

BODIES OF ALL OF ENTOMBED MEN FOUND IN SHAFT

Rescue Crews Break Through Cave In; Heavy Gasses Are Found Underground After Air Shaft Is Drilled Down.

RUDE BULKHEAD IS MADE BY PRISONERS

Workers Several Days Late In Penetration of Rocks; Hard Fight Is Unavailing.

JACKSON, Cal., Sept. 18.—All 47 of the entombed miners in the Argonaut mine are dead.

Their bodies were found tonight inside a rude bulkhead they had built and stuffed with their clothing in an effort to make it tight.

They had been dead, the report of the mine officials says, for approximately several days.

The hard rock won out. Man could not hew through it in time. Man had tried with every ounce of human energy, with every bit of human ingenuity and skill, with all the valor and the gift and the loyalty man knows—and failed by several days.

Down the rescuers went into the 4350 level feeling their way, fearing gas. They sent back word that the shaft was all right and the others of the rescue men went in.

Then, some hours later, they came upon a bulkhead and broke through it. The air inside it was foul, gas.

Air lines were run up. The air was purified and the pitiful bulkhead was discovered, cracks chinked with muck-covered gabardines and coats and bandanna handkerchiefs, and shirts and shoes—anything to keep out the gas.

Break Creates Excitement

JACKSON, Cal., Sept. 18.—After twenty-one days in which the fate of its forty-seven victims had held all of Jackson and the surrounding territory in anxiety, white rescue crews have battled frantically with caving earth and raging fire in effort to bring from living death the men entombed in the bowels of the earth slowly perishing from starvation, gas or fire, the Argonaut mine may give up its dead—or living, today.

Rescuers drilled a hole into the Argonaut from the 3500 foot level of the Kennedy mine shortly after 5 a. m. this morning and a short time afterward the 3500 foot level of the Kennedy had been connected with the 4200 foot level of the Argonaut so that the first party of anxious hunters could enter in search of their imprisoned comrades.

Great joy was manifest when the announcement was made by E. C. Hutchinson, president of the Kennedy Mine & Milling company, that the passage was opened, and immediate steps were taken to guard the safety of the rescuers who have gone down into the still burning Argonaut, not knowing whether they would encounter flames, gas or flood.

First news from the exploration party was that the great rush of air from the newly made passage indicated there had been no cave in of the mine workings. This strengthened the hope that some of the men might be found alive, but as the morning progressed without news of the finding of any of the victims or the bodies of any dead hope again ebbed. Mining officials declared it might take several days before the victims are found, although an increasing body of searchers took up the hunt as the day wore on.

A hole large enough to admit a man extended at 10:30 o'clock this morning eight feet from the 3500 foot level of the Kennedy mine into the Argonaut mine. The rescue crew of the United States bureau of mines awaits the chemical analysis of air before descending to tear out the rotted timbers and replace them with safe timbering.

No word had come through the hole to indicate whether any of the imprisoned forty-seven men had survived the twenty-one day's confinement in the black depths of the smoldering Argonaut fire trap.

Russians Agree To Japanese Terms At Chan Chung Parley

TOKIO, Sept. 15.—Russian delegates to the Chang Chun conference between Japan and soviet Russia have accepted the Japanese proposals as to the scope of the conference, according to word received here today.

This announcement was considered as making agreement practically certain.

Japan, under the terms of the proposals which Moscow has accepted, will recognize the Moscow delegates as representing both the Moscow government and the Chita government of the Far Eastern republic and Russia will consent to discuss all matters pertaining to Russo-Japanese relations as well as strictly Oriental questions.

Price, according to Doran and Biscalluse, said that three longshoremen from the San Pedro klan, called upon him at his office and handed him a letter. In the letter, he said, he was advised to leave California or suffer consequences similar to those inflicted upon enemies of the klanmen. Price asked permission to carry a gun, but it was refused him.

MAN IS BOUND, GAGGED BY THIEVES AT WAVERLY

Robbers Rifle Drawer; Take \$100; "Inside" Job, Says Sheriff After Investigation.

Masked with blue bandana handkerchiefs, two bandits held up Walter Powers, night watchman at the Waverly Country club, in the basement of the club building at 3 o'clock Sunday morning and took \$100 from the club drawer.

Powers was taken unaware by the bandits, both of whom were armed, and was told to lie down on the floor. When he hid so, he was bound and gagged. After the pair had looted the cash drawer, leaving all checks untouched, they tampered with the safe. They only succeeded in breaking the knob on the combination, however, and the police believe they were not yet men.

Powers managed to free himself after the pair had gone. He said he believes they left in an automobile.

Sheriff Wilson who investigated the case yesterday expressed the belief that it is an "inside job."

TWO ARE INJURED WHEN TRAIN HITS AUTO TRUCK

Glen Munger and Paul Still Taken to Hospital; One Man Has Bad Scalp Wound.

Glen Munger, of the Damascus district is in the Good Samaritan hospital in Portland with a scalp wound which may prove serious as the result of an accident at the Southern Pacific crossing at Clackamas at 8:30 o'clock Tuesday morning. Paul Still of Eagle Creek was slightly injured and a light one ton truck in which he was hauling a load of hogs, was demolished.

Still and Munger were driving west on the Carver Damascus pavement. A "split freight" was spotted on the siding across the road, with 200 feet of clearance for the highway. The men failed to see the approaching south bound train number 23. The engineer had just shut off steam to stop at the station about 200 yards distant and was going about 12 miles an hour when the engine struck the middle of the hood of the truck. The machine was thrown about 40 feet. Only the fact that the engineer stopped the train suddenly prevented the two men from being crushed between the passenger engine and the standing freight cars on the siding. The train was brought to a stop in four car lengths.

The two men were rushed to Oregon City for treatment, and then removed to the hospital in Portland. Still's injuries are not serious.

F. D. Shank Will Run Opposition To Judge Cross

D. F. Shank of Wilsonville, has been nominated as the recall candidate to oppose County Judge Harvey E. Cross in the projected recall at the November election.

At a closed meeting held in Oregon City Thursday afternoon the Wilsonville man, whose name has been connected with local politics before, was chosen.

Shank is understood to have accepted and agreed to make the race. He could not be located last night for a confirmatory statement.

Plans for the furthering of the recall movement directed against the county judge are understood to have been discussed at the session and arrangements launched for the taking of the necessary legal procedure toward the placing of the issue on the ballot.

Shank was picked as the candidate to make the race out of a list of 15 men who were named by the committee tentatively at a session held about a week ago.

The recall committee is headed by G. R. Hobbs of Mt. Pleasant and H. F. Gibson of Barton is secretary of the organization.

Klan King Kleagle Of San Pedro Asks Protection of Police

LOS ANGELES, Sept. 15.—Claiming that members of the San Pedro branch of the Ku Klux Klan have ordered him to leave the state, Gus W. Price, king of the so-called "invisible empire," has appealed to Chief Deputy Attorney W. C. Doran and Under Sheriff Gene Biscalluse for protection, it was learned today.

Price, according to Doran and Biscalluse, said that three longshoremen from the San Pedro klan, called upon him at his office and handed him a letter. In the letter, he said, he was advised to leave California or suffer consequences similar to those inflicted upon enemies of the klanmen. Price asked permission to carry a gun, but it was refused him.

INTEREST FIXING MEASURE NOT TO GO UPON BALLOT

Judge Kelly Decides Bill Has Insufficient Signatures to Place it to Vote; Illegal Names Disclosed in Suit.

LAW IS SPONSORED BY J. F. ALBRIGHT

Fate of Two Other Initiative Instruments Expected to Be Similar; Text Given.

SALEM, Or., Sept. 19.—The so-called 6 per cent interest rate amendment initiated by J. F. Albright of Oregon City, will not go on the ballot at the November election unless by order of the supreme court.

This was made certain here today when Judge Percy Kelly of the Marion county circuit court, held for the plaintiff in the suit brought by the state of Oregon on relation of John H. Carson, district attorney of Marion county, to prevent the secretary of state from placing the amendment on the ballot. Judge Kelly's decision followed the taking of testimony both in the Portland and Salem courts.

It was held by Judge Kelly that at the time the purported petitions were presented to the secretary of state, not more than 9535 of the signatures thereon were attested, authentic or proved to be the signatures of legal voters of the state in the manner provided by law. In order to entitle the initiative petition to be filed at least 13,261 of the signatures thereon must be proved in the manner prescribed by law, Judge Kelly held.

Although neither Judge Kelly of Judge G. G. Bingham have given any intimation as to how they will rule on the petitions relating to the so-called fish propagation amendment and graduated income tax measure, local officials predicted tonight that both of these offerings will be enjoined from going on the ballot. The fish propagation amendment was initiated by G. G. Green of Oregon City, while the income tax measure was sponsored by the Oregon state grange. Both of these measures were attacked in the courts and decisions probably will be handed down in Portland tomorrow.

Phone Company In Oregon City to Enter Rehearing

A complete survey of the Oregon City property of the Pacific Telephone and Telegraph company is to be made in connection with the rate rehearing to be begun by the Public Service Commission October 2. The commission has prepared the distribution of a series of questionnaires designed as schedule A, dealing mainly with the finances of the company. The rehearing is to be based upon entirely new sets of data.

Stock Value Quizzed.

The questionnaire is a lengthy one. Its first heading is "Capitalization." Under this head the commission asks for a statement as of date of appraisal showing par value of amount of authorized capital stock; amounts of each issue and total issues; amounts advanced each year since June 30, 1913, by customers of others for extension of plant facilities; amounts payable to the state or any municipality of account of any franchise or privilege other than the right to be a corporation; copies of all municipal franchises held by the company, and also much information in detail bearing on these general requests.

Additions Are Scanned.

Another heading is "additions to value for rate making purposes." Under this heading a statement is demanded showing financial details for each exchange in the state of Oregon. Another statement is requested showing, by interstate commerce commission accounts, for each year the gross additions, retirements, resulting net additions and total net additions since December 31, 1917, for the utility property in Oregon.

Similar statements are demanded relative to the telephone utility property exclusive of toll, in the cities of Portland, Salem, Eugene, Oregon City, Corvallis and Albany. Another detailed statement is asked concerning the acquisition of the properties owned and controlled by the Home Telephone & Telegraph company of Portland. Other statements are asked relative to operating revenues, expenses, deductions from net operating revenue, income statements and treatment of depreciation of the Oregon property.

Hawley Will Name Wife As Executor

The will of the late Archie L. Hawley was admitted to probate here yesterday. His wife, Ella R. Hawley, to whom the estate of \$11,500 is left, was named as executor.

TAX COLLECTIONS FOR AUGUST SHOW BIG GAIN

Taylor, Department Head, Compiles Figures Showing County Finance Condition.

In the amount of tax collections for any given month form an indication as to the ease with which money is being secured throughout the county, the record of the Clackamas county tax department for August, 1922 should foster considerable optimism, according to I. D. Taylor, head of the department. The tax collections for the month of August 1922 month the doubled the collections for the similar period in 1921.

The total tax collection in the month just past, according to Taylor's figures, amounted to \$23,762.41. The collections for August 1920 were \$10,671.9. A considerable increase over 1921 is also shown, when the tax collections for that month are \$18,966.46.

A material increase in the payment of delinquent taxes listed during August is shown, the figures for the month of August in the three years being: 1922, \$2934.49; 1921, \$1117.13; 1920, \$1895.97. These last figures are included in the total of the tax collections which embrace also the current amounts taken in.

The tax roll under which collections are being made this year is about \$14,000 less than in 1921, Taylor points out in 1921 it was \$1,512,127.60 as against \$1,489,401.17 in 1922. In 1920 however, the tax roll was but \$1,197,387.03 representing an increase from \$824,334.20 in 1917.

The indication, says Taylor, is that when money is "tight" fewer delinquency payments are being made and the payments on the second half of the year's taxes, due in October, are not forthcoming during the early fall. Heavier payments during the month of August, the tax man deduces, are an index pointing toward a better financial condition generally over the county.

WORK TO BE BEGUN ON 3 LINKS POWER PLANT

Activity on \$6,000,000 Hydro Electric Project Is to Be Started at Once, Is Word.

Construction work is to be started immediately on the Three Links power project on the Oak Grove branch of the Clackamas river, according to announcement made yesterday by the Hurley-Mason company, which will have charge of the building of the dam, pipe line and power house. A total of \$6,000,000 will be invested in this site by the Portland Railway, Light & Power company and its completion will add 32,000 horsepower to Portland's available electric current. A 26 mile road is under construction from Cazadero to the site.

Recall Charges Against Cross Will Be Outlined

Five charges against County Judge H. E. Cross have been formulated by the committee sponsoring his recall, and will, in all probability, be incorporated upon the petitions which are to be circulated to place the recall on the November ballot. No announcement of the move has been made by the committee and whether or not other matters are pending, is not known.

The first charge expected to be listed against Cross, is that while he went into office upon an economy and reduction of taxation platform, the warrant indebtedness of the county has increased from \$350,000 to \$450,000 during his administration.

Widow Pensions Talked.

Cross' economies, it is further charged, have been made largely in the reduction of the pensions allowed to the widows and the poor of the county. Curt and discourteous treatment by the county judge to petitioners before the court is a further charge which is listed.

The fourth charge to be placed on the petitions is that the judge has not kept faith with many petitioners in regard to road matters. It is charged that he has habitually apportioned delegations for road improvements by stating that the court would take action as soon as he could get out to the district and view the road personally. The visits in many instances have never been made. It is stated.

Children Are Sentenced

Charges are also made that as judge of the juvenile court, Cross has sentenced children to the reform school without hearing their parents, and that he has passed sentence, or considered cases while either the children's legal representatives or attorneys were excluded from the courtroom.

The move to recall Cross had its inception about a month ago with the formation of a committee to undertake the project. F. D. Shank of Wilsonville has been named as the recall candidate. Petitions for the recall are expected in circulation in a few days, it is understood.

OSWEGO WATER DISTRICT LOSES BY HEAVY VOTE

Project for Establishment of New Taxation Limit Is Defeated; 275 Ballots Are Cast in Heated Election.

NEW PROGRAM IS TO BE BEGUN AT ONCE

Sentiment Favors Plan; Fight Over Boundaries Is Said to Be Cause of Disapproval.

The proposed Oswego Water district was badly defeated at a special election held in that district Friday night. Out of 275 votes cast, only 95 favored the formation of a water district embracing Oswego, Oldtown and Glen Morrie. Against the plan, 210 votes were cast.

General sentiment in Oswego, it is understood, favors the formation of a water district, but the boundaries presented in the present plan have met with considerable opposition. It is regarded as certain that a move will be started in the near future for a holding of another election, the boundaries of the district to be presented, either to include only Oswego proper, or a larger district on a more inclusive plan than the present affair.

William Boyd, H. D. Bickner and L. L. Savage were named as directors and will probably be candidates for election as water board members at the coming election.

The present water system of Oswego is considered inadequate to the needs of the community and new facilities are the purpose of the change which would permit the bonding of the district for ten percent if their assessed valuation and raise in the neighborhood of \$100,000.

Hall's Name to Be Upon Ballot As Independent

SALEM, Or., Sept. 15.—The name of Charles Hall of Marshfield, who was defeated for the republication nomination for governor at the primary election last May, will go on the ballot as an independent candidate at the November election unless prevented by an order of the courts. This was announced here tonight by Sam A. Kozar, secretary of state, following receipt of a legal opinion prepared by Attorney-General Van Winkle.

The attorney-general held that the duties of the secretary of state in the present instance are purely ministerial and limited to examining and passing upon the formal contents of certificates of nomination offered for filing, and that he is not authorized or required to inquire into the eligibility of any person whose nomination is so certified.

SALEM, Ore., Sept. 15.—Legal opinion in Salem seems to be almost equally divided on the question of whether Charles Hall has a constitutional right to become an independent candidate for governor after having been defeated in the primary election as a Republican candidate.

There is a state law, an amendment by the legislature of 1919, that specifically would prohibit his becoming an independent candidate. But Hall and his supporters pin their hope entirely on the doubt as to whether the law is constitutional.

The amendment of 1919 was made as a result of A. M. La Follett of Marion county becoming an independent candidate after having been defeated in the Republican primary election as a candidate for the state senatorial nomination. The act expressly prohibits a candidate defeated in the primaries from becoming a candidate at the ensuing general election either of any party or as an independent. But the act has never been tested out in the courts. Just now Hall's certificate of nomination as an independent is in the hands of Attorney General Van Winkle to pass upon as to legality, and after his opinion is given out the case doubtless will be taken into the supreme court.

LONG FIGHT ON TARIFF IN SENATE CONCLUDED

WASHINGTON, Sept. 19.—The longest and bitterest tariff fight in the history of the American congress was to end at 4 p. m. today under a unanimous contest agreement for a vote by the senate at that hour on the adoption of the conference report on the administration bill. Favorable action was registered as a foregone conclusion, as was the approval of the measure by President Harding.

The tariff, the first Republican protective measure in nearly ten years, has been twenty months and more in the making.

FORMAL STATEMENT ON RECALL MADE BY SHANK

Man Selected by Committee on Move to Oust Cross Says He Will Run in November

F. D. Shank of Wilsonville, selected by the recall committee to oppose County Judge Harvey E. Cross Friday night, formally stated that he will make the race in the projected recall this November.

Only one condition was attached to the candidacy by Shank, and that is that the committee which is sponsoring the movement undertake immediately the circulation of the petitions necessary for the placing of the measure on the ballot and secure the required number of signatures within the time for filing of the recall.

Shank, while he has not stated so officially, is said to have expressed himself confidently, regarding the recall.

He was in the legislature from this county two years ago.

As yet there is no indication of the charges which will be used against Cross when the matter comes to an issue. The committee has been silent upon the matter, charging only inefficiency in road work, and court treatment of petitioners on the part of the judge.

RECORD MADE BY COWS ON RANCH NEAR BORING

Jerseys of Anton Malar Jr., Awarded 2 Gold Medals by Cattle Club of America.

Two gold medals within two days of each other is the remarkable record made in the Anton Malar Jr., herd at Boring, Or., according to official report given out by the American Jersey Cattle club.

Faverno's Fairy's Firwooden Junior, 4 years old, sired by La Belle's Oxford Lad, finished a record of 12,121 pounds of milk and 796.42 pounds of butterfat, and during her test carried calf for 218 days, which qualifies her for a gold and silver medal. Her dam, Faverno's Fairy, finished two days later with a record of 14,634 pounds of milk and 744.08 pounds of butterfat and carried calf 222 days of her record, thus gave Malar his second medal in one month.

Fire Threatens Episcopal Hall And Print Shop

Fire believed of incendiary origin, last night at 1:05 o'clock threatened the frame building on 8th and Main streets in which the Banner-Courier printing office and the Episcopal hall are located.

The building was saved. The damage was \$2,000.

The blaze started in the small court on the south side of the building next to the Straight and Salisbury plumbing shop. The fire originated alongside the building, burned through the outside, and ran up through the wall to the upper story, where it burned into the dance hall.

Conditions, the officials say, point to incendiarism. Investigation after the fire was quenched, disclosed no other probable cause.

The damage to the print shop was through water entirely and will run about \$750. \$1250 damage was done to the building through water brok on glass and the gutting of the hall itself. The loss includes a piano and fixtures which were burned.

A private dance had been in progress during the evening before, but participants stated that there had been no smoking on the south side of the building.

The fire started at the same hour six other incendiary fires have commenced during the past six months. The early discovery of the blaze was by special night officer's Ernest T. Mass and Leonard Mayfield.

W. W. Woodbeck Heads Democrat Committee Here

W. W. Woodbeck, Oregon City newspaper man was Thursday elected chairman of the Democratic Central Committee at a meeting of precinct men held here. Woodbeck succeeds J. E. Jack, whose resignation was presented to the committee. Jack's ill health caused the action.

Woodbeck has been prominent in Democratic circles in the county for a number of years and was formerly active in Minnesota politics.

Dr. C. E. Melasner was elected state chairman.

John Bowland was re-elected secretary treasurer of the committee.

Plans were made for the arranging of a public gathering here in the immediate future at which Walter Pierce, Democratic candidate for governor will speak. The definite date of the meeting, which is expected to be held out doors, was not set.

3 BUILDINGS BURN, LOSS \$11,000 IN PARKPLACE FIRE

of Abernethy Grange, Dauchy Blacksmith Shop, And Palace Garage Are Razed by Morning Blaze.

LIGHT INSURANCE ON STRUCTURE CARRIED

Oregon City Department Is Unable to Give Material Aid to Bucket Brigades.

Damage to the extent of more than \$11,000 was done by a fire at 4 o'clock Tuesday morning which destroyed three buildings at Parkplace, two miles north of Oregon City. The Abernethy grange hall, the Palace garage and the Dauchy blacksmith shop were completely destroyed. All of the ground.

The cause of the fire, believed to have originated in the rear of the garage, had not been ascertained this evening. The damage to the grange hall is about \$6,000 covered by \$1,000 insurance. The garage, including loss of two cars and two trucks, was \$3,500, covered by \$1,000. Damage of \$1,500 to the blacksmith shop is covered by \$500 insurance.

Water Is Lacking.

Parkplace is without a water system and although the Oregon City fire department was dispatched to the scene of the blaze, nothing could be done. The truck did not carry hose enough to reach the Clackamas River in order to pump water. Delay in sending the truck was due to the fact that permission from the mayor is necessary to take the apparatus outside the city limits.

The garage and blacksmith shop had just been recently opened. The buildings which they occupied were newly equipped. The garage was operated by C. and W. Burkhardt and the blacksmith shop by Sam Dauchy. Abernethy chapter of the state grange owned the hall, which was a separate building. The piano and some chairs were saved.

Explosion Gives Alarm.

The fire set off its own alarm. The explosion of gasoline in the garage warned nearby residents of the blaze but before any aid could be summoned the entire block of three buildings was in flames. The fire however was confined to the three structures and no other damage resulted. Bucket brigades aided in the protection of adjacent residences.

The garage, shop and grange hall are located on the river road just south of the new Clackamas bridge.

Draper Is Given Two Year Term In Penitentiary

Lawrence Draper, Oregon City mill worker, will serve two years in the penitentiary for robberies committed here about a month ago. Upon a plea of guilty, Draper yesterday appeared in the circuit court to hear from Judge J. U. Campbell the sentence for the robbery of the W. A. Long and T. C. Miller residences.

The stiff formality of the court relaxed somewhat as the 22 year-old criminal rose to his feet. The judge listened to a plea for leniency from J. E. Hedges, associate counsel for Draper. While the fact's 29 year-old wife sat on the long bench in the rear of the court railing, noticeably nervous, Campbell turned his attention to the boy.

Term Is Shortened.

"Son," said the judge, "my first intention was to give you a very heavy sentence. I have altered this view. I do not believe that anyone who has committed the crimes which you have, in the way that it was done, could be quite normal, and am going to place you in a position where you can have medical supervision and come under the observation of men who are accustomed to dealing with cases of your type. It is the judgment of this court that you shall serve two years in the penitentiary."

As the sheriff rose, Draper without a word turned toward the door. As he passed through the railing, his wife with a heavy sob, threw herself into his arms.

Taken To Salem.

Draper was returned to the county jail for a short period and was taken to Salem by the sheriff's officials last evening.

Draper had been apprehended by Chief May and Chief Hammerle of West Linn for two of the most casual crimes in the history of local police annals. The robberies at the Miller and Long homes were committed with audacity and no motive. The lad had an income from his work at the mills, and made no attempt to sell the loot or dispose of it. Woman's wearing apparel constituted a large part of the things taken.

Draper is also wanted for a robbery of the same nature in Portland. He displayed seemingly no emotion over the thefts, and did not seem worried over the chance of apprehension in committing the robberies.