

Maximum yesterday 57
Minimum today 29

Rain.

Daily—Sixteenth Year.
Weekly—Fifty-First Year.

MEDFORD, OREGON, MONDAY, DECEMBER 5, 1921

NO. 219

SALESMAN KILLED ON HIGHWAY

Fred R. Hartzell Struck Early Sunday By Auto Driven By Lloyd Elwood—Coroner Verdict Says Ordinary Caution Not Used—Account of Accident.

Fred R. Hartzell of Eugene, a traveling salesman for the United States Rubber Co., was struck by an automobile Sunday morning about three o'clock. The accident occurred on the Pacific highway at Voorhees Crossing about three miles south of this city and Hartzell's death was practically instantaneous.

Just as he stepped to the right hand side of the car he was hit by a car which was traveling north on the highway en route to Medford on route to Medford. E. B. Gabriel, the man who accompanied Hartzell, alleges that he shouted twice at the passing car to stop, but that it kept on going.

Deputy state traffic officer J. J. McMahon learned of the tragedy about noon yesterday and about seven o'clock last evening he went to the home of Lloyd Elwood and escorted him to the district attorney, who questioned him. Elwood was the driver of the car and was accompanied by Tom House and John Corum and was also enroute home from the Kingsbury Springs dance.

The coroner's jury visited the scene of the accident this morning and then went to the coroner's office and held an inquest hearing the testimony of several witnesses including Gabriel, McMahon, Corum and Elwood. They returned the following verdict this afternoon: "That said Fred Hartzell came to his death on December 4, 1921 by being struck by an auto driven by one Lloyd Elwood, who did not use ordinary caution nor observe the traffic laws of the state of Oregon."

Hartzell is survived by a wife and two children, who reside in Eugene.

CORPORATIONS CAN FILE LABOR LIEN

SAN FRANCISCO, Dec. 5.—Corporations as well as individuals are entitled under the Alaska laws to impose liens for labor for sawing and otherwise disposing of logs, the United States circuit court of appeals held today in affirming the claim of \$27,851 by the McDougal-Weist Logging company for this character of labor. The lumber company is insolvent. Its plant is located at Howkan, Alaska.

SUPREME COURT REFUSES TO REVIEW LEAK CASE

WASHINGTON, Dec. 5.—The supreme court declined today to enter into a review of the so-called leak case in which a former secretary of one of the justices and several associates, including a former employe of the department of justice were convicted in the court of the District of Columbia of conspiracy to defraud the United States.

Ex-Kaiser in Exile To Wed Widow of Officer Killed in War

BERLIN, Dec. 5.—(By Associated Press.) According to the Zwoelftblatt former Emperor William has decided to marry again. The lady of his choice, the newspaper says, is the widow of a high officer from Danzig who was killed in the war. The newspaper professes to have received the information from a most trustworthy source.

PACKERS STRIKE OVER WAGE CUT GOES IN EFFECT

Both Sides Claim Victory—Employers Announce Vacant Places to Be Filled—Small Plants Claim Full 100 Per Cent Walkout.

KANSAS CITY, Mo., Dec. 5.—Declaration that partial law would be declared in Kansas City, Kas., and the Kansas militia called out if the authorities do not disperse crowds of strikers and sympathizers, was made by Mayor H. B. Burton to a crowd in front of Swift and company's plant today. He added that the industrial court had given him until tomorrow noon to show that he could handle the situation.

CHICAGO, Dec. 5.—Union packing house workers in livestock centers outside of Chicago were reported by union strike leaders today to be practically all out on strike while company officials declared their plants were not seriously affected and in Chicago announced that all plants, except a few independent concerns, were working 95 per cent of the regular force.

The union strike, voted by the Amalgamated Meat Cutters and Butcher Workmen union, in protest over a reduction of wages, went into effect this morning.

Cornelius J. Hayes, president of the union, said advances from a half dozen cities reported that the union men walked out 100 per cent.

From St. Joseph, Mo., East St. Louis, Ill., Albert Lea, Minn., Kansas City, Kas., and Wichita, Kas., union reports said the union walkout was nearly unanimous. Mr. Hayes declared. At St. Joseph, President Hayes said 1,500 men were out and at Albert Lea the entire force of 300 men at a smaller plant had quit work.

CHICAGO, Dec. 5.—(By the Associated Press.) Plans for immediate replacement of union packing house employes who obey the strike order today were being carried out at the fifteen packing centers in the middle west affected by the walkout.

The first report officially given out by the packing plants after working hours this morning came from Morris and company, which reported that their plant was killing 100 per cent. The Morris plant employes about 7500 men and all gangs were said to have reported for work.

Two hundred extra policemen were assigned to the stockyards district here this morning, where a large percentage of the 40,000 packing house employes had voted to go on strike, according to union leaders.

Reports from South St. Paul, Minn., indicated more than 2000 men there were responding to the strike call. 2,000 at Kansas City, Kas., 2,000 at Fort Worth, Texas, and 600 each at Oklahoma City, Okla. and Denver, Colo.

Cornelius Hayes, president of the butcher workmen, said the men "walked out 100 per cent in East St. Louis, Ill., Wichita, Kas., St. Joseph, Mo., and other points."

Mayor Harry B. Burton of Kansas City, Kas., and Chief of Police Henry T. Zimmer, warned the packing house workers there yesterday that Kansas law made picketing unlawful. Union leaders said they would obey the summons of the Kansas court of industrial relations and appear before it today.

ALLIED MINISTERS TALK OF NEAR EAST

PARIS, Dec. 5.—(By the Associated Press.) The British, Italian and French foreign ministers are now expected in French official circles to meet in Paris before the end of this week to discuss the Near Eastern situation.

4-PLY PACT FRAMED IN JAP ISSUES

England, U. S. and France Principles in Quadruple Entente—Tokio Delays Reply in Navy Ratio—Treaty Made So Senate Can Approve—France's Inclusion Puzzles.

WASHINGTON, Dec. 5.—(By the Associated Press.) The draft of a quadruple entente which would serve as a substitute for the Anglo-Japanese alliance, it was learned today from authoritative sources, is now under consideration by the governments of the United States, Great Britain, Japan and France.

This is said to explain the delay of the Japanese government in announcing its decision concerning the discussion of the ratio of naval tonnage because it appears that as the problem of warship tonnage is connected with national policy, the two matters are being discussed together. There was a growing impression today that if the entente can be worked out satisfactorily Japan would not insist upon her request for a 70 per cent ratio of capital ships as against the 60 per cent suggested in the American proposals.

The inclusion of France in the preliminary negotiations for the entente has attracted special interest. It has not been disclosed whether the terms of the proposed agreement would be of a nature to satisfy France with reference to her situation in Europe or whether the entente would merely be a regional accord affecting the Far East.

It is understood that the draft of the entente has been prepared with special reference to the United States constitutional system under which the senate has the treaty making power.

Under this plan which will be reported back to the main committee at its next meeting, use of wireless would be restricted to diplomatic and governmental messages, those installations which were permitted by Chinese grants would be used only to the extent authorized by the grants and the powers would co-operate with Chinese communications authorities thru conference to the end that wave lengths be not interfered with.

9 KILLED IN WRECK ON THE READING

PHILADELPHIA, Dec. 5.—Two passenger trains collided on the Reading railroad between Woodmont and Paper Mills Station, sixteen miles from Philadelphia.

Early reports from the scene of the wreck were to the effect that about nine persons were killed and nearly a score injured. One report placed the dead at possibly fifteen.

It was a head-on collision between local trains.

TWO NEGROES LYNCHED, ANOTHER IS KILLED

ATKINSVILLE, Ga., Dec. 5.—Roy Grove and Wes Hale, negroes, were taken from their homes near Snow Hill, in Oconee county, late last night, and lynched and Aaron Bidsong, who is alleged to have shot and wounded two white men, was shot and killed by a posse.

No Portland Walkout.

PORTLAND, Ore., Dec. 5.—Reductions in wages went into effect at the plant of Swift and company at North Portland today. The management announced that the 600 employes were at work today. Harry Loo, president of the local union of the packing house workers said no strike order had been received here.

Education Week.

WASHINGTON, Dec. 5.—The greatest need in education in the United States today is "a square deal for the country child," John J. Taggart, commissioner of education declared today in a statement issued in connection with the opening of American education week. "While no child is denied an education in America," he said, "the opportunity is by no means equal."

IRISH OVERTURES FOR PEACE FAIL, SINN FEIN FIRM

Dail Eireann Delegates to Go Home—Lloyd George Holds Confab With King—Alliance to Crown Stumbling Block.

LONDON, Dec. 5.—(By the Associated Press.) New proposals on the Irish question were discussed at a conference today between government representatives and Sinn Fein delegates to the Central News Agency today. These proposals, it was said, were being considered late this afternoon by the Sinn Fein delegation, who promised to communicate with Prime Minister Lloyd George later today when a further conference was expected.

LONDON, Dec. 5.—(By the Associated Press.) The Irish peace negotiations have broken down, according to statements in responsible quarters today and the Dail Eireann delegates are expected to return finally to Ireland tomorrow or Wednesday.

LONDON, Dec. 5.—(By the Associated Press.) The crisis in the Irish peace negotiations held the exclusive attention of official circles today. Premier Lloyd George obtained an audience with King George and explained the situation to him after which the British peace representatives held a conference. This was followed by a meeting of the entire cabinet.

On the government's side, it was indicated, the argument will be that the refusal of the Sinn Fein to accept allegiance to the king made an agreement impossible since that condition was insisted upon by the British and was, in addition, an essential preliminary to securing any assent from Lloyd.

The correspondence, in connection with the negotiations will be made public by the government, it was stated, and Prime Minister Lloyd George is expected to make an explanatory statement.

The truce still remains in effect and no immediate resumption of hostilities is looked for.

The Irish delegation yesterday informed Premier Lloyd George that the government's latest proposals were unacceptable to the Dail Eireann cabinet.

The time limit set by Sir James Craig, Ulster premier, for the submission of a further plan by Mr. Lloyd George expires tomorrow. Sir James is to address the Ulster parliament tomorrow and should no new terms be forthcoming, he was expected to announce the peace negotiations at an end. The British position, then, would be thrown back to the stand taken by Mr. Lloyd George before the negotiations opened more than five months ago, that British law must be maintained in Ireland, even through the use of military force. How far the present truce would endure under such conditions is conjectural. Thus far there has been no agreement for extension of the truce.

The Sinn Fein, it is declared, refused even a conditional promise of allegiance contingent upon a settlement, the most it offered being to "recognize" the king as head of the commonwealth of free nations.

The closest examination of the government's latest terms satisfied the Sinn Fein delegates and the Dail Eireann cabinet. It is asserted that it contained no advice on the terms of Prime Minister Lloyd George's original letter, which was formally rejected in July by Eamonn DeValera in his speech to the Dail parliament.

Two months of negotiations with Downing street had not got the Irish any further, it was argued, and according to well informed quarters some of the delegates were opposed even to the consideration of the new proposals by the Dail cabinet last Saturday.

After a short discussion in which all the cabinet members rejected the government's proposals, Mr. DeValera turned to the delegates and said: "These are your instructions; they are the instructions of the people of Ireland."

The truce continues to exist until notice of its termination is formally given, and both the government and the Sinn Fein say they have no intention of giving that notice. Nevertheless, both sides feel, it is declared, that the course of events will be bound to involve a renewal of hostilities.

The Sinn Fein delegates visited Downing street at three o'clock this afternoon. It is understood they conferred with the government representatives concerning the question of continuing the truce.

The Noted Dead

BIRMINGHAM, Ala., Dec. 5.—Mrs. Frederica Virginia Underwood, mother of Senator Oscar Underwood of Alabama, died at the home of her son, Fred V. Underwood, Sr., early today of heart trouble.

LANDIS HITS BABE RUTH FOR HOMER

Bambina Gets Suspended Till After Season Starts and Loses World Series Share—Went Barnstorming and Defied Authority—Piercy and Muesel Socked.

CHICAGO, Dec. 5.—Babe Ruth's share of the world's series profits in 1921 were declared forfeited and Ruth himself suspended until May 29, 1922, by Commissioner K. M. Landis in a decision today, fixing punishment for the New York Yankee ball player for participating in a post-season barnstorming tour.

Ruth may apply for reinstatement on May 29, or within ten days after that date, Commissioner Landis said. The 1922 baseball season starts about the middle of April, so that Ruth will be prevented from participating in baseball for at least one month next season.

Bill Piercy, New York American pitcher, and Bob Muesel, the Yankee right fielder, were handed the same punishment by Commissioner Landis. They participated in the trip with Ruth. The trio started out from New York City, playing several dates in New York state, but the trip was called off after they had been warned that they were violating the rules of organized baseball.

Ruth's share in the 1921 world's series amounted to \$5,362, which he will lose by the Landis decision today. Muesel's share was the same, while Piercy received \$100 less than his two team mates.

CHICAGO, Dec. 5.—At the request of President John A. Heydler, of the National League, Commissioner K. M. Landis today issued a call for a joint meeting of the two major baseball leagues at New York December 15.

3 TITLE HOLDERS OF PUGILISM TANGLE

NEW YORK, Dec. 5.—Three former champions and a new-crowned title holder in the fist world, will appear in bouts scheduled here this week. Pete Herman and Joe Lynch, former bantam champions; Mike O'Dowd, former middleweight king, and Johnny Dundee, the junior lightweight champion, will be engaged.

Herman will resume his campaign for the title now held by Johnny Buff in a fifteen round contest Thursday with Paeky O'Gatty. Lynch will meet Max Williamson of Philadelphia, in ten rounds Friday night. O'Dowd has Lou Bougash of Bridgeport, Conn., for an opponent in a twelve-round bout tomorrow night.

Dundee and Sailor Friedman, of Chicago, are principals in another 12-round bout Friday night.

STRIKERS' PICKETS IN CLUB FIGHT

ST. PAUL, Dec. 5.—Eight or ten men were injured in fighting that was precipitated when a group of commission men tried to break through the strike picket lines around the Swift and company plant in South St. Paul late today.

Reports were that the commission men were on horseback and rode into the crowd of pickets. First police accounts were that both sides wielded clubs. The commission men failed to penetrate the picket lines.

Pick Heads Bees

SACRAMENTO, Cal., Dec. 5.—Charles Pick, third baseman for the Sacramento club of the Pacific Coast Baseball league, today was chosen manager of the club, succeeding Bill Rodgers whose resignation was announced recently. The announcement was made by Lewis Moreing, president of the club.

NEW REFORM SCHOOL HEAD. OLYMPIA, Wash., Dec. 5.—Charles Briffet, superintendent of the city schools of Port Angeles, Wash., will replace A. C. Jones, removed as superintendent of the state training school for boys at Chehalis on January 1 according to an announcement by T. E. Skaggs, director of business control, today.

Another 2 Million Dollar Mail Fraud Surrenders to Law

SEATTLE, Dec. 5.—Vern W. Gittins, charged in a secret federal grand jury indictment returned in Omaha, Neb., with fraudulent use of the mails in an alleged \$2,000,000 stock selling scheme, gave himself up to Deputy United States Marshal Neal Boyle here today. He will be returned to Omaha immediately for trial, Mr. Boyle said. Bail was fixed by the district court in Omaha at \$5,000.

ROY GARDNER TO CLAIM HE'S CRAZY WAS HIT IN HEAD

Escaped Convicted Mail Robber Has X-Ray of Brain to Offer to Prove Contention—Faces Court at Phoenix, Ariz., Today.

PHOENIX, Ariz., Dec. 5.—Four jurors had been tentatively selected to try Roy Gardner, escaped convicted mail robber for his alleged connection with the robbery of a mail car at Maricopa, Ariz., forty miles south of here, when the United States district court recessed at noon today.

Twenty-eight jurors will be tentatively accepted. Challenges by both sides will reduce the number to twelve.

The defense's question to the prospective jurors confirmed previous indications that it would plead insanity. The prosecution's questions indicated that it would depend principally upon circumstantial evidence to convict Gardner.

PHOENIX, Ariz., Dec. 6.—Roy Gardner, escaped convicted mail robber, will go into the United States district court here today for trial on two charges. He will base a plea of not guilty on the claim he is not normal mentally.

Gardner faces trial on two indictments, one charging him with robbery of a United States mail car at Maricopa, Ariz., forty miles south of here, early in November, and the other alleging that he attempted to rob a mail car at the Atchison, Topeka and Santa Fe railway station here on November 15.

In support of the insanity plea counsel for Gardner has had a number of allcasts visit him and also X-ray photographs taken of the prisoner's head. These are intended to show the results of a blow on the head which Gardner claims to have received in Bisbee, Ariz., several years ago.

Judge William H. Sawtelle, who will preside over Gardner's trial, is expected to rule today whether Gardner shall be tried on both charges simultaneously or shall have a separate trial on each charge. The prosecution has asked that the trials be conducted simultaneously, while the defense has filed written arguments against that proposal.

BABE WITH NEEDLE IN HEART, DEAD

MINNEAPOLIS, Dec. 5.—Davison Sandles, two year old son of Mr. and Mrs. John H. Sandles, who had a needle removed from his heart on November 7, in what surgeons said was one of the most remarkable operations ever performed in the northwest, died yesterday at a local hospital. The needle pierced his heart when he fell on a sewing basket.

NARCOTICS SEIZED ON JAP LINER

PORTLAND, Ore., Dec. 5.—Two cans of narcotics valued at more than \$10,000 were seized on board the Japanese freighter Saikai Maru, which berthed here last night, customs officers announced today. Code characters on the cans indicated they were to be delivered to peddlers here, said officers.

COERCION LADY SAYS FAT'S TRIAL

Mrs. Helen Hubbard, Who Voted for Conviction of Arbutuckle Charges Intimidation Used to Effect Her Balloons—Grand Jury to Probe.

SAN FRANCISCO, Dec. 5.—Police Lieutenant William Lambert will be asked to make a statement concerning information regarding the district attorney's office that he was active in alleged attempts to intimidate Mrs. Helen M. Hubbard, one of the women on the Arbutuckle jury who voted consistently for conviction. Chief of Police O'Brien announced today.

SAN FRANCISCO, Dec. 5.—Collateral issues were to the fore today in the affairs of Roscoe Arbutuckle, which tried him on a manslaughter motion picture comedian, the jury charge, having disagreed and been discharged yesterday.

Foremost of the three groups of circumstances attracting public interest was the charge made last night by Mrs. Helen M. Hubbard, one of the jurors who tried Arbutuckle on charges arising from the death of Virginia Rapp, that attempts had been made to intimidate her.

Mrs. Hubbard told Milton U'Ren, an assistant district attorney, and several other persons, that a man representing himself as Gus Olliva, a commission merchant with whom her husband had had dealings, had telephoned the husband Saturday night with the intent of having her change her vote as a juror. She let it be known that she had stood consistently for Arbutuckle's conviction. Hubbard said it had been intimated by the man that he might save himself trouble by sending his wife a note asking that she vote for Arbutuckle's acquittal.

U'Ren announced the whole matter would be laid before the grand jury tonight.

The second focus of discussion was a federal charge against Arbutuckle, based on an allegation of illegal transportation of liquor drunk at the party in the Hotel St. Francis at which it was charged Miss Rapp met fatal injury at Arbutuckle's hands. This was set for today.

The third item on the list was a charge of perjury against Mrs. Minnie Neighbors of Los Angeles, a witness called by the defense in Arbutuckle's manslaughter trial. This also was set for hearing today.

In addition to all these, last night's intimation by Milton Cohen, member of Arbutuckle's counsel, that the defense had "something up its sleeve" and was prepared to "let it come down" today, came in for a modicum of comment.

SAN FRANCISCO, Dec. 5.—District Attorney Matthew F. Brady will personally examine witnesses, present other evidence and otherwise directly conduct the prosecution in the second trial of Roscoe C. (Fatty) Arbutuckle on a charge of manslaughter in connection with the death of Miss Virginia Rapp, he announced today. The first trial ended yesterday in a jury disagreement.

The case has been set for retrial January 9.

While he sat with the prosecution during the first trial, Brady did not examine witnesses or take any part in the arguments.

Both sides agreed that the second trial will be much shorter than the first.

Galvin McNab, chief defense counsel, said he did not expect it would last more than a week.

"As a result of the first trial, the evidence is all in shape for quick presentation, he said," and it is not likely there will be much new evidence.

AUTO FOR HIRE FEE BEFORE GOVERNOR

PORTLAND, Ore., Dec. 5.—Automobile for hire owners and operators of trucks were here today in numbers to present their views when the special committee appointed by Governor Ben W. Olcott to investigate the problem of highway deterioration began its second session at the court house.