

JUROR IN DARROW CASE IS ACCUSED

Attorneys for Defense Declare Leavitt Is Not Ill, as He Says He Is.

NEIGHBORS TO BE CALLED

Filing of Formal Charges, if Court Should Refuse to Dismiss Man, May Operate to Cause Mistrial, It Is Said.

LOS ANGELES, July 24.—A mistrial under sensational circumstances is imminent in the case of Clarence S. Darrow, on trial for alleged jury-bribing. Attorneys for the defense are said to have charged in a conference with Judge Hutton today that the illness of Juror L. A. Leavitt was feigned, and asked for an immediate investigation by the court.

Judge George H. Hutton and District Attorney Frederickson said late today that they expected the trial to be resumed tomorrow morning with Juror Leavitt in the box.

Notwithstanding this attitude on the part of the court and prosecutor, Chief Counsel Earl Rogers, of the defense, said that he had issued subpoenas for several of Leavitt's neighbors, summoned to prove that Leavitt was a juror because of opinions as to Darrow's guilt he was said to have expressed before the beginning of the trial.

Accompanying this showing will be a request that Leavitt be excused from further service on the ground of ill health and that A. M. Blackely, the alternate juror, be substituted for him.

Facts Presented to Judge.
When the illness of Juror Leavitt was reported Monday morning, the defense attorneys asked that the alternate juror, A. M. Blackely, be installed as a regular juror so that the trial might proceed without further delay. District Attorney Frederickson protested against such action, on the ground that it would be best to hold the trial in reserve as long as possible.

It was learned today that when the request for the immediate substitution of the alternate juror was made by attorneys for the defense, Judge Hutton was placed in possession of certain alleged facts which caused him to send Leavitt's home a physician of his own choosing to make an examination. According to the defense attorneys, the physician found no symptoms of appendicitis, the ailment with which the juror was said to be suffering.

Felony of Illness Charged.
Further information was said to have been given Judge Hutton today to the effect that Juror Leavitt's opinion regarding the guilt or innocence of Darrow had been freely discussed at El Monte, his home, prior to his taking a place on the jury, that they became a matter of common report among his neighbors. For this reason the defendant's attorneys are said to have asserted that Leavitt feigned illness for the purpose of being excused from the jury.

Under the law, the alternate juror can be used only in the event of the death or illness of a regular juror, and because of this provision the defense is said to have sought to avert publicity and have Leavitt's place filled without making formal charges of disqualification against him.

Should the court decline to excuse Leavitt and precipitate the filing of formal charges against the juror, a mistrial may result before the case is sent to the jury, in the opinion of lawyers.

HISTORIC TREES USED
Vancouver Woodman to Have Ritualistic Stump of Famous Woods.

VANCOUVER, Wash., July 24.—(Special.)—Consisting of three historic trees, the famous old stump tree, the first walnut tree planted in the Northwest, and the Hudson Bay apple tree, a stump for use in the ritualistic work in the local camp of Woodmen of the World, is being put together by Chas. Knight, Vancouver Camp No. 85.

The walnut tree, which was planted by Guy Hayden in the early 50's, will comprise the base and the wide top, 23 by 41 inches. The pedestal, 30 inches tall, will contain the last of the witness trees to which Lewis and Clark swore their canoe after their thrilling trip down the Columbia to Fort Vancouver.

Supports at the base, polished pieces of the first apple tree, have a history fully as interesting. In the early days when the Hudson Bay Company first founded Fort Vancouver, a young British officer brought from London came here, and from the pockets of his silk doublet produced a handful of apple seeds, which some fair English dame had laughingly given him on his departure for the west coast of America. From these, which were planted by Governor John McLoughlin, in what is now Vancouver Barracks, the first apple tree of the Northwest sprang.

Branches of this tree, which still bears fruit, will form part of the finished stump. The history of the historic woods will be given in a corner of the pedestal top, and the whole will be appropriately stained and varnished, in time for exhibition during the Clark County fair this fall.

PETRIE TO BE DEPORTED
Insane Man Will Be Returned to Salem From Canada.

SALEM, Or., July 24.—(Special.)—George Petrie, alias Fraser, will be received again at the asylum for the insane, after being deported from Canada. He was in a hospital at the Western Penitentiary, B. C. He originally was sent to the State Penitentiary from Portland and from there transferred to the asylum, where he served out his term and was liberated. From here he went to Canada where he was soon taken by the authorities.

The United States Immigration Commissioner at Montreal has written Superintendent Steiner that the man will be sent back to Salem and if not received at the institution must be turned at large in the community. Under the rule of the county of states Superintendent Steiner will receive him. He says that Petrie is an exceedingly dangerous man.

Centralia Ranch Brings \$25,000.
CENTRALIA, Wash., July 24.—(Special.)—The big ranch of John Harman, Lewis County Commissioner, lying just west of Centralia, was sold yesterday to R. A. Axtell, who has returned from Alaska. The consideration was \$25,000.

PROMINENT FIGURES IN ROSENTHAL MURDER CASE, NEW YORK



Above, Left—Jack Rose, One Time Partner of Rosenthal, Alleged Ring-leader in Murder Plot. Right—Another Picture of Rosenthal. Below—Police Lieutenant Becker, Declared by Rosenthal to Be Partner in Gambling House. Right—Policeman File, Suspended for Inactivity at Scene of Murder.

the gang you were up against and you were afraid you would be killed?" asked Mr. Whitman.

"No," replied the witness in a frightened manner. Mr. Whitman then placed Assistant District Attorney Moss on the stand. Mr. Moss said that just before the hearing Reiser had told him and Mr. Whitman that he came from the Subway in front of the Cadillac saw Webber "running like —" He then heard of the murder. Mr. Moss said Reiser did not want to talk about the case for fear of being injured.

Barber Again Denies Story.
Reiser was again placed on the stand and said that Mr. Moss' story was not true. When pressed with questions as to whether he had seen Webber at all he hesitated, made several starts and then said he thought he had seen him. The witness said he was not afraid of being killed himself, but did not want to connect his family with the affair, as "the men in the case are bad."

"Didn't you say that any man who testified against Webber would be killed?" persisted the District Attorney. The witness denied this and the questioning was brought to a close. As Reiser was about to leave the courtroom he was arrested on a charge of perjury. Late today Reiser requested that the District Attorney call on him in the prison, as he wanted to "talk," but Mr. Whitman will not see him until tomorrow.

The District Attorney has issued subpoenas for all the attendants at the Lafayette Baths, where it has been stated Harry Vallon, "Bridge" Webber, Sam Paul and "Bald Jack" Rose appeared shortly after the assassination and remained for the night.

Detectives Withhold Answer.
Mr. Whitman said he had not yet received an answer to his letters requesting the three detectives, Houtens, Becker, Riley and Costigan, to appear as voluntary witnesses before the grand jury.

"If Lieutenant Becker comes," said Mr. Whitman, "I will ask him if he had a conversation over the telephone with Jack Rose the night of the shooting, and I may say that the telephone company will furnish us with the calls from Webber's or the baths on the night in question without our issuing a subpoena."

It was to connect Webber more closely with the case that "John the Barber" was placed on the stand. It is believed Mr. Whitman is laying his lines to force from Webber a statement which will implicate those "higher up" in the case.

It is at the door of the "police system" that the District Attorney places the responsibility for the murder of the man who had charged that the police were exacting tribute from gamblers.

OHIO SOCIETIES COMBINE
Old Buckeye Natives of Portland Invited to Join New Club.

The Ohio Society, at a meeting at the Imperial Hotel last night, invited the old Ohio Society of Portland, which has not met for several years, to join it. The dues of the new society were made \$1 a year, instead of 25 cents a month, as formerly, and the initiation fee was made 50 cents. Twenty-five applications for membership were made last night.

Preparations are being made for the society's picnic at Estacada August 4. Miss E. A. Duke was elected vice-president of the society. The statement was made last night that many families living in the East are selling their farms and will come to Portland to live, as a result of the welcome they received during the Elks' carnival.

The next meeting will be held at the Imperial Hotel a week from tomorrow night.

JAPAN'S EMPEROR SEEMS TO IMPROVE

Princes Summoned in Night, in Alarm, but Patient Is Mending Again.

PULSE MUCH ACCELERATED

Physicians Do Not Explain, but Are Hopeful Because Temperature Is Nearly Normal—Public Enters Palace Grounds.

TOKYO, July 25.—The official bulletin issued at 6 o'clock this morning on the condition of the Emperor was more reassuring than that posted at 11 o'clock Wednesday night. This morning's bulletin gave the temperature of the Emperor as 98.7; pulse 104; respiration 22. Last night's bulletin read: "Temperature 100.4; pulse over 100; irregular; patient increasingly fatigued."

The physicians remained at the bedside throughout the night, as conditions were considered unfavorable. A minister of the household said this morning that the Emperor had slept fairly well. The acceleration of the pulse is regarded as serious, but not critical.

The 11 o'clock bulletin created alarm and the princes were summoned to the palace at 2 o'clock in the morning. The newspapers delayed issue until after 8 o'clock, when assurances were given of a pronounced improvement. The attending physicians do not explain the cause of the acceleration, but are hopeful because the temperature remains close to normal.

The visit of the crown prince to the Emperor yesterday is described as a comforting sight. His Majesty, however, was smiling. He showed great weakness, but his mind was in no way clouded. Great crowds gathered outside the palace walls. For the first time in history the general public has been admitted, subject to approval, to the palace grounds in order to express condolence.

INQUIRY ON AT OAKLAND

GEORGE GRAY FACES WHITE SLAVERY CHARGES.

District Attorney Seems to Doubt Story Told by Ethel Metcalf. Confession Is Expected.

ROSEBURG, Or., July 24.—(Special.)—Suspected of inducing Ethel Metcalf to leave her home at Oakland for immoral purposes, George Gray was returned here late this afternoon by a Deputy Sheriff and tonight was taken before the grand jury for examination. Although she claims that she consented to leave Oakland voluntarily, District Attorney Brown appears to place little credence in the story told by Miss Metcalf and is of the opinion that Gray had planned to make her a victim of the white slave traffic. This, the District Attorney says, was probably avoided through their failure to get out of the country as intended.

While the proceedings of the grand jury are secret it is said here tonight that Gray has made a number of admissions to the officers which tend to confirm former statements to the effect that he intended to marry the girl. Miss Metcalf will undergo a grilling tomorrow and it is believed she will tell all.

District Attorney Brown says he believes she will furnish evidence substantiating the theory that Gray is engaged in the white slave traffic.

LINER IS GAMBLING DEN

CREW OF KOREA CONDUCTS FANTASY FOR PASSENGERS.

Federal District Attorney Begins Crusade on Complaint of Voyager From Illinois.

SAN FRANCISCO, July 24.—A crusade against gambling on Pacific liners was instituted today when United States District Attorney McNab, in the Northern district of California, received a letter from John N. Mills, of Evansville, Ill., complaining that fantan flourished on the steamer Korea during the vessel's last trip to this city from the Orient. Mills, who is staying in a San Francisco hotel, wrote that he and others who were aboard the Korea have laid the question before the officials of the Pacific Mail Steamship Company.

Mills is authority for the statement that Chinese members of the crew conducted the games and that first-class passengers crowded about the tables and gambled. According to the latter, many of the passengers held a meeting and filed their protest with the officers of the vessel. The gambling continued, however, in sight of officers and passengers alike.

Mills took action at once to prevent further gambling if it can be proved that it is a violation of the Federal laws.

OREGON CITY PROTESTING
Commercial Club Acts on Rumor of Southern Pacific Changing Route.

OREGON CITY, Or., July 24.—(Special.)—Oregon City residents formally protested last night at a special meeting of the Oregon City Commercial Club against a rumored plan of the Southern Pacific to route all its fast trains on the west side, not passing through Oregon City.

D. W. Campbell, general superintendent of the Southern Pacific, was present at the meeting and assured the assemblage that nothing detrimental to the interests of Oregon City was contemplated. He added that more would be done by his company for Oregon City in the near future than residents even hoped for or dreamed of.

THIRTEEN DROWN IN MINE

Cloudburst Near Uniontown Floods Colliery and Catches Miners.

UNIONTOWN, Pa., July 24.—Caught like rats in a trap, when water rushed into the manway of the Superba No. 2 coal mine at Evans station, three miles

north of Uniontown, following a cloudburst today, 13 men were drowned and 37 escaped after a harrowing experience. The men were drowned 4000 feet from the mouth of the mine, their only avenue of escape.

The majority of the victims had large families and about 30 children are deprived of their breadwinners. The men who escaped were forced to half swim and half walk to the pit mouth through water ranging in depth from their waists to their necks.

The majority of the miners who escaped were knocked down by timbers that were sent down the mine with great velocity in the raging current. Several were being carried back in the mine to certain death when rescued by their companions.

It was said tonight by officials of the Superba Company that it will take at least 60 days to clear the mine of water and until that time bodies must remain in the mine.

Superintendent Buttermore was the first man to see the high water start in the manway. He raised the alarm and all the men on the outside rushed to the mine, yelling loudly as they went. Because of this more than half the miners were saved.

The wives and families of the miners and drivers in the mines when the alarm was raised rushed to a large hole made by the rushing water at the manhole and threw bushes, poles and whatever timber they could find into the water to stop its onrush. Falling in that they rushed to the mouth of the mine, but were stopped by the men who guarded the entrance.

Several large pumps will be placed in the mine tomorrow and everything possible will be done to get the bodies. The water rose so quickly following the cloudburst that it practically destroyed all railroads and street railways in Fayette County.

VOTE "REFORM" FOUGHT

CLEMENCEAU MOVES AGAINST MINORITY REPRESENTATION.

Ex-Premier Contends That Majority Rule Is Foundation of French Republic.

PARIS, July 24.—Senator Georges Clemenceau, formerly Premier, today opened the Senatorial opposition to the electoral reform bill adopted by the Chamber of Deputies on July 10. M. Clemenceau's first move against the government takes the form of an open letter addressed to Premier Poincare, attacking his attitude in carrying the bill through the lower house of Parliament.

The bill would abolish the system of small constituencies, in which each elector votes for one deputy only, and substitute for it the system of voting by which each elector votes for as many deputies as the entire department has to elect. It also introduces a system to provide for the representation of minorities by which the seats would be divided proportionately among the candidates of the different parties.

M. Clemenceau argues that Premier Poincare carried the bill with the help of the votes of the reactionaries and revolutionaries, who will desert him at the first opportunity. He contends that the majority rule is the foundation of the French Republic and any abandonment of it will be a "disastrous mistake."

AMATEUR AIRMAN FALLS
E. F. GALLAUDET, RICH AVIATOR, SERIOUSLY INJURED.

Machine Drops 100 Feet When Sharp Turn Is Attempted—Monoplane Is of Original Type.

HEMPSTEAD, N. Y., July 24.—Edward F. Galludet, a wealthy amateur aviator, well known in New York, while flying on the aviation field at Hempstead Plains today, fell with his monoplane from a height of about 100 feet and was seriously injured. Galludet was flying in his original type of monoplane, which is equipped with a 100-horsepower motor.

When about 100 feet in the air Mr. Galludet made an acute right turn, when his monoplane, evidently lacking sufficient momentum, dropped like a plummet, burying its nose in the ground.

Mr. Galludet still was unconscious when the hospital was reached. It was found that he had received a severe scalp wound, a deep cut on the chin and left eye. His right leg was so badly cut that an artery was severed.

Fischer Estate Valued at \$500.
OREGON CITY, Or., July 24.—(Special.)—County Judge Beattie yesterday appointed August Fischer administrator of the estate of Adolph Fischer, who died from injuries received in a streetcar accident. The estate, which is composed entirely of personal property, is valued at \$5000. Fischer while trying to board a car in this city two weeks ago fell under it, his right leg being severed at the knee. He died two days later in the Oregon City hospital. His home was in Portland.

Bank Pays Bright Old Dollars.
CHEHALIS, Wash., July 24.—(Special.)—A local bank is paying out bright new silver dollars, which, despite their new appearance, have been coined for 33 years. The silver dollars came in a shipment from the San Francisco sub-treasury, where they have been stored since the year they were made.

Women to Be on Jury List.
CENTRALIA, Wash., July 24.—(Special.)—County Clerk Montfort and his deputy are engaged in preparing a Lewis County jury list for the ensuing year. Women's names will be placed on the list this year. The work will take about a year for completion.

Aunt Sally's Advice to Beauty Seekers
K. C. F. asks: "Will you tell me how to get my hands white and soft? They have become rough and are so dark in contrast to my arms." The method mentioned in reply to Elaine will bring the desired results: wear gloves to prevent soiling the bed linen.

D. N. A. writes: "How can I reduce a double chin? Also how get rid of crow's feet?" Use a wash lotion prepared by dissolving 1 oz. powdered saxolite in ½ pt. witch hazel. This tightens the skin, tending to disperse wrinkles as well as flabbiness about the chin or elsewhere. Elaine says: "My freckles are worse than ever this year, made doubly conspicuous by a pallid complexion. Is there any way to get rid of them?" Rub for an ounce of mercurized wax, apply nightly like cold cream, removing in the morning with warm water. As the wax gradually absorbs the lifeless cuticle, not only will the freckles vanish, but the new and younger skin which appears will have a healthy color. Probably you will need to continue treatment a week or more.—Woman's Realm.—Adv.

Lipman Wolfe & Co. Merchandise of Merit Only.. REMOVAL SALE Every Article Reduced



A Disposal of Pretty House Dresses That Sell Regularly at \$1.75 Removal \$1.29

—House dresses of light and dark percale. —The dark percale dresses can be had in navy, cadet and black with white. Made with round and sailor collar neck styles. Plain waists and set-in sleeves. The skirt has a raised waist line in a plain style with a pleat at the back.

—The light percale dresses come in black or navy blue figured and a few stripes. Made with round neck and a round collar. Also a few with yokes. Made with set-in sleeves, raised waist line, and others finished at the waist with a belt. Plain skirts and skirts with panel back.

He's Manager of the Browns

George Stovall, recent recruit to the company of major league managers, is a Coca-Cola enthusiast—he Drinks

Coca-Cola

and doesn't hesitate to write us what he thinks of it—

Read What He Says
ST. LOUIS, June 4, 1912.

GENTLEMEN:—You are at liberty to use my name in connection with your advertising of Coca-Cola, as one who has found this drink enjoyable and beneficial. Yours truly,
GEO. T. STOVALL.

Are you fan, athlete, player? You'll say the same once you try this wholesome and delicious beverage.

Demand the Genuine—Refuse Substitutes
THE COCA-COLA CO.
ATLANTA, GA.

Whenever you see an Arrow think of Coca-Cola.



ARE YOU ACCEPTING ORDINARY ICE CREAM OR ARE YOU INSISTING ON THE BEST—

Weatherly ICE CREAM

It's only a question of getting what you ask for. Weatherly Ice Cream has been the standard of perfection in Portland for a fifth of a century. Its deliciousness and healthfulness result from the pure cream, sugar and fruit flavors that it is made of. It costs no more than ordinary ice cream. Insist on your dealer giving you Weatherly. Phone us for the name of a Weatherly dealer near you.

CRYSTAL ICE & STORAGE CO.
EAST 244