

THREE OWN JURY BOX TO TRY WILDE

Saloonman, Carpenter and Clerk Acceptable—Morris Queries Upheld.

GOOD IMPRESSION BARS

Prosecution Discards Venetianman Who Likes Accused Promoter. Big Commission Not Wrong Is Belief of One Quizzed.

(Continued From First Page.)

been passed for cause by both sides. Replied to questions by Mr. Malarkey, the venetianman said that he would regard the sale of telephone bonds by Wilde to the Oregon Trust & Savings Bank entirely regular unless it was shown that Wilde knew they were not worth the money the bank paid for them.

Questioned as to the influence the testimony of Morris would have on him, Fairclough said he would not give any testimony by Morris the consideration he would give the same testimony by any other witness who was not under a penitentiary sentence for other transactions in connection with the defendant bank.

"The testimony of Morris," affirmed Fairclough, "will go very lightly with me."

It was in determining the extent of Fairclough's acquaintance with counsel for the prosecution that Mr. Malarkey unintentionally made District Attorney Cameron the subject of a job that for a few minutes convulsed the court, lawyers and spectators. Fairclough, who conducts a saloon on East Burnside street, had admitted that although he knew Cameron their acquaintance was limited.

"Does your family interchange visits with that of Mr. Cameron?" asked Mr. Malarkey.

"No, sir. We do not know each other socially," explained Fairclough.

"Has Mr. Cameron ever been in your place of business?"

"Yes, sir."

"Does he make a practice of calling frequently?"

"No, sir."

"When was he last in your place of business?"

"It was shortly before the last election," answered Fairclough, after a moment's hesitation.

Trust in Morris Little.

Passed for cause by the defense, Deputy District Attorney Fitzgerald questioned Fairclough as to his acquaintance with Frank Mintz, Jack Grant, L. J. Carpenter and another Portland detective named Mitchell, and Al Cody, a private detective of Seattle, but Fairclough said he did not know any of them intimately. The examination of the prospective juror by the prosecution did not develop anything material aside from the declaration that the testimony of Morris in the trial of the case would have to be corroborated to carry any weight with Fairclough.

Mr. Eastman, who came to Portland from San Francisco in 1909, told of his connection for several months with the Estacada State Bank vice-president and director, George A. Steel, ex-State Treasurer, at that time being president of the institution. Eastman said he had a slight acquaintance with Walter H. Moore and Morris, president and cashier of the Oregon Trust & Savings Bank, and that he was for a short time depositor in the German-American Bank.

This venetianman admitted an intimate acquaintance with S. G. Reed, president of the German-American Bank, and said he would be inclined to believe everything Reed might testify as a witness, although he would give credence to the testimony of all witnesses subscribing to an oath. Eastman said he knew George Estes, another officer of the German-American Bank, but said he would not believe Estes unless he took an oath. He said he had an impression that Morris was guilty from the fact that he had been regularly convicted of a felony in the courts, but had no opinion concerning the guilt of any other person. He declared he would not take Morris' plea of guilty as conclusive proof of his guilt in the pending case.

Big Commission Opposed.

Answering a question by Mr. Malarkey touching on the sale by Wilde to the suspended bank of a block of \$100,000 of telephone bonds for which he received a commission of \$100,000, Eastman said a commission amounting to 20 per cent on such a large deal was entirely too big. He said, however, that if accepted as a juror he would decide the alleged criminality of Wilde in the transaction according to the testimony and the instructions of the court. Eastman's sister-in-law, Mrs. Fred King, had a deposit in the Oregon Trust & Savings Bank when it closed, but he did not know the amount of the account.

Eastman said he knew District Attorney Cameron and was acquainted with J. J. Fitzgerald and Frank D. Hennessey, deputies in Cameron's office. He expressed high regard for Mr. Cameron, but said he would not allow his estimate of the District Attorney to prevent him from considering impartially the case and rendering a verdict on its merits.

"Do you know any of the lawyers for the defense?" inquired Mr. Malarkey.

"You are the only one," replied Eastman.

"Well, you don't know me professionally or socially, do you?" followed Mr. Malarkey.

Malarkey's Victory Recalled.

"No, but I know you in much the same way I know Mr. Cameron."

"As a matter of fact, your only acquaintance with me was gained from the fact that I once participated in a lawsuit in which you were on the opposite side; is not that true?"

"Yes, what is more, you got the best of the case and ever since then I have had a high regard for you."

THAT MR. EASTMAN, WHILE LIVING IN SAN FRANCISCO, WAS DISQUALIFIED AS A JUROR IN THE TRIAL OF PATRICK J. CALHOUN, BEFORE COMING TO PORTLAND IN 1909.

Mr. Eastman was traveling salesman for the White Automobile Company. He came to Portland to become general manager of the same company and more recently launched in the contracting business with a brother.

Although closely questioned by counsel for both sides, Judge Kavanaugh, Eastman disqualified himself by insisting that he could not dismiss from his mind the favorable impression he had formed of Wilde and which, he said, would influence him in consideration of the charge against Wilde until it was displaced by conclusive evidence on the part of the prosecution. When Judge Kavanaugh finally sustained the challenge for cause by the prosecution the defense saved an exception.

Wells-Fargo Man Acceptable.

Mr. Callwell qualified as a prospective juror readily. For 27 years he has been in the employ of Wells, Fargo & Co., being employed as bill clerk at the present time. He said the fact that Morris had been tried and convicted on a former charge convinced him that Morris must have been guilty, but he had no opinion as to the guilt or innocence of either Morris or Wilde in the case before the court. Newspaper reports, he said, had "made it look bad" for Wilde, but he did not want to try anybody in the newspapers and for that reason reserved judgment until he had heard both sides as they would be presented in the trial of the case.

Mr. Callwell said he was employed by Wells, Fargo & Co. as a cashier under the name of John E. Callwell, but if the ex-cashier pleaded guilty to the charge in the pending indictment, he would want further corroborative proof before he would be satisfied of the guilt of Morris.

It developed in the examination of Callwell that for about five months before the failure of the Oregon Trust & Savings Bank, he was employed as salesman under Gus L. Pearson, principal creditor and partly responsible for the suspension of the bank. The confession of guilt by Callwell, if made, would have no bearing with him in his consideration of the charge against Wilde, MacDonald replied.

Big Fee Not Disclosed.

Questioned by Mr. Malarkey as to the sale by Wilde of \$100,000 of telephone bonds to the Oregon Trust & Savings Bank and for which Wilde received \$100,000 as his commission, and whether he had any knowledge of the commission which would influence him in any way in deciding the charge against Wilde, MacDonald replied: "If Wilde was smart enough to sell the bonds to the bank, I don't see why he was not entitled to whatever he got out of the transaction."

Mr. Clark, special prosecutor, took an active part for the prosecution yesterday, and in the afternoon conducted the examination of the venetianman for the first time. In interrogating MacDonald, Mr. Clark ascertained that before locating in Portland the venetianman was employed as foreman of a mining company that operated in Southern and Eastern Oregon. At the same time a brother, J. S. MacDonald, now residing in Indianapolis, Ind., was associated with Eugene Pearson in a partnership in this city for the sale of stocks and bonds.

Pearson, testified MacDonald yesterday, "a man that was credited with \$100,000 to his account, and that I know of no other brother. MacDonald intimated that Pearson was responsible for breaking up the partnership, involving a pecuniary loss to both himself and his brother."

"Do you know Mr. Bowerman, of counsel for defense?" inquired Mr. Clark.

"Yes, I lost my vote for him as Governor in the last election," answered MacDonald, while the crowded courtroom laughed. "But I do not know him personally."

MacDonald was passed for cause by both sides after an examination covering not more than an hour. Martin Sattler was called to the jury box to take the seat vacated by Mr. Eastman when he was excused.

Devils Sues Two Moores.

Supplemental proceedings to recover from Walter H. Moore, Henry A. Moore and others on the strength of judgments received in Multnomah County, June 23, 1911, have been commenced by Thomas C. Devlin, receiver of the Oregon Savings & Trust Bank, through A. E. Clark, his attorney, in Sherman County. Suit has been filed against W. H. Moore, H. A. Moore, Laura Moore, America Moore, Harry R. Moore, H. S. McDaniel and J. T. Ennis. Service was obtained in Multnomah County. It is alleged in the complaint that Walter H. Moore and Henry A. Moore, who were president and a director, respectively, of the Oregon Savings Trust Bank, after the appointment of Devlin as receiver, made numerous pretended and fraudulent transfers and assignments of Sherman County property. The court is asked to set aside the conveyances and transfers and declare Walter H. Moore and Henry A. Moore, the owners of the property, thus rendering it liable to execution.

ROCKEFELLER BASES ROW

Ministers Differ as to Greatness of Multimillionaire.

Rev. C. E. Cline and Rev. Delmer H. Trimble clashed at the Methodist Ministerial meeting yesterday on the question, "Is Rockefeller Great?" Dr. Cline declared his belief that "Rockefeller has a great head and a great heart."

Dr. Trimble replied with the statement that "Rockefeller, in my opinion, is the most colossal thief of the age."

"The money Rockefeller gives to libraries and universities is a part of that he robbed the country of," said Dr. Trimble. "He should apologize for having stolen it. A million dollars is as much as a man can earn honestly. His endowment of universities will influence professors to side with him."

Edward Rosenberg, of the Federated Trades Council, was the speaker of the morning. He said that "when the true history of the McNamara case is written, it will be found that John J. McNamara was the victim of the Erectors' Association; that he was hoodwinked into blowing up the Times building by the secret of the corporation, and that the capitalistic class was in on the conspiracy."

Mr. Rosenberg said Moses was a labor agitator, that Rome was alive with trades unions 2000 years ago, but that "the Roman millionaires and Emperors destroyed them by importing slaves from Africa." Mr. Rosenberg advocated the right to strike and boycott. He said trades unions do not believe in violence.

TRAFFIC MEN FORMING

Organizers of Transportation Club to Meet Again Soon.

Efforts on the part of Portland railroad and steamship men to organize a transportation club similar to those in existence in other cities on the Coast, are beginning to take definite form. A preliminary meeting of leaders in the movement was held last week. Another session is called to take place next Wednesday. It is probable that a general meeting of all eligible persons will be called within the next few weeks.

Horse stock is increasing in the country despite the introduction of the automobile.

COMMITTEE FOR MANY RISES IN PAY

Increases Aggregating \$6000 Monthly Advocated in All-Day Session.

ONE REDUCTION FAVORED

Expected Pruning of Salaries of City Employees Not Urged by Ways and Means Body—Council to Decide.

Increased salaries of city employees and additional help in the various departments will amount to \$6000 a month, or \$72,000 a year, if the City Council adopts recommendations made yesterday by the Council ways and means committee. At an all-day session, the committee considered more than 100 applications for increases and, contrary to expectations, granted about one-third of the requests. In addition to the policeman in the Street-cleaning Department, no reductions in salaries were made, despite the fact that salary-pruning has been feared and rather expected by many employees for months back, owing to declarations of members of the committee that they believe many city employees to be overpaid.

The increases were handed out with a rather lavish hand, requests being denied only in cases of employees who are well paid for their services under the present rate and who presented no good reason for requiring a raise.

Fifty Policemen Included. The appropriations as arranged by the committee include the salaries of 50 policemen, amounting to about \$4000 a month. Additional help in the City Auditor's office, the Street-cleaning Department and other departments will cost another \$1000 a month and the increases in the salaries of present employees will total at least another thousand. In addition to the policeman, a raise of \$10 a month for one stenographer, and \$10 a month for a clerk in the women's auxiliary branch of the department, were granted. A stenographer in the office of Chief Slover was authorized at a salary of \$65 a month.

In the Health Department, the salary of David Otis, superintendent of the City incinerator, was increased from \$135 to \$150 a month and City Fuel-inator Besman was raised from \$115 to \$125 a month. Fred Buchel, city sealer of weights and measures, was raised from \$125 to \$150 and his deputy from \$100 to \$125 a month.

Fire Department Benefits. In the Fire Department three firemen were increased from \$110 to \$125 a month, and the city electrician was increased from \$150 to \$165 a month. Requests of four stokers for increases were turned down, as were also all other requests in the department for raises.

Four park policemen were increased to \$60 a month, an advance of \$3. All other requests for advances in the Park Department were rejected, including the request of a clerk for \$110 instead of \$100, as now received.

Requests for increases in the Municipal Free Employment Bureau were rejected. The city poundmaster was increased from \$125 to \$135 and three men under him were increased from \$80 to \$90. This action was taken as a result of the good record made by the department in putting itself on a self-supporting basis.

Fifteen laborers in the sewer division of the City Engineer's Department were refused an increase of \$25 a month. A cement tester was raised from \$110 to \$125 per month.

Auditor's Aid Favored. In the office of the City Auditor four additional men will be provided to compile the lien docket. Two of them will receive \$100 a month and two others \$75 a month. Miss Berly, one of the stenographers, was increased from \$95 to \$100 a month.

Requests of several employees of the City Treasurer's office were refused. An additional clerk at \$15 a month was allowed for this office. The plumbing inspector was allowed an additional deputy inspector at \$12 a month. Request for an automobile for use of the office was refused.

Two stenographers in the office of City Attorney Grant were raised \$5 a month each. Superintendent Donaldson, of the Street-cleaning Department, was raised from \$175 to \$200 a month and provision was made for 45 additional laborers during the year.

There were a number of minor increases, ranging from \$3 to \$10 a month, which will increase the total about \$1000.

Councilman Burgard opposed the increases in many cases on the ground that they were not deserving. He was particularly vigorous in his complaints against stenographers in the city's employ being raised.

"I am getting good, competent stenographers for \$60 in my office and the city is paying as much as \$100 a month. I believe there are many employees overpaid. It is true, too, that on the comparative scale of wages maintained in the various departments there are some who are underpaid. I have consented to increases in a few instances only."

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because I believe the wages should be equitable in all departments. The recommendations of the committee will go before the City Council at its next meeting.

BURLINGTON PLANS FORM Elk and Festival Trains.

R. W. Foster, commercial agent for the Burlington Railway, will leave on Wednesday for Chicago to attend a conference of Burlington passenger officials who are arranging to handle the movement of special trains to Portland for the Elk's convention next July. Numerous parties that will require special car and special train accommodations have been recruited by the agents in the Burlington territory. Mr. Foster will advise them on the arrangements for parking trains in Portland during the week of the reunion and on the hotel accommodations and other features.

Burlington officials are arranging for an extensive advertising campaign for the Elk's celebration and the Rose Festival. Mr. Foster expects to assist in the work.

Morse Will Not Be Moved Yet.

WASHINGTON, Jan. 15.—Charles W. Morse will not be removed from Fort McPherson, Ga., to Hot Springs, Ark., for treatment, it is understood, until

there is a decided improvement in his condition.

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Keep this perfect stomach doctor in your home—keep it handy—get a large fifty-cent case from any drug store and then if anyone should eat something which doesn't agree with them; if what they eat lays like lead, ferments and fairs and forms gas; causes headache, dizziness and nausea; eructations of acid and undigested food—remember as soon as Pape's Diapepsin comes in contact with the stomach all such distress vanishes. Its promptness, certainty and ease in overcoming the worst stomach disorder is a revelation to those who haven't tried it.

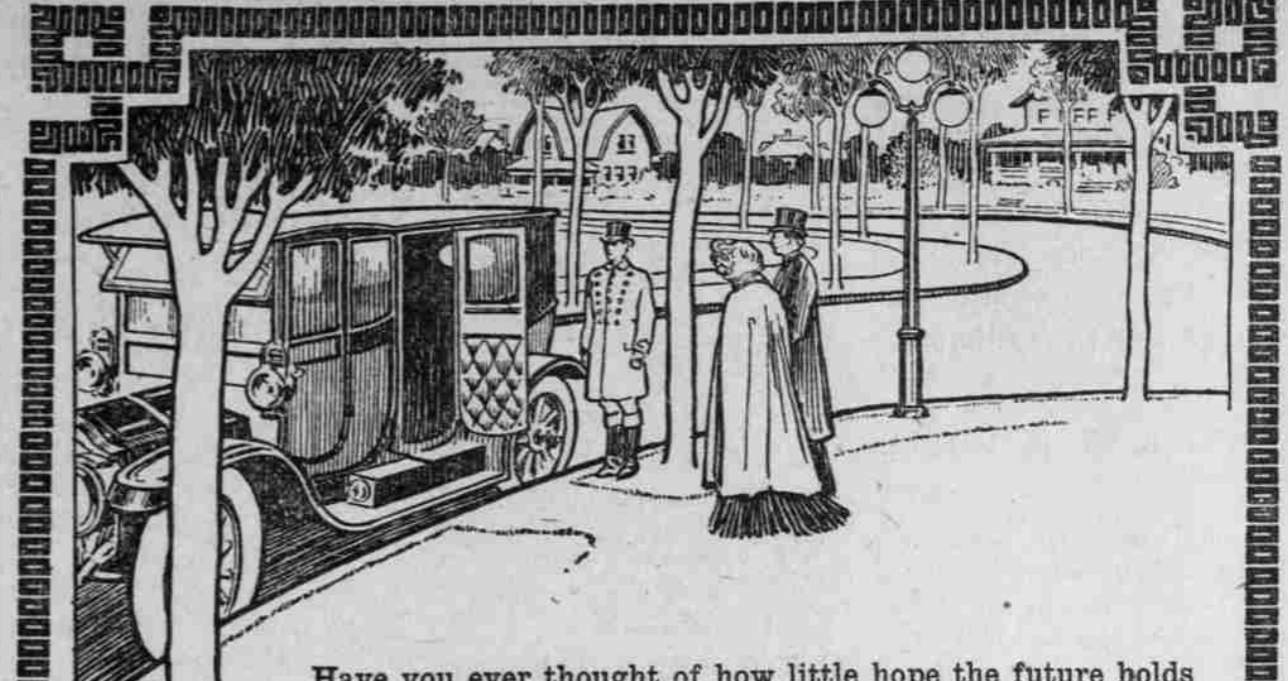
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