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## 'JOKER' IN ROAD **BUILDING RULES**; **FAVORITISM SEEN**

Highway CommissionVirtually Puts Limit on Competitors

ONLY TWO CAN BID

Companies Able to Fulfill Contract Controlled by Similar Interests

DEOPLE who know anything about highway work in Los Angeles have discovered a "joker" in the highway commission's latest specifications for crushed stone contracts and are beginning to comment on it. Contractors and engineers who know a great deal about the construction of

great deal about the construction of good roads and have some knowledge of the highway commission's methods believe favoritism is being shown.

The "joker" is this—that in the specifications recently advertised the highway commission states "the broken stone to be delivered under these specifications shall be limestone," and "the contractor shall be required to begin the delivery of broken stone at the rate of 500 tons per day within fifteen days from and aftter the date and award of the contract."

Chairman George H. Bixby of the highway commission, addressing the board of supervisors relative to this contract, explained it would give the

board of supervisors relative to this contract, explained it would give the small contractors a chance to bid.

Under these specifications only two companies, it is said, can bid with any chance of fulfilling the terms of the contract, to wit, the Riverside Portland Cement company and the Southern California Cement company, both of which quarry Riverside limestone.

Competition Limited

Competition Limited

These are the only two companies which can get out the stone in the time set by the specifications. There are limestone quarries in Los Angeles scounty, but they cannot furnish broken rock at the rate of 500 tons a day fifteen days after the award of the contract. Consequently the specifications narrow the field of competition down to two companies.

Tyler Henshaw, vice president of the Southern California Cement company, holds a controlling interest in that company, the Riverside Portland Cement company and the Riverside limestone quarries.

Last July the board of supervisors, on recommendation of the highway commission, advertised for bidders on crushed stone, specifying a total of 800,000 tons to be delivered within three years and three months, the rates of delivery a day varying according to the class of rock desired. The Spaulding Rock company submitted a bid August 2, agreeing to begin delivery in nintely days, the quantity not to exceed 1800 tons a day, at 65 cents a ton.

A second item of 400,000 tons, not to

A second item of 400,000 tons, not to eceed a delivery rate of 1200 tons daily, SOUTH CALIFORNIA the company agr the same time limits, at 671/2 cents a ton. The third item for which the company bid included 200,000 tons at 70 cents a ton, the rate of delivery not to exceed 600 tons daily. The fourth item included 100,000 tons to be delivered in two years and three months at 721/2 cents a ton.

Only 20 Per Cent Waste Allowed All this rock was to be subjected to a 20 per cent rattler test-that is, only

20 per cent should be waste.

The Spaulding Rock company deposited a bond of \$53,000 with the county in guaranty of good faith and ability to fulfill the terms of the con-That is the last anyone ever heard of that bid so far as recom-mendations of the highway commission were concerned. No action was ever taken on it and the bond is still with the county, the premiums on which the rock company has paid.
Recently the commission, realizing that inactivity would not build roads,

and furthermore that fifteen miles of highway between Bassett and Pomona and nine miles between Whittier and Los Angeles city limits were still unconstructed, proceeded to recognize the bid of the Spaulding company and

get the work done.

Here is where the "joker" was born.

One of the members of the commission offhandedly dropped something about the intention of the commission to Mr. Henshaw, who took the mem-bers out to Riverside and showed them a road there constructed of limestone. By a strange coincidence just about that time the commission informed the Spaulding company it had decided company could not deliver the

material in time. another strange coincidence "limestone" appears in the specifica-tions, as does the clause of quick de-

Excuse Is Given

Chairman Bixby was asked yester-day why the specifications called for limestone. He replied that trap rock,

to meet time requirements, could not Fifteen minutes prior to that con-

Fifteen minutes prior to that conversation C. A. Thurston, secretary of the Spaulding Rock company, had declared his company could fulfill the specifications to a letter if trap rock were called for instead of limestone. He said his company had not even been asked if it could do it.

Mr. Bixby admitted trap rock cannot be excelled and said the commission would rather pay a little more

sion would rather pay a little more for it than use limestone. "Our engineer," said the chairman,

"says limestone is cheaper than trap We went over to Riverside and saw the roads that are constructed from it there. We believe they are from it there. We believe they are highly satisfactory."

Mr. Bixby's attention was called to

Mr. Bixby's attention was called to the fact that almost all engineers con-demn it, especially where it is being traversed by automobiles, and that in the biggest cities in the east it has

been absolutely condemned.

"A difference of professional opinion," he characterized it. "There are limestones and limestones," he argued.

"You will admit only two companies can bid under the new specifications?" vas asked.

"Yes," he replied, "but circumstances make it so."

Cares Nothing for Henshaw His attention was called to Mr. Hen-shaw's interests in the eligible bidinterests in the eligible bid-The chairman shook his head. ders. The chairman shock his i

## INDEX OF HERALD'S NEWS

For Los Angeles and vicinity: Fair Wednesday; heavy frost in the morning if wind lulls; brisk north wind, diminishing. Maximum temperature 63 degrees, minimum 46 degrees.

LOS ANGELES

Los Angeles lad is youngest member of American Woman's league and will be given an education. PAGE 16 Judge Willis allows heavy bail of \$10,-000 each for Mr. and Mrs. George A. Stone.

No change made in rates of telephone companies. PAGE Mexican captured after long chase; ac-cused by two young women of at-tacking them. PAGE even named to revise city charter; commission appointed to undertake great task. Keppel will urge annexation of East
Hollywood at big meeting to be
held tonight.

PAGE held tonight.

Two pleas of guilty to murder in the second degree made in criminal PAGE

ing Ralph Benton aplary inspector.

PAGE "Joker" in specifications for crushed rock for good roads is said to have been discovered. Chief of Police Galloway will make no immediate changes. PAGE

immediate changes.

President of city council flays "purity squad" and Police Captain Dixon for squad" and Police Captain Dixon for squad" and Police Captain Dixon for unlawful arrests. PAGE Dr. C. E. Zerfing is chosen police sur-geon by city council. PAGE geon by city council. PAGE 5
Police commission, will deal fairly by
all liquor dealers as regards sale of
business or transfer of licenses. PAGE 5
Couple accused of crime in connection
with transferring lease unable to obtain reduced ball. tain reduced ball.

Three appointments made by mayor to fill vacancies, confirmed by council.

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wearing aigrettes.
State agricultural society at Sacramento
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Clergyman's liking for fancy hose and fash-ionable raiment costs him his pulpit in La Jara, Colo. PAGE 1 Mackay companies to sell holdings in A. T. & T. company to allay suspicions of com-bination. PAGE PAGE 9
Pittsburg coal operators and miners fall to reach agreement on "permissible powder" question. Naval tug Nina, missing since February 6,

Naval tug Nina, missing since February 6, reported to have been seen off Long Island by passing steamer.

PAGE 2

Traffic Manager Stubbs of the Harriman lines says S. P. road is California's baby.

Packers would disprove trust, says federal prosecutor at hearing in Chicago.

PAGE 2

cago.

Glavis scores another point at congresPAGE sional inquisition. PAGE
sional inquisition. PAGE
Solons at Albany, N. Y., declared to
have been bribed by bridge building
company. PAGE
Lawyers in Swope poisoning case at Kansas

City clash over refusal of attorney for estate to produce letters of specialist.

PAGE 2

French government plans great welcome for former President Roosevelt. PAGE 2 British parliament opened and legislators face difficult problems. PAGE 2 Madriz troops recapture Matagalpa and revolutionary forces retreat. PAGE 11 Irish Liberal leaders confer with Chancellor Lloyd-George and an understanding is reached. PAGE PAGE 2

MINING AND OIL

ommonwealth mine near Goldfield may soon be in shipping class. PAGE 1: Associated Oil company reorganizes, giving active control to Southern Pa-cific.

cific. PAGE 13
Company organizes at Coalinga to take
over holdings of Edna Goodrich Consolidated Oil company. PAGE 13
Oil activity grows in Cat canyon. PAGE 13

SPORTING

Jeffries and Berger are on the way back to Pacific coast. PAGE 10 Boxing is a business, is opinion of Memphis judge.

PAGE 10 Memsic wins in hard fought battle of ten rounds with Powell. PAGE 10 commission may fine Pitcher PAGE 10 American league holds tame session at Chicago. PAGE 10 Western league will decide schedule for state K season's games. PAGE 10 himself

# **BABY HEIRS ARE** SPIRITED AWAY IN A MOTOR CAR

Aunt Recovers the Little Claimants of Rich **Barnard Estate** 

RELATIVES CONTEST

Prominent Persons Involved in Attempt to Get Custody of Tots

HE spiriting away of three little children from a beautiful home at 411 Palmetto drive, Pasadena; an apparent race for the control and custody of the youthful heirs to a \$500,000 fortune, with a San Diego state senator acting for the dead mother's relatives in the east, among them Mrs. Booth Tarkington, wife of the well known novelist and playwright, and the final location and recapture of the little ones at the Glenwood inn, Riverside, and their return to Los Angeles in care of their father's sister, Miss Helen Barnard of 2711 Ellendale piace, Los Angeles, was brought to light by court proceedings Monday afternoon and the recovery of the children yesterday.

The struggle for the custody of the children was the sudden sequence to the death of Mrs. Julia Fletcher Barsardena last Friday, leaving an estate valued at \$500,000 and a sick husband, J. A. Barnard, in Brookline, Mass., where he had been undergoing treatment. The children involved in the alleged kidnaping are Hilda, 8 years old; Julia, 6 years old, and Agnes, 5 years old. The state senator who is said to have taken them from their Pasadena home to Riverside under instructions from eastern relatives is Leroy A. Wright of San Diego.

Had Visited Husband Angeles, was brought to light by court

entitled her to the children, Miss Barnard went to Pasadena Monday afternoon, reaching there about 3 o'clock. Widow of sugar king Spreckels dies at San Francisco.

PAGE 3
Tieup of U. P. trains in Wyoming due to two operators celebrating.

PAGE 3
Officers of U. S. torpedo boat destroyer blamed for explosion on the Hopkins at San Diego.

Rapid Transit company will give banquet to members of Pasadena board of trade.

PAGE 14
Everett preacher denies wrongdoing; Rev.

McKendree Casey writes letter from Los Angeles.

PAGE 15

PAGE 16

Noon, rectaintely went to the residue.

She immediately went to the residue.

When Rev. Mr. Turner came to La Jara he was immediately placed under investigation. Mrs. Ella Hamilton, one of the church stewards, finally acquainted the minister with the following beliefs:

That he wore a cap.

That he wore a cap.

That his shirts were fashionable.

That his shirts were fashionable.

That his trousers were light-colored.

That he went skating with young that he went skating with young she believed him a

had taken the children away.

Miss Barnard then began a thorough search for the missing children. She inquired at the neighboring houses and could have mething as to when the could learn nothing as to when the children had last been seen or anychildren had last been seen of anything about them. It was feared that the children had been kidnaped and that in that case they would be taken to some nearby town until a train could be boarded taking them eastward. Miss Barnard at once notified all the towns along the southern coast all the towns along the southern coast of the missing children. It was not until 11 o'clock Monday night that the whereabouts of the children was learned, when at that time a message was received from Riverside, saying that the children were there, staying at the Glenwood inn.

Found at Riverside

Miss Barnard immediately left Los Angeles for Riverside, where she found the three children at the hotel and also Angeles for Riverside, where she found the three children at the hotel and also discovered that they had been brought there by LeRoy A. Wright, a state there by LeRoy and who is senator from San Diego and who is said to be the attorney for the eastern relatives and acting under their interactions. It was also revealed that the party did not reach Riverside until 10:45 o'clock, indicating that the children. The district attorney, accompanied 10:45 o'clock, indicating that the children. The district attorney, accompanied there were secreted in Pasadena until after dark before being taken away. Miss Barnard returned to Los Angeles this inorning with the children. The district attorney and Sherting of them. If the think the children. The stated they had obtained in the district attorney and Sherting of the planes, knocking off an alieron there was anything that Mr. Sewbright there was anything that Mr. Sewbright used to enjoy it was a few frankfurters to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Sewbright used to enjoy it was a few frankfurters there was anything that Mr. Parketuse the and his wife. Although there were rumors some time ago of impending divorce proceedings in the Barnard family, it was stated last night that there had not been the least estrangement between Mr. and Mrs. Barnard during the last four years. during the last four years.

FRENCH SOLDIERS MASSACRED PARIS, Feb. 15.—A dispatch received by M. Troilett, minister of colonies, from the governor of Dakar, Senegal,

# New Scheme for Alaskan Land Control Advanced by 'Interests'



A LOOK AT THE PROPOSED "LEGISLATIVE COUNCIL" FOR ALASKA

Apparently the official board of the favorite lunch-wagon delicacy found in the license tag of a dog that had bemiles long, if necessary, buildings in the license tag of a dog that had beit the license tag of a dog that had beconnection costing practically \$7000 and the sat with a contented grin the whole Bowen thinks such a mode of dressing longed to Miss Anna Bell, 300 1-2 South connection costing practically \$7000 and

people of the church. Summarized, she believed him "man of the world." Heated discussions before the board resulted in the minister's resignation, but failed to bring harmony, for the church board also has resigned.

BURKE DECLARED MAN WHO DYNAMITED TENT

Officers of Santa Rosa Say Chain of Evidence Against Doctor Is Complete

OROVILLE, Cal., Feb. 45 .- "The chain of circumstantial evidence con-necting Dr. W. P. Burke with the at-

fuse and caps.

The depositions were made by Thomas Riley, a miner, and James Hedges, foreman of the mines.

District Attorney Lea states that on arriving at the mines he and Sheriff Smith found that Riley had been dischered restreday on imperative orders charged yesterday on imperative orders from Dr. Burke. GRANTS STAY OF EXECUTION

from the governor of Dakar, Senegal, says that a French detachment has suffered heavy losses through an ambuscade in the Ouadal region. Five buscade in the Ouadal region. Five prench officers and 120 native soldiers were massacred.

WILL INCORPORATE HIMSELF ALBANY, N. Y., Feb. 15.—Following the example set by Mark Twain some the example set by Mark Twain some the example set by Mark Twain some typears ago, a New York restaurant-keeper has applied to Secretary of State Koenig for papers incorporating himself

GRANTS STAY OF EXECUTION

COLUMBUS, O., Feb. 15.—The state suay from them.

He is convalescing now. He took the pice of brass up to the city delry firm, were arrested today on warrants issued at the instance of William Finley, secretary of the National Association of Audubon societies.

Yesterday Finley seized an aigretted and then went is astically exclaimed and then went is astically excla

### DOG LICENSE TAG IN HOT 'WEINIE' TELLS ITS OWN SAD STORY

MYSTERY OF MISSING CANINE IS SOLVED

G. E. Sewbright Finds an Answer to the Question Why Is Frankfurter Sausage Called a "Dog"

fancy hose, turned up trousers and dog?"-this time-honored query has through an agreement reached last fashionable shirts is he a sport and un- been answered by G. E. Sewbright, 712 night between the Los Angeles Mo-Solano avenue, who while eating his tordrome company and the Aero club

indicates a "spot," for as a result of charges brought against him, Rev. B. F. Turner, pastor of the church, who came to La Jara from the east three months ago, has resigned and his resignation has been accepted.

The destiny that shaped the end of the doggie that frisked to the name of Sparker evidently had a long crank on it and a sort of a hamburg steak appliance on the inside. Like all gruenation has been accepted.

The destiny that shaped the end of Sparker evidently had a long crank on it and a sort of a hamburg steak appliance on the inside. Like all gruenation has been accepted.

The destiny that shaped the end of the doggie that frisked to the name of last night by General Manager F. E. Moskovies of the Motordrome company and President H. La V. Twining of the some specters which haunt the dreams. months ago, has resigned and nation has been accepted.

When Rev. Mr. Turner came to La of purps, this destiny was a fine shaper. It transformed Sparker into a most analysis has immediately placed under the came to the specific purps, this destiny was a fine shaper. It transformed Sparker into a most analysis has immediately placed under the came of th

earth.

If it had, Sewbright wouldn't have had machine shop for constructing and reto put in a miserable hour in the denfitting aeroplanes.

darn, but he can't get away from the fact that he knows where a part of her went. He is trying to forget, but every time he passes a meat market he has a feeling as if he had a jelly fish caught in his throat.

The Gill-Dosh aeroplane was the first try out on the new aviation.

that the little Scotch terrier never has promised his co-operation while in came back to Miss Bell, from whose home she strolled away one fine day

Howard W. Gill already has made

turing monstrosity. It was slightly convex, like the badge on a conductor's cap. He rubbed clean the convex side

'Dog License, No. 4413." A sickly pallor spread over his face and he clapped his hands over his eye to shut out the awful spectacle that lay, half eaten, on his plate.
"A-ugh, a-ugh, a-ugh!" he enthusiastically exclaimed and then went away from there. He is convalescing now. He took the

Why is a wiener wurst called a "hot greatest aviation fields in the world all arrangements for year-round ex-

Work will be started this morning. It transformed Sparker into a most an-gelic sausage, but the egregious blun-der of not putting wings on him to plane shed. When der of not putting wings on him to plane shed. When completed they will distinguish him from the sausages of provide room for fourteen machines, and will be equipped with a complete

tist's chair. Neither would he get so A clubhouse exclusively for aerial peevish every time anybody whistles, enthusiasts will be built near the aero"Oh, Where, Oh, Where, Has My Little Dog Gone?"

Mr. Sewbright doesn't know where the motordrome, utilizing the long reach of whole of Sparker has gone and, what flat country east of Playa Del Rey, and is more, he doesn't give a tinker's reaching up to Venice. If the Internadarn, but he can't get away from the tional Aeronautic federation rules re-

in his throat.

The ghost of the sausage mill got poor Sparker's goat some time ago.

The mystery surrounding her tragic end will never be known, that is, nobody will ever make a confession while Mr. Sewbright lives. Suffice it that three and one-tail meas t

over a week ago.

Monday night Mr. Sewbright, who is, or rather was, very fond of "weinies," went to a certain meat market in Los

Angeles and bought a string of them. If
there flights with his machine, but damaged it badly yesterday when he attempted to fly with a strong wind. The aeroplane hit the ground with one of the planes, knocking off an aileron and an end of the plane.

Fashionable Milliner and Jeweler of give as many and as long explanations as he desired. San Francisco Are Taken Into Custody

SAN FRANCISCO, Feb. 15 .- Charged with having aigrettes in their possession, Mrs. Jane Doe Bagnalls, a fashionable milliner of this city, and Charles Isaacs, manager of a local jew-elry firm, were arrested today on war-rants issued at the instance of Wil-

# **GLAVIS SCORES ANOTHER POINT** AT INQUISITION

Deposed Field Chief Told to Answer Questions as He Sees Fit

PUBLIC IS AROUSED

Exposure of Scheme to Take Land Control from Congress Criticised

ASHINGTON, Feb. 15.—John J. Vertrees, attorney for Secretary Ballinger at the congressional inquiry into Ballinger's conduct of office, today resorted to every possible effort known to the legal profession to confuse and belittle Louis Glavis, field

confuse and belittle Louis Glavis, field chief of the forestry bureau deposed by President Taft for his activity in exposing the questionable methods of the department of the interior and for his friendship to Pinchot.

The efforts of Attorney Vertrees, however, were unavailing, and as a climax to the strenuous fight made by the defense to exclude certain testimony and conceal important facts by limiting Mr. Glavis' replies to monosyllabic admissions, the congressional committee ruled in favor of the deposed field chief, stating that he should be allowed to answer each question fully and as he deemed best, adherbe allowed to answer each question fully and as he deemed best, adher-ing, of course, to the main essentials of the question.

of the question.

As on every day previous, there was a large attendance at today's hearing, the number of spectators undoubtedly exceeding that of Monday. This was due, perhaps, to the fact that the exposure yesterday of Ballinger's plan, sanctioned by Pres' ant Taft, to take the control of the Alaskan public lands away from congress and permit the proposed Alaskan legislative council to decide their disposition, called forth much unfavorable comment and increased public interest in the inquiry.

Whitewash Expected

Whitewash Expected

It is a common subject of controversy in Washington that the present congressional inquiry, unless the Democratic and Republican insurgents can assert their power, will result in a whitewash for Ballinger, and that any action taken by the congressional committee in the matter will eventually be invalidated. It is pointed out, on the other hand, however, that although the "interests" have a powerful lobby and have received the encouragement of Taft and the "regulars," the evidence looks dark for Ballinger, and the president may be forced to act directly on the findings of the committee if the latter reports unfavorably for Ballinger.

Mr. Vertrees today examined the witness almost wholly on the documentary evidence, and it was necessary to read much of this anew that he might properly frame his questions. This required much time and made the proceedings decidedly dull.

Counsel for Mr. Ballinger protested once against Glavis' discoursiveness, but Glavis appealed to the committee and it was decided that he could make Whitewash Expected

Los Angeles will have one of the but Glavis appealed to the committee his explanations however whether they were relevant or not.

Mr. Glavis speaks with a decided drawl and some hesitation long statements seemed greatly to

> number of witnesses who, Mr. Vertrees announced, would give testimony left by Mr. Glavis in the grand jury, room of the Seattle federal building.

Lawyer's Contention

Mr. Vertrees devoted a large part of the day to bringing out the fact that when Mr. Glavis protested against the clear-listing of the Cunningham claims by telegram on January 22, 1808, the order for clear-listing was immediate-ly revoked without awaiting further explanation from Glavis, and that this state of affairs has continued down to the present time.

The inquiry will be resumed tomor-

The inquiry will be resumed tomorrow afternoon.

Mr. Vertrees questioned Mr. Glavis about the memorandum he assisted in preparing on which Assistant Secretary Pierce rendered a construction of the new coal lands law of May, 1908.

Mr. Glavis testified yesterday that this provided the pierce to his mind showed Mr. Pierce to his mind sh opinion, to his mind, showed Mr. Pierca to be unfit for his office. Mr. Vertrees sought to show the Cunningham claimants, having decided

to stand for patents under the old law, were specifically excluded from con-sideration in the Pierce opinion. The attorney also sought to show that At-torney General Wickersham did not overrule Mr. Pierce, but substantially sustained him in every essential par-All Mr. Glavis would admit in this connection was that he certainly did not intend to exclude the Cunningham and intend to exclude the claims from consideration, and that while the attorney general may have construed the law as Mr. Pierce did,

strued the law as Mr. witness did not think so. "But you condemn Mr. Pier your construction of the law?" The morning session had not proceeded far when Vertress and the witness had another clash. The attorney wanted direct answers; Glavis wanted

to explain every answer by referring to reports, etc. Vertrees once arose "If your honor please;" then he corrected himself by saying, "Mr. Chair-

The committee ruled to let Glavis

Alaskan Coal Cases Vertrees then took up with Glavis the character of his instructions as to the investigation of the Alaska coal cases. Glavis said it was his purpose to examine all the 800 or 900 cases be-

fore reporting on any.

Vertrees then read from the record
Ballinger's original instructions to
Glavis, which was to file separate reports from time to time, to the end that quick action might be taken.

Vertrees sought to show that it was Glavis' action in not submitting separate reports from time to time which caused all the trouble. Glavis said he deemed his way of conducting affairs. leemed his way of conducting affairs

the best.
At one point of the examination Brandeis answered for the witness. (Continued on Page Two)