

WAITER CONFESSES THEFT OF \$13,950

Friederick Stoltmann, ex-Manager of Wirth's, Boston, Is Arrested Here.

EXTRADITION IS WAIVED

Employee at Arcadian Gardens Taken Hour After Circular Received by Detectives—Speculation Is Believed Cause of Fall.

Confessing to the theft of \$13,951.88 from a restaurant man by whom he was employed as manager in Boston, Friederick Stoltmann, a waiter in the Arcadian Gardens for three months, was arrested by City Detectives Hyde and Vaughn yesterday. Extradition will be waived and Stoltmann returned to Boston as soon as an officer from the East can arrive.

A circular calling attention to the indictment of Stoltmann by grand jury in Boston for systematic thefts from Charles Wirth, owner of one of the largest German restaurants in the Eastern city, was received yesterday at 12 o'clock at detective headquarters, Detective Hyde, whose former home was in Boston, recognized the picture of Stoltmann immediately.

Detective Knows Man. "Why, I know him, and I remember the restaurant," he told Detective Captain Baly.

"Take the circular and look for him in Portland grilles," ordered Captain Baly.

After an hour's search by Detectives Hyde and Vaughn at the Arcadian Gardens was visited.

"There's the man," exclaimed Detective Hyde, and a minute later Stoltmann was changing his waiter's costume and accompanying the detectives to police headquarters. He telephoned his wife and she went with him, tears standing in her eyes, as she talked to the detectives.

"Yes, I took the money. I don't know why. Probably I thought I wouldn't be found out," Stoltmann is reported to have said.

Fund Lost in Speculation. The money, according to the information received by the local detectives, was spent in speculation at the Boston market, and Stoltmann did not have much to show for his activities when he fled to Portland. He left Boston on February 2 and was in Portland a week later. He was employed in the Arcadian Gardens shortly after he came to this city.

"He was the best waiter we ever had; he was a pearl," lamented L. P. Reynolds, assistant manager of the Mulnomah Hotel and Arcadian Gardens.

The grand jury indictment charges Stoltmann with grand larceny. Stoltmann is a tall, handsome German, six feet in height, weighing 225 pounds. He is 42 years old. He showed his mistake since coming to Portland. The restaurant of Charles Wirth, of which Stoltmann was manager, is at 42 Essex street, and one of the best known in Boston.

MR. DALY BLOCKS PLAN

MAYOR PLEADS FOR INCREASE IN CATTLE TUBERCULOSIS TESTS.

Funds to Publish More Copies of Anti-Fly Bulletin of Health Bureau Are Not Appropriated.

When Commissioner Daly yesterday opposed a plan of Mayor Albee to appoint a veterinarian for four months to help the health bureau catch up in dairy cattle tuberculosis tests, and Commissioner Brewster opposed a plan fostered by the Mayor and the cleanup committee of the Chamber of Commerce to spend \$50 for the publication of additional copies of the anti-fly bulletin of the health bureau, the Mayor became aroused and, with considerable feeling, took occasion to explain the need of both appropriations and at the same time answered a recent criticism of increased health bureau costs, as issued publicly by Commissioner Daly.

The Mayor declared that he places human life before dollars. He asserted that there are about 300 applications on file in the health bureau from dairymen asking the city to test their herds for tuberculosis. The veterinarians who test the cattle are far behind in their work, and the Mayor asked that additional help be granted. To get a man at once entailed the passage of an ordinance with an emergency clause requiring the unanimous vote of the Council.

"I think it is better to spend a few dollars in having herds tested than to lose some babies because of diseased cattle," said the Mayor. "The dairymen realize the importance of the tuberculin test and are urging us to test their herds. We are required by ordinance to make these tests once a year. Because of our limited force we have been unable to test some of the cows since 1912."

FRAME BUILDINGS MAY RISE

Committee Recommends Provisional Permits in Business District.

If the City Council adopts recommendations made yesterday by the city's building code revision committee, will construction (frame) buildings will be permitted in the business district, provided the structures are fitted with automatic sprinkler systems.

At present structures of this type are prohibited. The building committee decided that they should be allowed provided sprinkling systems are established.

REED CONCERT IS GIVEN

Second Production Will Be in College Chapel Tonight.

The annual spring concert of the Reed College chorus was given in the college chapel yesterday and will be repeated in the chapel tonight at 8 o'clock. Two numbers were given, the "Hymn to Dionysus," by Ernest

Walker, and "In a Persian Garden," by Madame Liza Lehman, the words of the latter being taken from the Fitzgerald translation of the Rubaiyat of Omar Khayyam. Four selections from the latter number were given by Ruth Barlow, soprano; Clara West, contralto; Harry Wembridge, tenor; Milton Runyan, baritone; and Howard Barlow, baritone. Howard Barlow also directed the chorus. Mildred Linas and Helmut Krause were piano accompanists.

The members of the chorus are Marian Allhands, Ruth Barlow, Adele Braull, Maude English, Eleanor Ewing, Cecile Buckner, Olive Kincaid, Louise Lewis, Verna Menefee, Bernice Miller, Marjorie Silverthorn and Mildred Thomas, sopranos; Feline Alderman, Dorothy Elliott, Eliza Gill, Cora Howes, Louise Huntley, Annie Jordan Harrison, Irene Lacey, Bessie Nelson, Bess Owen, Marion Roper, Clara West, contraltos; Milton Bozorth, Alvin Bradford, Lowell Bradford, Fred Brainard, Delbert French, Arthur House, Alexander Lacey, Stuart Pratt, Lindsey Ross and Milton Runyan, baritones; John Dambach, Jerome Holaman, Marvin Howe, Charles Rogers, Otto

JURY PANEL BIASED, CHARGES MR. M'GINN

Defendants in Personal Injury Suits Declared to Be Favored.

Method of Selection Is Intimated to Be "Fraud, Delusion and Snare"—Representation of All Classes Desired.

"I do not hesitate to charge that the 1915 jury list was hand-picked," declared Judge Henry E. McGinn from the bench yesterday morning, when Attorney L. N. Smith appeared before him with a plea for a new trial in the damage suit of Birdena Wallingford against the Portland Railway, Light & Power Company.

Judge McGinn immediately followed up his statement with an investigation to determine if the entire jury list of nearly 3000 names cannot be thrown out and a new panel drawn.

"This jury panel was drawn improperly in the first place," said Judge McGinn. "It was drawn by D. G. Tomasini, who is not a legal consultant jury commissioner. He was not legally appointed. He was not responsible to the taxpayers of this county, and yet he was given a task of the gravest responsibility."

Defendants Favored Is Charge. "The jury was hand-picked. It was picked to favor the defendants in personal injury damages suits. The injury suits have no representation at all on this jury list. I do not mean that the jurors on the list are not good men. They are undoubtedly good and conscientious jurors. But they are the type of men the defendants in these cases want on the jury."

"It is a shame and an outrage the way this jury list was selected. In these times of labor disputes and differences of opinion, it is not fair that one class should have all the representation in the courts of justice. An employer cannot have the same viewpoint as an employee in a case where the personal interests of either class are involved."

"I am reminded of the statement of Chief Justice Denman in the trial of Daniel O'Connell many years ago: 'If juries can be selected in this way, then the jury system is a fraud, a delusion and a snare.'"

New Method Being Sought. "The charge of jury-tampering is a mild one compared to the injury crime strikes at the roots of the jury system. One man said some time ago: 'If you'll allow me to furnish the oysters and the champagne for the legislators, Daniel Webster can make the arguments. I'll get the results.'"

With the assistance of J. N. Smith, Judge McGinn at once began looking up authorities on the subject of selecting jury panels. He did not indicate the method he might use, but declared he would try to break the present jury panel if possible without affecting all the cases which have been tried under it.

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Judge McGinn's declaration with reference to the jury list astounded lawyers and judges throughout the Courthouse, although this was the first attack that has been made on the jury panel. Several prominent attorneys heretofore have expressed their views strongly in accordance with Judge McGinn's sentiments.

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"I believe with Judge McGinn," said Mr. Logan, "that the origin of the present jury panel is questionable. As to the granting of a new trial on this plea, there is some doubt if it can be done, for the jury already had been selected by the attorneys."

"I think, though, that the present panel is a defendant's jury all the way through, and that the plaintiff in a personal injury suit before this jury has a very small chance. In saying this, I don't mean to reflect on Mr. Tomasini. I know him personally and he is a fine man. But every man has a different idea as to who is a good juror. It isn't right that one man should select a jury list by himself. There should be a jury commission of at least three men."

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"There were more than 3000 names in the jury list," he said. "I knew probably 100 men, and they were not selected because I knew them. In handling a big list of names like that one man scarcely has time to look them over."

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and Miss Martha Hansickie, with an average of 91.25, will be salutatorian.

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as soon as work on the new bridge begins on this side of the river. The pierdriver of the Jacobsen Construction Company has been towed to the military reservation, where a landing similar to the one just constructed will be built. This landing will be used when safe landing cannot be made at Columbia street and during construction of the pier opposite the Columbia-street landing.

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