

P. R. L. & P. MEN ARE BARRED FROM SERVICE ON JURY

Employees, Former Employees, and Others, Kept Off Personal Injury Cases Against Road, by Judge McGinn.

Railroad men, former railroad men, employees of the Portland Railway, Light & Power Co., past or present, relatives of employees of any men who have been in any way connected with the local streetcar company are barred in Circuit Judge McGinn's court from any future jury impanelled to try a personal injury case against the company. Judge McGinn made this statement this morning following his dismissal of the jury which had been selected to try the case of G. P. Conley against the local streetcar company.

Judge McGinn's action in dismissing the jury yesterday arose from his observation that two men who had been barred for cause had once worked for the local company, another had done some carpenter work for the company, another was at present a clerk for a railroad company, and a fifth was once employed by a railroad. Nine men had been examined at the time and two more were to be examined.

Special Verdict Issued.

There were also six waiting to be called. All were dismissed for the day and a special verdict of 18 men was ordered called.

Of the 18 special verdict men who appeared this morning to be examined for service on the jury, but one was a railroad man. When John D. Stites stated he was employed by the defendant company for eight years at one time he was excused for cause at once. At noon 11 men had been chosen. Nine men had but one peremptory challenge left. The venire had been exhausted and two more specials were summoned that the jury may be completed at once.

Following the dismissal of Mr. Stites, the clerk started to draw another name from the box and Attorney Frank Longman, counsel for the company, stepped to the clerk's desk to ascertain the name. He was at once ordered to take his seat at the table and remain away from the clerk during the drawing of names in the future.

Judge McGinn declared this morning that he had nothing personal against Attorney Longman and that he did not accuse anyone of jury tampering. He declared that he felt the regular jury members numbered among them too many employees of the company and too many friends and relatives of employees. He also declared that railroad men were naturally biased in their judgment.

The part which this company is playing in this jury business is too palpable, too notorious," declared Judge McGinn. "You cannot help but see it is a job. You will have to win your verdicts fair and square and, when you do, no one will object, least of all myself."

Judge McGinn expressed himself very forcibly on the matter and his statements were objected to by Mr. Longman as casting personal aspersions. The company of Griffith, Allen & Leiter, with which Mr. Longman is associated, represent the railway company and Mr. Griffith made a statement in which he denies any undue influence by any member of the firm.

Judge McGinn's charges that jurors had been improperly influenced by the members of the firm or the data agents are absolutely and wholly untrue," said Mr. Griffith; "and could not and would not be made by any judge actuated solely by a desire to administer law and impartial justice."

The clear inference to be drawn from Judge McGinn's remarks is that the attorneys and claim agents of the company engaged in the conduct of personal injury trials have been guilty of a felony, and if any foundation should exist for the judge's statements, it is his duty to call the matter to the attention of the grand jury now in session, with recommendation that if the charges are found to be substantiated an indictment should be presented against all shown to be guilty. The judge should either do this or retract his statements."

UNDERGROUND MAP OF CITY IS PLANNED

Notification that a map of the underground system of wires, cables and conduits in the city of Portland is to be made by the chief draftsman of the engineering department was sent by City Engineer Hurlburt today to the Portland Railway, Light & Power Co., the Portland Gas company, the telephone companies and other corporations. They have been requested to send representatives to the city hall Monday morning, to be present at a meeting in Mr. Hurlburt's office.

"The city has never had such a map," said Mr. Hurlburt today. "We propose to show on this map the exact location of every water pipe and every underground wire and cable in the city. Hereafter, when it is proposed to lay a wire or conduit under a street, we will know, without digging up the street, just what the underground condition is, and will be able to order the new installation without danger of running it into an obstruction."

PROGRAM MAJESTIC THEATRE TODAY, FRIDAY AND SATURDAY

Positively the only authentic moving pictures of the world's marvels.

Captain Scott
In his dash to the South Pole, his crew and the ship Terra Nova, against the huge icebergs and glaciers of every water and every underground wire and cable in the city.

THE THROBBER TRIO
Singing "Goodnight, Mr. Moon" and "Come Back Marguerite."

THE HARVEST
In which the wages of sin are paid by death.

MRS. ELSIE EDWARDS
Lyric soprano, singing "Tip-Perary" and "A London Coster Song."

THE LAW OF COMPENSATION
Philadelphia court case, singing "The Air" and "That Girl of Mine."

THE TIGHTWAD
ADMISSION 10c. BOX SEATS 25c.

GRAND JURY ACTION IS STILL UNCERTAIN

The grand jury investigation of articles published in the Portland Daily News attacking the county court is said to be nearing an end, and those who have followed the investigation believe that no action will be taken in regard to the matter as far as the county court is concerned.

That the investigation centers largely around the article in which the court was accused of uttering false records to hide "is" is indicated by the fact that John and Charles Sheen, Frederick A. Nitchy and W. W. Whidden, of the firm of Whidden & Lewis, architects, in charge of the construction of the court house, appeared before the grand jury yesterday.

The Sheens put in a bid for the plumbing of the east wing of the court house which was rejected. Nitchy is manager of the Crane company which was to supply the Sheens with material in case their bid was accepted. It is understood the Sheen bid was rejected because the manufacturers declined to endorse a provision in the contract demanded by the court house architects.

Under the law the grand jury must make a final report by Saturday.

ORDERS CONFERENCE ON TENDERS FOR OIL

Following a statement of County Judge Cleaton to the effect that he suspected collusion between the Standard Oil, Union Oil, Associated Oil and Oregon Road Oiling companies in submitting bids to supply the county with fuel oil for the next year, local representatives of the company were requested to appear before the commissioners tomorrow for a conference.

The bids were submitted early in the week, but after tabulating them, the commissioners decided not to make any contracts until after an investigation had been made.

It has been found that a number of private concerns have much better contracts and are securing fuel oil at prices under those quoted the county. The oil men contend, however, that this condition exists because oil is cheaper when the contracts in question were made.

MAYOR BAKER APPROVES BROADWAY EXTENSION

Acting Mayor George L. Baker today approved a council resolution ordering the extension of Broadway from East Forty-fifth to the Sandy Road. The city engineer is instructed by the resolution to make a report to the council showing the cost of such extension and the various lots and parcels of land that will have to be assessed therefor.

The city engineer has already initiated proceedings for the condemnation of a strip of ground about 45 feet long and 30 feet wide in order to straighten out a kink in Broadway at the corner of Wheeler street.

Deputy City Engineer McKelven has recommended that Broadway be widened to 80 feet its entire length from the Broadway bridge to the Sandy Road, but no official action towards this end has yet been taken.

ORGANIZE TO TAKE U. O. EXTENSION WORK

In line with the work that is being done by the University of Oregon, to carry the educational work beyond the campus and into the state, a number of employees of the accounting department of the North Bank road met last night and organized a class in English, which will be presided over by university professors.

In addition to this class in English, several members of the class have selected other lines of education which they intend to pursue, with the aid of the university funds.

There are now nine classes in extension study directed by the University of Oregon organized in Portland and others are being contemplated. This does not include the numerous lectures that are being given by the university faculty in Portland this winter.

ORCHESTRA TO PLAY AT SALEM SUNDAY

The Portland Symphony orchestra will play its second concert at Salem next Sunday afternoon at 2 o'clock. The program will be the same as presented at the Hellig here last Sunday, with Carl Danton as director.

The keen interest and appreciation in the work of the orchestra in Salem is illustrated by the fact that next Sunday special trains will be run from all the neighboring towns, and it is expected that the audience will fill the auditorium of the Grand opera house to capacity.

WOMEN SHOW INTEREST IN COMMISSION CHARTER

Women showed more interest in the commission charter last night in the meeting at Portsmouth, where W. C. Benbow spoke on the charter, than did the men. More questions were asked by the women, who also asked the speaker to explain the old charter as well as the new. Portsmouth women have organized a club to study municipal and political questions, which club was well represented last evening. Mr. Benbow explained the new charter which has been prepared by the charter commission.

START PROCEEDINGS TO PAVE FOURTH STREET

City Engineer Hurlburt was directed by the city council yesterday to prepare plans and specification under which bids for an appropriate hard surface improvement of Fourth street, from Burnside to Jefferson streets, may be invited. The object of starting improvement proceedings thus early is to have the street in readiness for the pavement by the time the Southern Pacific company commences to lay the rails for its electric line on the street.

Lady Scott in Wellington.
(United Press Leased Wire.)
Wellington, N. Z., Feb. 27.—Lady Scott, widow of Captain Robert F. Scott, the British explorer, who lost his life on the return trip from the South Pole, arrived here today from San Francisco on the steamer Aorangi. She was met at the pier by her brother, Lieutenant Bruce, and Commander Evans of the Terra Nova.

Lady Scott controlled her feelings, and said she learned of her husband's death by wireless while aboard the Aorangi.

HUEY A GARRISON IS ASSAULTED BY MADERO'S TROOPS

Northern Soldiers Are Deserting to Maderista Cause—Forces Said to Number 2200 Men.

(United Press Leased Wire.)
El Paso, Tex., Feb. 27.—Complete annihilation of the Huerta garrison at Concho, Chihuahua, yesterday by Maderista partisans, is reported in dispatches received here today. Every man of the 20 Huerta soldiers was killed.

The Maderista troops today hold practically the entire country along the line of the Mexican Central railroad from Chihuahua to Torreon, and hundreds of recruits are daily joining the levies, whose announced purpose is to avenge the death of Francisco I. Madero.

Prominent among the Maderista leaders is Pancho Villa, the ex-bandit, who has been a refugee here for weeks, but has now returned to the field. He is practically in command of the Maderistas along the Mexican Central.

Fighting was reported general today in the Mexican states of Sonora, Coahuila and Morelos. News reached here of the resignation of Governor Maytorena of Sonora. He is said to have crossed to the American side. Maytorena was seized with panic when the Sonora legislature declared war on the Huerta government. The Maderista forces in Sonora are still without a general leader.

Douglas, Ariz., Feb. 27.—Declared by the rebel junta here to mark the beginning of the threatened rebellion in Northern Sonora against the Huerta government, a large portion of the volunteer forces of the Agua Prieta garrisons have deserted today, while the entire garrison at Fronteras has declared against the provisional president.

The deserting volunteers from Agua Prieta are reported to have fled into the hills after exchanging futile shots with loyal pursuers. The revolt at Fronteras was accomplished without the firing of a shot, the townspeople joining the soldiers in raising the flag of the revolution above the barracks.

Rebels have burned four bridges on the Nacama railroad within the last 24 hours, according to telegraphic reports to that town. The wires were cut soon after those messages were received.

According to the Douglas news, the rebels already have recruited 2200 men, many of these already being in camp.

Claim Rebellion Broken.

(United Press Leased Wire.)
Mexico City, Mexico, Feb. 27.—Declaration that Venustiano Carranza, the revolting governor of Coahuila, has expressed willingness to recognize the Huerta government, was made from the national palace here today. If this is true, it means the backbone of the rebellion in northern Mexico is practically broken.

Dispatches here today from Torreon deny persistent reports that both Emilio and Rosalva Madero, brothers of the late President Francisco I. Madero, have either been slain in battle or executed by orders of General Trevino. It was said the two rebel leaders are heading a force of several thousand men near Torreon and are preparing to march on the capital.

Another unconfirmed report circulated on the streets here today was that Provisional President Huerta had admitted that Emilio Madero is dead.

TO TAKE MORE CARE IN SHIPPING MILK

As the result of a conference held this morning between the members of the railroad commission, City Health Officer Wheeler, Milk Chemist Calloway, representatives of the various creameries of this city and representatives of the express companies, in the office of the commission in the court house, it was decided that greater precautions would be taken in shipping milk into the city. During the summer months arrangements are to be made for one morning train and one afternoon train to handle all milk, and it is to be covered with wet tarpaulin, thereby keeping it cooler than 60 degrees, which is the temperature of the city. This morning all of those in attendance at the conference spoke in favor of giving special care to the shipment of the milk.

JUDGES MUST GET ALONG ON THEIR PRESENT \$4000

(Special to The Journal.)
Salem, Or., Feb. 27.—Multnomah county's circuit judges—it will be six if County Judge Cleaton becomes a circuit judge, as one measure provides—will not have their salary raised to \$5000 this year.

Senator Moser's bill for the \$1000 additional annual salary met scant approval in the house last night. After Latourette had explained that the Multnomah judges should have more pay, he thought, Upton, Hagood and Reames jumped all over it.

Reames insisted that there was no good reason for raising the pay of the Multnomah judges, especially in view of the fact that when the legislature fixed the salaries of all circuit judges at \$4000 earlier in the session, it was done to place all jurisdictions on the same basis.

"Will the gentlemen yield to a question?" asked Latourette.

"Yes," replied Reames, "on one condition: that I can make one motion first."

"What is it?" said Latourette.

"That the measure be indefinitely postponed," spoke back Reames.

"Second it," cried Latourette.

And with a shout, every member in the house voted approval.

MORGAN BLAMES BANKING SYSTEM Company Files Statement With Money Trust Committee Blaming System.

(United Press Leased Wire.)
Washington, Feb. 27.—In defense of its methods in handling money, Morgan & Co. of New York filed a statement with the money trust investigation committee headed by Congressman Pujos here today. The statement declared in part:

"A large part of the committee's time is being consumed in an endeavor to place out a certain theory regarding money and credit which it is impossible to demonstrate. We suggest that such bills as exist in the country's financial affairs are the outcome of a clumsy, worn-out banking system."

Representative Martin of South Dakota, speaking before the house today, criticized the selection of Samuel Untermyer as counsel for the Pujos committee. Representative Burke of Pennsylvania attacked the committee's pursuit of William Rockefeller.

Representative Moore of Pennsylvania declared:

"All the Democratic investigations have been 'bunk' pure and simple. The shoe trust affair failed miserably. The attorney in charge of that case is now prominently mentioned for the Democratic cabinet. His name is opposed in New England because it is charged he took money from both sides."

Moore explained that Louis Brandeis is the attorney he referred to.

The defense statement of the Morgan concern declares that all the figures presented to the committee are incomplete and misleading. It declares that numerous bank mergers are due to business necessity and there are far fewer than the mergers in England or on the continent.

The statement declares general, and not special, legislation is the remedy needed.

ARREST CONSIDINE IN BAY CITY RESORT

(United Press Leased Wire.)
San Francisco, Feb. 27.—John Considine, vaudeville magnate, and Sid Grauman, a San Francisco theatrical man, were arrested here today and held in cash bail of \$10,000 each, charged with violating the penal code by persuading four women in a Barbary coast resort to engage in lewd and indecent practices.

Considine and Grauman, the information brought before Police Judge Deasy, said, were accompanied to the resort by Mrs. Evelyn Cook, a performer on the Sullivan & Considine circuit. The women are believed to be under age, and the chief of police of Baltimore has been wired for this information. If the girls prove under age, Considine and Grauman may be indicted.

REFERENDUM VOTE ONLY ORDERED IN NOVEMBER

Salem, Or., Feb. 27.—Senator Day's bill for a referendum election on all acts of the legislature referred to the people was finally passed last night after a conference committee had straightened out the differences between amendments made by the two houses.

The bill as passed calls for an election on the first Tuesday after the first Monday in November, 1913, on referendum bills only. The plan for voting on the same date on initiative bills or amendments referred by the legislature was stricken out. The bill carries an emergency clause, so this bill itself cannot be placed under the referendum.

DISMISSES INDICTMENT AGAINST MRS. WHITE

Judge Bean in the United States district court this morning, on motion of United States Attorney John McCourt, dismissed the indictment against Mrs. E. M. White, who was charged by a grand jury last November with having used the mails for the furtherance of a criminal medical practice. McCourt said that Mrs. White, who is a stenographer in the Chamber of Commerce building, was employed by the Sterna-Hollingshead company, a semi-wholesale drug concern of the east side, to answer and keep up its correspondence. In this way, he said, she had come in contact with the business of the mail order department and eventually became the subject for suspicion by United States postal inspectors.

**SEATS NOW SELLING
HELIG THEATRE**
11th and Morrison
Phones 4-1111 and 4-1112
3 Nights Tonight 8:15
Beginning
Special Price Saturday Matinee.
Charles Frohman presents
Donald Brian
In the best of all musical comedies
"The Siren"

With brilliant supporting cast, including Carroll McCormack, Will West, Ethel Carter and 50 others.
PRICES: Lower floor, except last 7 rows, 12c; last row, 5c; Balcony, 11c, 75c, 50c. Special price Saturday Matinee. Seats, \$1.50-\$1.75c-50c.

**SEAT SALE TOMORROW
HELIG THEATRE**
4 NIGHTS BEGINNING Next Sunday
Popular Ladies' Matinee Wednesday.
R. H. Woods Presents
The Big Comic Opera Hit
"GIPSY LOVE"
By Franz Lehár,
79 COMPANY—70
Splendid Cast—20—Orchestra—20
Evening: Lower Floor, 10 rows, 25c; 12 rows, \$1.50; Balcony, 11c, 75c, 50c. Popular Price Saturday Matinee. Seats, \$1.75c-50c.

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STATE HIGHWAY BILL PASSES; LITTLE CHANGE GUARANTEES SENT TO BATTLE IMMINENT NEAR EAGLE PASS, TEXAS; MANY REBELS CROSS INTO U. S.

(Staff Correspondence.)
Salem, Or., Feb. 27.—The state highway bill, as finally approved in conference committee and ratified by both houses last night, is only slightly changed from the bill as amended in the senate the night before.

The change is to remove the requirement that the state highway engineer must be a resident of the state for at least two years prior to his appointment. It was charged that this provision was a "joke," intended to make a job for a former city engineer of Portland.

The bill as passed provides for a levy of one-fourth of one percent on the assessed valuation for state highways, to be expended under direction of the state board. None of the money is to be returned to the counties, but all is to be spent on state roads designated by the board. The salary of the engineer is fixed at \$3000, and the total "overhead" expense, for himself, deputies and office charges, is limited to \$10,000 a year.

DEMOCRATS CLAIM ELECTION OF LEWIS

(United Press Leased Wire.)
Springfield, Ill., Feb. 27.—Taking advantage of the absence of a number of Republican members of the legislature who left to catch trains at the close of a joint ballot this afternoon, the Democrats took a second ballot and tried to force the election of two United States senators by a majority of a quorum. The Republicans frustrated the plan by refraining from voting and by leaving the hall so that no quorum remained. Then Speaker McKinley, after stormy arguments, announced that no quorum was present and the election was made.

Despite McKinley's ruling, the Democrats are preparing to take to Washington their claim that J. Hann Lewis was elected this afternoon on the second ballot, although there were only 73 votes polled. One hundred and two constitute a quorum.

Machine Men Surround Him.
Instantly Latourette was the center of a group of angry members of the organization. Attracted by the buzz of argument, the rest of the house looked on, wondering what it all was about. But Latourette, having made up his mind, would not be swayed by all the pressure against him, and a moment later moved the reconsideration.

"I am going to vote what is right in this," he said, "I vote no wild ass because I was wrongly informed. I have learned that this bill is absolutely necessary to enable the road districts to levy road taxes and build good roads, and to save between \$500,000 and \$600,000 of this year's road taxes, and I now move its reconsideration."

Bill Passes With a Whoop.
With Latourette's determined defiance, his second break with the machine leaders in two days where he believed a point of right as against politics to be involved, the steam roller was finally smashed. Only scattering opposition from Smith and Forbes was offered this time, and the bill went through with a rousing whoop, just as it had come from the senate.

First Vote That Killed It.
Ayes—Anderson of Clatsop, Belland, Brunk, Chapman, Childs, Eason, Olin, Graves, Hagood, Hall, Hill, Hughes, Hurd, Johnson, Lawrence, Loggren, Massey, Meek, Nichols, Nolte, Peirce, Porter, Reames, Schnoor, Thomas, Weeks, Westerlund—26.

Noes—Abbott, Anderson of Wasco, Applegate, Barton, Carpenter, Forbes, Forrester, Hinkle, Latourette, Murnane, Mann, McDonald, Mitchell, Potter, Smith, Upton and McArthur—17.

Absent—Blanchard, Bonebrake, Campbell, Carlin, Handley, Helzel, Homan, Howard, Laughlin, Lewelling, Olmstead, Schuebel, Spencer, Stanfield, Stranahan.

It was nearly 2 o'clock this morning when Latourette made his motion to reconsider. Under his leadership, both the emergency clause and the one validating this year's taxes were restored to the bill.

Potter, another strong steam roller member, followed Latourette in declaring he would support the bill.

"We do not need this tax for road building in my county," he said, "but since voting against the bill, I have learned how much it is needed. I shall vote for it."

"We Do Come Back."
In answer to objections that the measure was unconstitutional, Latourette answered that it was very short and easily understood. "There can be no real argument against it," he said.

"When we come back Tuesday—if we do come back—and then after having studied it in the meantime find it is in any way unconstitutional, we can repeal it and pass a new bill. But this is too important a matter to leave to the questionable chance of whether we get a quorum."

Then Representative Belland of Astoria, who throughout the session has been a staunch supporter of every policy that he considered right, got up.

"Let's Kill The Roller Tonight," he insisted. "The timber owners, the big interests, don't want it for it will increase their road taxes. But I tell you the people want it and need it. Let's kill the steam