

ANOTHER MINE IS VISITED BY DEATH

BETWEEN 50 AND 70 MEN ARE KILLED

Only One Man Succeeds in Reaching Surface—Makes Fourth Mine Disaster Within Week—Explosion Is Caused by Coal Dust.

ERNEST, Pa., Feb. 5.—It is feared that between 50 and 70 men were killed in an explosion in mine No. 2 of the Jefferson and Clearfield Coal and Iron company here today.

Only one of the men who entered the workings this morning has appeared from the shaft since the accident.

He was almost overcome but managed to tell how he fought his way through fumes until he reached the main tunnel.

He said that he stumbled over heaps of objects which he believes were fellow miners either dead or dying.

The explosion was caused by mine dust.

The rescuers were hampered in their work this afternoon by the frantic members of the families of the entombed men, who gathered about the entrance and actually fought and struggled with the officials.

The explosion occurred just after the day shift had entered the mine and fifteen men who were still below the entrance of the tunnel were rescued after they had been knocked down by the force of the explosion and badly burned.

Reports regarding the number of men in the mine at the time of the accident are conflicting, as it is difficult to ascertain positively whether the entire shift had passed into the workings.

One report says that 165 men were in the mine, while the mine officials claim that there were not more than fifteen or twenty in the shaft.

No News Available. PITTSBURG, Pa., Feb. 5.—(Continued on Page 8.)

DAVIS OBJECTS TO PAYMENT OF FEE

Characterize Request of Dr. Reddy That He Be Paid \$6000 Fee as "Fraud and Outrage"—Says Recent Report Is Not Complete.

Declaring that it would be a "fraud and an outrage" upon the creditors and stockholders of the Medford & Crater Lake railroad company to permit the funds of the receivership to be applied in payment for services rendered by Dr. J. F. Reddy, and A. E. Reames, and alleging that the claims of the two are excessive and not the fees usually allowed by courts in such matters, A. A. Davis, an unpaid creditor, has filed a protest in the circuit court against the payment of the fee of \$6000, besides \$1980 expended in cash, asked of the court by Dr. J. F. Reddy for services as receiver of the company, and the \$8,500 asked by A. E. Reames as attorney fees. The matter is now in court and will come up soon for adjudication before Judge P. M. Calkins.

In his protest Mr. Davis alleges that the recent report filed by Dr. Reddy with Judge Hanna is not a full and complete report but that it is in effect a petition to the court for immediate allowance and payment of compensation of the receiver and his counsel, A. E. Reames, and that it is against a summary hearing and determination upon the petition that he bases his objections. Mr. Davis further alleges that before any adjudication can properly be made as to the amount of the compensation the receiver should file a report showing the amount of money now on hand in the receivership fund. This report should contain, says Mr. Davis, the names of the creditors and amounts of their various claims, including the names of parties holding stock of the corporation.

It is further alleged by Mr. Davis (Continued on Page 8.)

REORGANIZE DEFENSES IS CRY

Forthcoming Report of General Army Staff Said to Purpose Complete Reorganization of Defenses—Taft Blocks Report in Order to Keep Down Expenditures to Minimum.

WASHINGTON, D. C., Feb. 5.—It was learned today that the forthcoming special report of the general staff of the army will propose an almost complete reorganization involving great changes with a view to strengthening the country's system of defense.

It is understood that President Taft prevented the report being filed as a part of the annual report of the secretary of war because of his expressed desire to keep down as low as possible the estimates of expense for the next year submitted by the cabinet officers.

The proposals of the general staff will be submitted later as a special bill and will be accompanied by a special message from the president.

The report will censure the present plan of scattering the army into small garrisons and will decide against the so-called "pork-barrel" systems of military appropriations. It was learned by the United Press that the staff wants five new regiments established each year for six years. Following this enlargement of the standing forces it is proposed to do away with the various small "departments" and concentrate the

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NEW STORE SOON TO BE OPENED

Cuthbert & Company Secure Temporary Location on Main Street. Near Deuel & Kentner's—Dispose of Business.

G. F. Cuthbert & Co. have secured Dr. Page's building, on Main street, near Riverside avenue, next to Deuel & Kentner's, where they will open temporarily until their new building is ready, which is to be erected at the corner of Central avenue and Sixth street. As soon as the Main-street building is vacated it will be completely overhauled and put into good shape. It has a frontage of 50 feet on Main and is two stories high.

Cuthbert & Co. will not only carry a stock of furniture and housefurnishings, but are in a position to do high-class decorating and furnishing. Mr. Cuthbert has had years of experience in this line of work with one of the largest houses in the country.

Mr. Cuthbert leaves in a few days for Santa Barbara to get his family. When they return they will occupy a residence on West Seventh street. Mr. Grunsky, of this same concern, will probably be here by April 1. He is at present in California settling his affairs so that he may take up his residence permanently in Medford.

Cuthbert & Co. have disposed of the D. T. Lawton business to R. H. Pritchard of Portland, who has already moved his family here and is now in charge of the business.

STOLE OVER \$700,000: GETS ONLY TEN YEARS

MASON, Mich., Feb. 5.—For the embezzlement of nearly \$700,000 of state funds, former State Treasurer Frank Glasier was sentenced today to serve an indeterminate sentence of from five to ten years in the penitentiary. The court, in passing sentence, recommended that the convicted man serve the maximum term provided by law and of hard labor.

GREATEST OF STRIKES IS ON TAP

Greatest Strike in History of Bituminous Coal Mining Can Now Only Be Averted by Joint Agreement Between Workers and Owners—Gulf Admitted to Be Wide.

TOLEDO, O., Feb. 5.—The greatest strike in the history of bituminous coal mining can only be averted by a joint agreement on the question at issue, according to leading miners and operators today, regarding the shortening of hours and a higher scale of wages. A great breach is now admitted by both sides.

Realizing the seriousness of the situation, plans are being made for the calling of a special convention of the miners to consider and meet conditions that have arisen from the failure of the joint conference of men and employers here.

That a great gulf separates the miners and mineowners is not denied by either side. The conservatives hope that this may be bridged and that compromises by both sides will avert what undoubtedly would be one of the greatest industrial struggles the country has ever known.

The majority of the United Mine-workers of America, however, believe that it is impossible for both sides to agree on crucial points. They argue that the treasury is well supplied with adequate funds of more than \$2,000,000, and that now is the time to strike.

MUCH OF SNOWY BUTTE IS SOLD

Tracts Moving Rapidly in Orchard Recently Cut Up—Gerig Secures Choice Section of Place.

When John R. Allen purchased the Snowy Butte orchards from Mr. Hopkins and decided to cut the land into tracts of ten acres and offer them for sale there was some speculation as to the success of a venture of this nature, but the doubting ones are now convinced that small fruit-producing and growing orchard tracts are quite the thing most sought after, and in proof of this it can be stated that no less than eight or ten of the original 26 tracts have already been sold.

The most gratifying phase of these sales is the fact that a goodly number of them are being purchased by local people. Among the more recent of these local investors is W. Gerig, vice-president and general manager for the Pacific & Eastern railroad. Mr. Gerig has purchased lot X, for which he paid \$13,140. This tract has on it over 300 20-year-old pear and apple trees, all of which will produce a splendid crop of fruit this year and will show a profit of several thousand dollars when the returns are in. Aside from this producing orchard, there are over 400 pear trees from 2 to 6 years old, some of which will be in bearing this season, and an additional number will be coming into bearing for the next three or four years.

There are other tracts equally as good "buys" as this one, many of which are now being gathered in. Lots "B" and "C" have been sold to Seattle people, while lot "W" was sold Friday to a Spokane party.

The tracts range in price from \$2500 to \$15,000. Many of the cheaper tracts are set to pear trees ranging in age from 1 to 4 years. These are all commercial varieties and cannot be considered exceptionally good investments.

The fact that an irrigating ditch (Continued on Page 5.)

CHEAPER PAVING ASSURED FOR CITY

FRUITGROWERS COMMITTEE IS HOLD LIVELY SESSION

Committee Appointed to Confer With County Court Concerning Appointment of Inspectors—Whisler Tells of Trip East as Delegate.

The horticulturists of the Rogue River valley, or as many of them as could be crowded into the small hall, were present at the meeting of the Rogue River Horticultural society Saturday afternoon.

President Watt called the meeting to order at 2 o'clock, and the first thing that came up was the adoption of a resolution to fix the annual dues. After some discussion, during which the members all arrived at the same goal by different paths, the dues were fixed at \$3, payable semi-annually. About this time, Secretary Tuttle appeared and the minutes of the previous meeting were read and approved.

E. B. Waterman, as chairman of the special committee appointed to look after the cleaning up of orchards in the towns of the valley, reported the work of the committee completed and asked that it be discharged. Mr. Hoyer spoke at some length on matter of necessity of continuous lookout for blight during the coming month. No action was taken on the request of Mr. Waterman and the committee doesn't know whether it is discharged or not.

A petition was presented for signature asking that there be appointed by the county court as additional inspectors to serve under the direction of Professor O'Gara at such times as he might indicate or circumstances demand, the inspectors to receive a fixed compensation while on duty, and to be required to keep a lookout for diseased trees in their districts at other times, the following persons: J. B. Webster, Talent; Clyde Barman, Phoenix; E. S. Wolfer, Eagle Point; Frank E. Hall, Woodville; R. H. Robinson, Jacksonville; J. G. Medley.

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BACK FROM SOUTH

At Least Three California Companies Will Come to Medford and Submit Bids on Pavement of Streets—Large Number of Figures Gathered

Mayor W. H. Canon and Councilman E. A. Welsh returned last night from their trip to Southern California with the assurance that a cheaper pavement would be secured for Medford than that laid last year. At least three paving companies will bid on the local work.

Mayor Canon stated last evening that he thought the trip would result in the saving of much money to property-owners in Medford, as they had returned with the positive promise of three companies to bid on the local work.

"I am certain," states the mayor, that the price for paving will be lowered. We visited many places in California, were well received and given access to many figures. We examined many kinds of paving, which we believe will be suitable for this city.

"At least three companies will look over this field and submit bids."

COFFROTH SAYS FIGHT WILL BE HELD IN SAN FRANCISCO

CHICAGO, Ill., Feb. 5.—That the Jeffries-Johnson fight will be held in San Francisco is the confident assertion of Promoter Jim Coffroth, who arrived here today. Coffroth added that he believed Tex Rickard and Jack Gleason would have no trouble in reaching an agreement on the place in which to stage the mill.

Coffroth leaves this afternoon for San Francisco, where he must arrive before Tuesday night to win a bet of \$1000 that he can break the time record between London and San Francisco. Coffroth made his wager with Eugene Corri, director of the National Sporting club of London.

HERMANN DEFENSE CLOSES CASE

On Monday Heney Will Start Argument—Probably Late in Week Before Jury Will Have Chance to Bring in Verdict—Meldrum Testimony Attacked by Attorney Worthington.

PORTLAND, Ore., Feb. 5.—Colonel Worthington, chief counsel to Blinger Hermann in his case now on trial before the United States court, closed his defense this morning at 11:15 o'clock and a few minutes later court was adjourned until Monday when Prosecutor Heney will begin putting in his testimony in rebuttal, which will take until Monday noon.

It will probably be the later part of the week before the jury will be given their share of the work to do in finding a verdict in the mass of evidence that has been put before them.

As its last gun the defense again attacked the testimony given by Henry Meldrum during the session this morning. W. W. Cathcart, a former employee in Meldrum's office and said that Meldrum and Hermann were in the room alone. He knew Mays, he said, but Mays had not been in the office at the time Hermann was there. He fixed the date as some in the fall of 1902.

Cathcart's testimony was weakened by the fact that the Hermann visit was in 1901 and not in 1902.

Colonel Worthington read some of the testimony of Meldrum given at

the Washington trial of Hermann, in which Meldrum had said he sent Hermann Baumhoor, a clerk in the office after some field notes for Mays and that Baumhoor brought the notes into the room while Hermann was talking to Mays.

Baumhoor, who is an aged German, partially paralyzed as the result of a wound received at Corinth at which time he also lost his right arm, was put on the stand to contradict the testimony of Meldrum. The old veteran denied that he ever brought any notes to Mays during his long service in the surveyor general's office, where he is still employed. He had never seen Hermann in the office in 1901, he said.

TOBACCO JUICE IS BASIS OF SUIT FOR DIVORCE

PORTLAND, Ore., Feb. 5.—The testimony of his little 14-year-old daughter Zola, who testified that her father, Charles A. Johnson, was addicted to the habit of spitting tobacco juice in his wife's eyes, was the ground on which Judge Morrow granted Mrs. Johnson a divorce in court yesterday. The child declared that she had heard her father threaten to kill both her mother and himself.

ATTORNEYS SEE PAPERS IN USE

Ballinger Turns Over Large Number of Documents and Attorneys on Both Sides Are to Examine Them Before Proceeding With Investigation of Controversy.

WASHINGTON, D. C., Feb. 5.—It was decided today that the attorneys for both sides will be permitted to examine all the papers demanded by counsel in the Ballinger-Pinchot investigation.

The congressional committee held a long star-chamber session today and afterward held a brief open meeting, in which a resolution was adopted by which the papers might be examined, but the examinations must take place in the presence of Secretary Leman of the committee.

After they have looked over the papers, the resolution provides, the attorneys are to report exactly arguments they desired introduced in evidence. It is expected that some of this work may be done before the resumption of the inquiry next Friday, and in that way the action of the committee facilitated.

Secretary Ballinger today turned over to the committee a large number of papers, which had been requested by Attorney Brandeis, representing L. R. Glavis, and Brandeis asked that he be allowed to examine them at once. Chairman Nelson ruled that the counsel could see the papers as soon as the clerk could make a schedule of them, which was ordered done at once. It was ordered

ed that the examination should be made in a private room and that no one should be permitted to be present except Secretary Leman and the attorneys.

Former chief forester Pinchot appeared and asked the committee to enroll Nathan A. Smythe of New York as his counsel, so that Smythe could see the papers.

Congressman Denby took advantage of the presence of Pinchot to ask him what sort of testimony he would have to offer.

"I will tell the story of my connection with the conservation movement," replied the deposed forecaster. "Does that include Alaskan coal land and water power cases?" asked Senator Sutherland.

"Yes," replied Pinchot.

The committee will not call Pinchot to the stand for some time, as it is expected that the examination of Glavis will take up much time. Attorney Vertrees of Tennessee put in his first appearance as counsel for Secretary Ballinger today.

The meeting today was not in accord with the adjournment yesterday, which set the time for the next meeting as February 11. The same date was set in the adjournment order today.