advance the state of mind of a juror should a contingency subsequently arise which Morris would plead guilty. The determination of this state of mind in a prospective juror is not only vital but extremely essential to the case of the defendant."

The controversy did not progress sufficiently to call for a ruling by the court and Mr. Fitzgerald resumed questioning Walker, who had been charged for the defense. In language plain and unmistakable, the Deputy District Attorney pointed out that even if Morris should plead guilty, it would be of no consequence to establish his guilt, independent of the confession, by other corroborative testimony, before the fact that Morris had pleaded guilty could have any bearing in the case against Wilde, his alleged accessory.

When asked a direct question as to the effect of a confession by Morris would have on his mind in considering the Wilde case, Walker, by his answer, indicated that he had a plain understanding of the situation sought to be explained. But when he was taken in charge by Mr. Malarkey, Walker again became confused and again gave conflicting answers to the identical questions asked of him by Mr. Fitzgerald.

"In arriving at a verdict as against Wilde you would govern your action by the instructions of the court," finally inquired Mr. Fitzgerald. "Yes sir," answered Walker. "You mean you would do your best to do so?" followed Mr. Malarkey. "I would use my own judgment and what the court said," answered Walker.

Challenge is Allowed. Counsel for defense insisted upon its challenge for cause, which was allowed after Judge Kavanaugh found it impossible for the venireman clearly to define his position respecting the points under discussion.

An irreconcilable suspicion of Morris, whom the juror declared he "would not believe under oath," operated to disqualify L. D. Nash, chief engineer of the Union Meat Company, after he had been questioned for nearly two hours. Nash plainly was a well-informed man who read the newspapers extensively, but he could not repress an unbecomingly biased opinion for Morris despite the fact that he did not know the ex-cashier.

Nash said he considered Wilde a promoter, but it was in a way connected with the Oregon Trust & Savings Bank. He had an opinion that Morris was guilty of crime in connection with that bank, but he had no positive opinion as to the guilt or innocence of either Morris or Wilde in connection with the case against which Wilde was being tried. The juror based his suspicion as to the guilt of Morris in other transactions with the bank from the fact that Morris was now serving a term in the state penitentiary.

Man Wouldn't Believe Morris. "Would the impression or opinion you have concerning Morris influence you in any way in your consideration of the charge against Wilde?" asked Mr. Malarkey. "May I answer the question in my own way?" asked Nash, addressing Judge Kavanaugh. "Yes, sir," assured the court. "Well, under existing circumstances I would not believe Morris under oath," said Nash. In answer to further questions from Mr. Malarkey, the juror said he would

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SANTA MONICA WOMEN WILL AID MAYOR TO SOLVE CIVIC PROBLEMS

Members of Advisory Cabinet Recently Appointed Have Own Ideas on How City Should Be Conducted, and One Declares She Intends to Register Own Convictions.

LOS ANGELES, Jan. 13.—(Special.)—One of the members of the Women's Advisory Cabinet, recently appointed by Roscoe H. Dow, new Mayor of Santa Monica, a beach suburb of Los Angeles, declares she will not stultify herself by perfunctory acquiescence in all of the Mayor's actions and projects, but intends to register her own convictions, whether they agree with the Mayor's or not.

"Will I allow the Mayor to dictate my course on the board? Not by any means," said Mrs. H. J. Slater, former secretary of the Crescent Bay Women's Club, named by Mayor Dow as the woman member of the advisory board from the Third Ward. "I shall assume that the Mayor meant what he said before his election, when he promised to create the new cabinet as a means of keeping more thoroughly in accord with the requirements of the town and the sentiments of the people, and to give the women voters representation. The Mayor will be making a mistake if he asks me to approve something repugnant to my own ideas, or if he proceeds regardless of the new cabinet in any matter of importance, depending upon getting my sanction afterwards. For I shall not be backward in recording my dissent."

Mayor Not Bound to Act. Mrs. Carrie Benson, a sister of Lieutenant-General Adna R. Chaffee, U. S.

the board in regard to official appointments, although he does not consider the board's opinion as binding upon him, since its status is unofficial. "Through the co-operation of 21 unofficial advisers from the citizen body I believe I should be kept pretty thoroughly informed as to the public requirements and the feeling of the people on questions of moment," Mayor Dow said. "The women are to be considered as well as the men, so I have named one woman and two men from each ward, and I expect to derive as much benefit from the counsel of the women as from that of the men, in proportion to their representation."

Former Differences Dismissed. To indicate that the appointments were not conferred wholly as rewards for political assistance, friends of the Mayor refer to Mrs. Higgins, member from the Second Ward, who was one of the most active campaigners against the present Mayor before the recent election. She has announced her willingness to discuss all political differences and co-operate with the Mayor in giving the town an efficient administration. That no radical innovations in the matter of government are contemplated by the feminine section of the Mayor's unofficial family is indicated by the statements of several of the women.

"I do not anticipate any attempt on

to work in entire accord with the administration."

Course in Matrimony Urged. A certificate to marry should be attained only through completion of a prescribed course in "lessons in matrimony," says Dr. J. Whitcomb Brougher, formerly of Portland, now pastor of Temple Baptist Church here.

Dr. Brougher takes the position that marriage is more important than running an automobile or an elevator, and that, state examination as to the intelligence and fitness of the applicant for a marriage permit is no less imperative than for any other responsible undertaking. "I not only believe in lessons in matrimony," but I believe in requiring an examination into the subjects studied and a diploma of some kind showing that the student is fitted to enter into the marriage contract," said Dr. Brougher to The Oregonian correspondent.

"Why shouldn't we demand that isn't marriage more vital to the race than running an elevator, or an automobile, or a locomotive?" continued the pastor. "There are statutes and regulations that require certain qualifications before a person is permitted to operate a machine carrying passengers for hire, but the statutes are singularly lax in respect to those far more serious responsibilities accepted with the wedding ring and the marriage certificate."

Any One May Marry. "A man cannot go out and doctor a sick dog or horse unless he has passed some sort of a state examination; but any foolish little girl of 18 may undertake the raising of a family, the expending of the household money and the wrenching of her husband's health and happiness, without any stipulation on the part of the state regarding her health, knowledge of her duties, or even her intelligence and ability to learn them."

"I would suggest that every Y. M. C. A. in the country establish at once a course of instruction in matrimony for young men, and that the Y. W. C. A. do the same thing for its women members. There are many men already married, at the heads of families, who would be helped by such a course. I would also have similar classes where large numbers of men and girls are employed."

"There appears to be a huge conspiracy of silence upon the subjects important to matrimonial happiness, and the principal sufferers from this condition are the young men and women of the country. Of course, parents could do all this teaching at home, if they would, but that would be infinitely the better way; but, unfortunately, many parents of the present day seem to be inefficient when it comes to a solution of modern problems. Young people are left to solve these for themselves, and many times the lack of advice from some experienced and wide-awake teacher costs them years of suffering, ill health, broken spirits and matrimonial discord."

Divorce Solution Seen. "The lessons I advocate would have to be given seriously by men and women especially adapted to give them, but the proper application of them would do more to eradicate divorce and bring about a greater proportion of happy marriages than any legal or other instruments now in use."

"You can't stop divorce simply by saying 'don't'; but if certain requirements had to be met and certain preliminaries had to be fulfilled, there

would be less marrying in haste, and this in itself would result in fewer unhappy marriages.

"This course of instruction should cover all subjects regarding the physical, mental and moral phases of married life. I would suggest proper books and the largest possible education along every line vital to home life. These subjects are vital to our progress as a race and as a state just now, and it is time educators and the press took them more seriously than they do."

Steamship Travel Increases. The coast-wise steamship passenger traffic is unusually heavy this winter. Ordinarily the heavy travel between Northern and Southern Pacific coast points takes place in the Summer, with the bulk of the travel moving north, while in winter the large movement is from north to south and the railroads supplant the steamships in large measure. This winter is proving an exception. More people than usual are traveling by water, and the up-coast travel is stronger than ever before. The steamship Beaver, of the San Francisco and Portland line, was loaded to capacity on its last northbound trip, and when the Beaver, of the same line, arrived from the north on her last trip, she carried an exceptionally heavy passenger list. This condition applies to all the other boats plying the coast trade. The principal contributing feature to the increased travel by water is the arrangement made last year whereby the steamship companies in conjunction with the railroads sell tickets that include a boat journey between chosen Pacific Coast ports.

The recent merging of the Alaska-Pacific and the North Pacific Steamship Companies is expected to result in the withdrawal of the boats of the latter company from the service south of San Francisco. The Pacific Navigation Company, operating the Yale and Harvard, have an agreement for interchange of traffic with the Alaska-Pacific Company at San Francisco.

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WOMAN, FIRST OF SEX, TO WIN PRIZE IN OREGON CITY CORPORATION'S CONTEST.



Mrs. Metta Pinley Thayer. OREGON CITY, Or., Jan. 13.—(Special.)—The second contest has just closed at the Willamette Pulp & Paper Company's mill on the West Side, the first prize being won by Grant Olds, while the second prize was won by Mrs. Metta Pinley Thayer, private secretary for E. T. McBain, manager of the company's plant. Some time ago it was planned by the management that to interest the workmen a prize would be offered for the best suggestions monthly that might aid in increasing the output of the mill. The offers are made for two departments and Mrs. Thayer is the first woman to win one of the prizes.

Death of Infant Natural.

Investigation of the death of Dorothy Linton, the 10-month-old babe around whose demise mystery has been thrown by those concerned, is likely to be dropped, through the conviction of physicians who have made examination that there is little, if anything, to show criminality. When women physicians reported to Coroner Norden that the body of the child after death displayed bruises and fractured bones, burial was suspended, but Dr. R. C. Yenney discovered a diseased condition of the bones that would account for the fractures, while the parents ascribed the bruises to a fall. Detective Hyde, after working a day on the case, abandoned it as one in which no crime appeared.

H. Henry Keck Undergoes Operation.

H. Henry Keck, chief clerk of the car service department of the Spokane, Portland & Seattle Railroad, was operated upon for appendicitis at St. Vincent's Hospital yesterday.



Mrs. Carrie Benson.



Mrs. Charles M. Brown.

A. retired, First Ward; Mrs. T. H. Higgins, one of the most active equal suffrage leaders in Los Angeles County, Second Ward; Mrs. R. R. Tanner, wife of a former City Attorney, Fourth Ward; Mrs. O. G. Tullis, wife of a pioneer merchant, Fifth Ward; Mrs. D. C. Stephens, president of the Board of Education, founder of the Southern California Women's Parliament, and president of the Women's Progressive League of California, Sixth Ward; Mrs. Charles M. Brown, wife of a ranchman, Seventh Ward, are the other women designated by the Mayor to serve with 14 men on the advisory board. Mayor Dow, who assumed his office January 1, says he intends to consult this board upon all matters of policy, and will entertain the suggestions of

the part of the women to overturn the accepted system of municipal government," said Mrs. Benson. "I have had no discussion with the other women on the board since our appointment, but I do not think they are likely to advocate any doubtful experiments." Mrs. Stephens, to whose judgment a majority of the other women on the board appear to defer, and who typifies the home-maker and home-lover rather than fulfilling the popular conception of the woman politician, said: "If the Mayor looks to us for assistance in working out any of the questions coming up I hope we may be able to advise him wisely. I do not think the women have any 'cranky' ideas to carry out, and I believe their disposition will be