EXPLOSION KILLS ALABAMA MINERS

From 100 to 115 Slain by Gas or Black Damp in Banner Coal Mine.

RESCUE WORK IS BLOCKED

Ignition of Safety Powder With Lamp Supposed Cause—Miners Race With Death to Escape Deadly Black Damp.

LITTLETON, Ala., April 8.—Of the 100 to 115 miners who are believed to have met death in the explosion at the Banner mines of the Pratt Consolidated Coal Company, near here, early this morning, less than half a dozen bodies had been recovered when the work of rescue was temporarily suspended at nightfall.

The ventilating fans were destroyed and the deadly black damp generated by the explosion was a menace to all who attempted to enter the workings. It may be several days before all the dead have been recovered.

Late this afternoon all hope that the remaining miners were alive was given up. While no official statement has been made, it is believed the explosion was caused by safety powder ignited by a lamp and followed by dust. When the night crew left the mines, shortly before the explosion happened, Night Fire Boss Sparks reported the condition of the mine as good and the day shift was sent to work.

Race With Death Begins.

There were 170 men in all, only five of whom were free laborers. The others were convicts, most of them negroes. Immediately after the explosion, several of the convicts, with mining experience, discovered that black damp was forming. They spread the alarm, and many started a race with death to the entrance.

Forty-five of the miners either reached the outside in safety or got within hailing distance in the shaft and were taken out by rescuers. Scores of volunteers were on hand, brought by the alarm, and many made heroic efforts to bring out the victims. This work proved effective until the deadly gases reached the main shaft into which the men were headed.

Rescuers Hurry to Mine.

State Mine Inspector James Hillhouse and Assistant Dickerson, together with several other experts and officials of the Pratt Company, hurried to the mine when news of the disaster reached Birmingham. Dr. Brown, in charge of the Government Rescue Station at Birmingham, joined them and assisted Mr. Hillhouse in directing the rescue work.

Among the white men caught in the mine and who are believed to be dead are:

John White, Edward Causey, of Calhoun County; O. W. Spradling, a convict foreman, and Lee Jones.

Dr. J. J. Rutledge and the Government mine rescue car have left Chattanooga for Banner. The rescue car apparatus is needed to get the bodies from the mine.

FEW FILIPINOS GO NORTH

Arrivals in San Francisco Decide to Stay in California.

SAN FRANCISCO, April 8.—Most of the Filipino laborers who arrived here from Hawaii on the steamer Korea and who brought their contracts to work in the Alaska canneries, have decided to remain in this state, hoping to secure employment in the interior.

A few of them, however, left today for the north on the Continental and Oriental of the Alaska Packers fleet.

FILIPINO LABORERS RELEASED

Hawaiian Supreme Court Censures Planters' Attorneys.

HONOLULU, April 8.—The territorial Supreme Court released on a writ of habeas corpus today 15 Filipino laborers who were taken from the steamer Korea before her departure for San Francisco.

In its decision, the court severely censured the action of the prosecution, represented by the planters' attorneys, in preventing F. B. Craig, counsel for the Alaska Packers, from seeing the Filipinos and in confining them in jail when no charges had been preferred against them.

In an attempt to serve the writ of habeas corpus and an injunction issued by the Federal Court here yesterday to prevent the departure for Alaska of the 150 Filipinos now aboard the steamer Senator, High Sheriff Henry went today to the vessel, two miles at sea, but was not permitted to go on board.

PACKERS TO BUILD PLANT

(Continued From First Page.)

as bidders in the yards, an active and energetic market is maintained, although it can be said that the Portland buyers for more than a year have been paying the highest prices for livestock paid in the United States. With two large plants, modern in every respect and containing all the necessary equipment to make use of all the by-products, Portland will command the Northwest livestock situation. The new equipment will include a large killing building, butchering and packing houses and cold-storage plant. The capacity will be close to 1000 head a day, although it will not be operated upon that basis at first. It will take all of the livestock the Northwest market can produce to keep the two plants going.

Industry Is Strengthened.

This capacity, in addition to that of the Swift plant, will have a strong tendency to promote the livestock industry in the Northwest.

Schwarzschild & Sulzberger form one of the large packing concerns of the country. The company was organized January 30, 1892, in New York. It carries on a large packing business in New York, Chicago, Kansas City and other cities. It owns all of the stock of the Cold Blast Transportation Company and the Lackawanna Livestock Transportation Company and its gross business amounts to $100,000,000 a year. The operating company, known as the Sulzberger Sons Company, was incorporated April 7, 1910, in New York, with $12,000,000 authorized capital stock, of which $12,000,000 is 6 per cent cumulative preferred, as a holding for the Schwarzschild & Sulzberger Company. The Sulzbergers have acquired not only the holdings of Ferdinand Sulzberger and his family, but virtually all other holdings, approximately 45 per cent, are said to be held by Swift & Co., of Chicago. The authorized capital stock is $10,000,000, and the stock outstanding is $4,272,400. There are outstanding debentures of $5,401,000.

Concern Financially Strong.

The officers of the company are: President, Ferdinand Sulzberger; vice-president and treasurer, M. J. Sulzberger; vice-president G. T. Sulzberger; secretary, N. Grabenheimer; assistant secretary, M. S. Loeb; assistant treasurer, W. C. Rueth, and directors, Ferdinand Sulzberger, M. J. Sulzberger, G. F. Sulzberger, M. S. Loeb, Eugene Kahn, Samuel Grabenheimer and N. Grabenheimer.

ESTIMATES CONCERNING SCHWARZSCHILD & SULZBERGER'S PROJECTED PORTLAND PLANT.

Entire plant to cost	$2,000,000
Buildings to be constructed to cost	1,000,000
Purchase of equal interest in Portland Union Stockyards, estimated value	100,000
Number persons to be employed	500.
Number acres required for plant	100.

The last financial statement of the concern made the following showing:

Assets—	
Property and real estate	$ 9,500,243
Investments	2,705,440
Control owned	287,609
Prepaid insurance	138,163
Merchandise	7,892,279
Mortgages and investment securities	188,924
Bills and accounts	2,928,923
Cash	2,470,850
Total	$26,790,254
Liabilities—	
Capital stock	$ 4,272,400
Debentures	5,401,000
Bills payable	7,555,594
Accounts payable	522,122
Surplus	8,808,138
Total	$26,790,254

Portland Is Winner.

The decision of Schwarzschild & Sulzberger Company to place its plant in Portland is a victory for this city as against Seattle, Spokane and the other points, that is of the utmost importance from a commercial point of view. When it came to the Pacific Coast this company made a thorough examination of the entire field, covering several years. It is not represented with a packing plant of any considerable dimensions in any city on the Coast now, although it has conducted a small plant in Portland for some time upon rented property. In picking out Portland it admits its superiority, and at the same time announces its conclusion that Portland is the natural livestock center of the Pacific Coast. The advent of this company in the Kenton district gives assurance that more of the larger concerns, such as Cudahy, Armour and Morris & Co., eventually will make their way to this territory by the erection of packing plants. Portland is now represented with branch stores engaged in the jobbing business by Armour & Co., of Chicago; Cudahy Packing Company, of Chicago; National Packing Company, of Chicago, and the Sinclair Provision Company of Cedar Rapids, Ia. With the transformation which will take place in connection with the Schwarzchild & Sulzberger Company it is assumed that others will enter the field to maintain their supremacy.

Out at Kenton at the present time there is only the Union Meat Company, a subsidiary company of Swift & Co., of Chicago, in operation. This concern moved into its new plant a year ago, after having expended $2,000,000 in the purchase of land, building a new plant and erecting the Portland Union Stockyards.

STAGE ROMANCE HAPPY

JACK IRWIN, ACTOR, WEDS HELEN MAE PAGE.

Cruel Contracts Will Part Newly Married Couple for Few Weeks at San Francisco.

With the departure yesterday morning of Helen Mae Page Irwin for San Francisco, a pretty little romance was given to the public and Jack Irwin, benedict, headline act at the Grand Theater this week, is receivng felicitations anent the event all by his lonesome. Mr. Irwin, whose specialty is the relating of his adventures as a wireless operator on the Wellman airship, which attempted to cross the Atlantic Ocean, met Miss Page just two months ago, when both of them happened to be playing in Butte, Mont. Since then they have played on the same bill until they reached Seattle last week, at which point the acts were booked for different routes. Miss Page was a feature act with her partner, Summers, at the Grand last week in a singing and dancing specialty. She is a beautiful girl, with a well trained soprano voice of great range and purity and has been featured in musical comedies throughout the East. Instead of leaving Portland last Monday morning, Miss Page waited over and met Mr. Irwin. On Tuesday morning they appeared before Judge Gatens and were married. No one but Charles Ryan, manager of the Grand, knew of their secret until it was given out by Mr. and Mrs. Irwin last evening prior to the latter's departure for the South, where she opens in her specialty on Monday. Mr. and Mrs. Irwin will play at different places in the Bay City for two weeks, and after that time expect to be booked together for the remainder of the season. Next year they plan to appear in a vaudeville sketch which Mr. Irwin has written.

MIKADO'S LIFE IS SOUGHT

Plot to Assassinate Japanese Ruler Is Discovered.

VICTORIA, April 8.—Another plot similar to that for which Kotuku and 13 others were executed, aimed against the life of the Japanese Emperor, was discovered in Southern Japan two days before the steamer Lucerie left Japan, according to advices brought by the liner which docked here today.

The plot was learned on the arrest of Toroyasu Kofuku, a Socialist in whose house a quantity of dynamite was found. He admitted having purchased the explosives from a soldier, who stole them from the quarters of the engineering corps in Nagasaki district. Telegrams to Tokio newspapers said that a grave plot similar to the Kotuku affair will be brought to light at the trial.

Bar Examination Is Set.

SALEM, Or., April 8.—(Special.)—Supreme Court Clerk Moreland announces that there will be an examination of applicants for admission to the bar in this city May 31 and those desiring to take the examination should have their papers, with an accompanying fee of $10, in the hands of the clerk by May 30. If an examination is held at Pendleton in May, he says, applicants who live outside of the Pendleton district will not be admitted to that class, but must take the examination here.

THIRD TERM NOT ROOSEVELT'S AIM

Tour Made to Thank People, He Says in Speech Before Commercial Club.

CONGRESS AGAIN DEFIED

Colonel in Spokane Address Declares He Is Proud of Panama Canal Step and Has Nothing to Hide About It.

(Continued From First Page.)

wealthy business men of New York who are not in sympathy with the progressive movement, and if I may say so, are altogether out of sympathy with me. I do not dislike them a bit, they dislike me.

"There are a few of them, I think, who are crooks and I will get at a rich crook just as quick as I will a poor crook; no quicker. But most of them are honest men who are absolutely hindered by their environments. That is the literal truth. A great many of them don't read anything that I say and don't read anything about what I say excepting the headlines of the papers they themselves subsidize. They don't know what I preach; they don't know that I am really preaching in their interest."

He's Proud of Canal.

Later in his address Mr. Roosevelt referred to the Panama Canal.

"I am glad," he said, "to take this opportunity to say a word or two about the Panama Canal. That is another subject that has been discussed by Congress because there are some people in Congress who evidently more than share the uneasiness as to what my purposes are, and who, though they loudly assert I am dead, have a horrid feeling that maybe I am alive. I noticed the other day that one of the annual resolutions to investigate my conduct in connection with the acquisition of the Panama Canal had been introduced. There is nothing that I am prouder of than my part in starting the Canal. The chance came for me to get possession of the isthmus and I straightway took possession and met Congress with the accomplished fact.

Congress Is Defied.

"I could either have done that or sent a masterly message to Congress inviting their consideration, to be followed by a masterly debate. Instead of doing that, I took the isthmus and then let Congress debate me. Senator Poindexter, I hope that you will give my love to all those in Congress who wish to go on debating me. Tell them to debate me to their hearts' content because while they debate me, the work on the Canal is going on. I don't care a rap what they find out or decide about me and incidentally, they can't find anything out about me that I have not already made public."

Own Africa Expense Paid.

Mr. Roosevelt then turned to the subject he has before mentioned with many sarcastic remarks about Congress—the specimens brought back by his expedition to East Africa. Explaining just how the expenses of the expedition were met, he said that his and those of his son, Kermit, came out of his own pocket, while those of the rest of the party, as well as the transportation charges for the shipping of the specimens were met by private subscription.

"All the United States has had to do," he said, "has been to receive a collection of literally priceless value for which they have not paid a dollar. When Congress chooses to mount them they will have a collection for our people which is unique of its kind and which will aid greatly to a visit to Washington."

Idle Rich Despised.

To the teachers Mr. Roosevelt outlined his views as to the duties of both teachers and parents. He also talked of the Country Life Commission. Mr. Roosevelt said in part:

"Two of the greatest factors in the betterment of country life are the church and school. I hope to see them the centers for the broader view of religious and educational teaching, such as a mothers' club or other uplift movement.

"I want to say a word to the cuckoo type of parent, who leaves the child to the teachers for all the training. The proper training for children is to make them useful, not worthless. I do not envy the idle rich; I despise them. Poor wretches! Think what they must miss in life."

Spokane Act Praised.

Of the Country Life Commission he said:

"Before I say the few words I have to say upon the problem of country life, the betterment of country conditions, I want to express my hearty acknowledgements to the Chamber of Commerce of this progressive city for an action it took which was strikingly in contrast to the action taken by the Congress of the United States before it fell under Progressive leadership.

"I appointed the Country Life Commission, acting in accordance with my duty as President. That Commission made a most valuable report. They did not get a penny's reward for making it. They sacrificed themselves, and at considerable monetary cost to themselves made an invaluable investigation and report. All I asked of Congress was that Congress should print the report. Congress not only refused to print it, but passed a resolution that no such committee should ever be employed by the President.

Washington Delegation Liked.

"When I say Congress I mean Congress under the so-called conservative or reactionary leadership. It declined to recognize what ought to be a sufficiently obvious fact that the business of a legislator is to try to represent and lead aright the people whom he represents.

"Fortunately we now have the kind of Representatives from Washington that makes us sure that we can count upon the right track of leadership."

Hawes Hats $3.00 — Schloss Baltimore Clothes

There Is a Model for Every Man in

Schloss Baltimore Clothes

Be He Young or Old, Stout or Slim, Short or Tall

"Olympia" 3-button sack, conservative; square shoulders.

"Harvard," 3-button sack, straight front, peaked lapel, full chested, square shoulders, shapely back.

"Schloss," 3-button sack, natural shoulders, full-chested, medium shapely back.

"Plaza," 3-button sack, natural shoulders, form-fitting; a high-class Fifth-avenue custom garment.

These Models for Young Men

"The Adonis," 3-button sack, new lapels, square concave shoulders, athletic chest, shaped sleeves.

"The Imperial," 2-button sack, extremely stylish shaped back, long lapels, square shoulders, athletic chest.

"The Strand," extreme young men's garment, extreme chest and narrow waist effect, square shoulders, shaped back, soft-roll front.

"The New Stadium," 3-button sack, new shape collar and lapel effect, small waist effect and flare over hips.

"The London," 2-button sack, long roll lapels, very stylish, square shoulders, shaped back, athletic chest, shaped sleeves.

"The Box Sack," 3-button, extreme style for young men; has straight back, shaped at the waist; athletic chest, square, concave shoulders. An exclusive design.

"The Marathon," 2-button sack, new long lapel and collar effect, square shoulders, athletic chest and shaped sleeves, shaped back.

"The Baltimore," new 2-button model, medium wide shoulders, shaped back, athletic chest, with fancy pocket and cuff effects.

The New Spring Suits $15 to $40

Have You Seen the New Neckwear?

Salem Woolen Mills Clothing Co.

Fourth and Alder Streets — Grant Phegley, Manager

"Hawes" Hats at $3

Offer the biggest Hat values to be had.

Schloss Baltimore Clothes — Hawes Hats $3.00

LOWER RATE DENIED

Minnesota Railway Commission Loses Contention.

2-CENT-A-MILE FARE HIT

Suits Brought by Stockholders of Railroad Against Companies and State Board to Enjoin Reduction in Charges.

ST. PAUL, April 8.—Judge Walter H. Sanborn, in the United States Circuit Court, in an opinion handed down today, decided the Minnesota rate cases against the members of the Minnesota State Railway Commission.

Judge Sanborn held that the necessary effect of the reductions ordered was substantially to burden and directly to regulate interstate commerce, to create unjust discriminations between localities in Minnesota and those in adjoining states, in violation of the commercial clause of the Constitution, and to take properties of the railroad companies without just compensation.

Judge Sanborn in his ruling says:

Regulative Power Exclusive.

"The power to regulate commerce among the states as granted by the people to the Nation in the Constitution is exclusive, may be exercised to its utmost extent by the use of all means requisite to its complete exercise, and no state by virtue of its police power, or any other power it possesses, may restrict this grant or the plenary exercise of this power, for these inhere in the supreme law of the land and are paramount to the powers of the states.

"The fares and rate in transportation in interstate commerce are National in character, susceptible of uniform regulation, and so far as the Nation has not regulated them are free from regulation by virtue of the commercial clause of the Constitution.

"To the extent that it does not substantially burden or regulate interstate commerce, a state may regulate intrastate commerce and the fares and rates therein within its borders, but no farther. It may enforce regulations of intrastate commerce and its fares and rates, which only incidentally or remotely affect interstate commerce. But state laws, orders and regulations concerning intrastate commerce, or the fares or rates therein, which substantially burden or regulate interstate commerce, or the fares or rates therein, are beyond the powers of the state, unconstitutional and void.

Constitutional Power Supreme.

"Where the attempted exercise of the power of a state to regulate intrastate commerce or the attempted exercise of any of its other powers, infringes upon or conflicts with constitutional power of the Nation to protect the freedom of, and to regulate interstate commerce and the fares and rates therein, the latter must prevail, because that which is not supreme must yield to that which is supreme.

"But when, after fares and rates have been tried by actual use for months, after plenary proof of their effect and other facts determinative of the issue have been made before a master learned in the law, the legal or judicial presumption that his findings are just and right, while not conclusive, is superior to the original presumption that the rates were just and reasonable.

"A net income of 7 per cent per annum on the value of railroad property in Minnesota devoted to the public use of transportation is not more than the fair return to which a railroad company is entitled under the fourteenth amendment to the Constitution."

Stockholders Bring Suits.

The suits were brought by stockholders of the Northern Pacific Railway, the Great Northern Railway and the Minneapolis & St. Louis Railroad against those companies, the Attorney-General and the members of the Railroad and Warehouse Commission, to enjoin the reduction of the passenger rates in Minnesota from 3 cents to 2 cents a mile, the merchandise rates 20 to 25 per cent and the commodity rates 7.37 per cent.

The railroad companies had put all these reductions, except that on commodity rates, into effect and the cases were commenced and tried after the effect of the reductions had become provable.

Full proof of the facts was made before Charles E. Otis, special master, who recommended decrees in favor of the stockholders.

Judge Sanborn rendered decrees today which affirm the report of the master and enjoin the enforcement of the reductions after June 1, 1911.

Unwritten Law Defends Killing.

KANSAS CITY, Mo., April 8.—William E. Hagan, a wealthy flour dealer of this city, who was shot yesterday by John Bramhall, an attorney, died this afternoon. Learning that his wife was out riding in a buggy with Hagan, Bramhall obtained a shotgun, hid behind a hedge and when Hagan drove up shot him twice. Bramhall surrendered. His plea, he says, will be the unwritten law. Hagan is survived by a widow and two children.

Woman to Teach Psychology.

PALO ALTO, Cal., April 8.—Appointment of Miss Lillian J. Martin to a full professorship of psychology at Leland Stanford, Jr., University, was made public today. Miss Martin has been a member of the faculty here since 1899. From 1889 to 1896 she taught in the public schools of San Francisco, leaving that work to take up a four-year course in psychology at the University of Goettingen, Germany.

Lincoln's Appointments Bad.

BOSTON, April 8.—In deploring the fact, that the civil service did not go back to Civil War times, President Emeritus Eliot, of Harvard University, said that President Lincoln's appointments to office in 1861 were shocking, and that incompetent men held office under him as a result.

"President Lincoln's first appointee as Secretary of War, Simon Cameron, was so corrupt and so incompetent that he lost his job at the end of three months."

Minneapolis Loses Park.

ST. LOUIS, April 8.—Hall's Island, situated in the Mississippi River near Minneapolis, Minn., is the property of Mrs. Corina L. Hobart, who has property on the bank of the river adjoining the island, according to a decision of the United States Circuit Court of Appeals entered in the clerk's office today. The island is used by Minneapolis as a public park.

Turnbull Claimant Missing?

BROOKLINE, Mass., April 8.—Beatrice Anita Turnbull, who has attained country-wide notice owing to her claim that she is a daughter of "Lucky" Baldwin, and her attempts to obtain a portion of his estate, was reported to the police as missing last night. Dr. William D. Turnbull, her stepfather, refused to discuss the matter, and it is said today that it was all a mistake, and that the girl had returned. The police, at the same time, said that they had not been notified of the young woman's return, and that so far as they knew, officially, she was still missing. Miss Turnbull is 18 years old.

Attack on Lisbon Arsenal Fails.

WASHINGTON, April 8.—The demonstration against the arsenal at Lisbon yesterday was conducted by dissatisfied naval officers and men, according to a cable report received by the State Department today from George L. Lorillard, the American Charge d'Affaires at Lisbon.

The rioters made an unsuccessful attempt to seize the arsenal and assassinate the Minister of Marine. Quiet now prevails.

Hay's Hair Health

Restores color to Gray or Faded hair—Removes Dandruff and invigorates the Scalp—Promotes a luxuriant, healthy hair growth—Stops its falling out. Is not a dye.

$1.00 and 50c at Drug Stores or direct upon receipt of price and dealers name. Send 10c for sample bottle.—Philo Hay Specialties Co., Newark, N. J., U.S.A.

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For Particulars SEE PAGE 14, SECTION 1. Oregonian, Today.

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Come down to 3d and Alder and look at Gill's special window display of Globe-Wernicke Sectional Bookcases.

Do This Tomorrow (Monday)

Come down to Gill's and examine these Bookcases—learn more about the popular individual library ideas and how and why it applies to YOU, reader. Do this in YOUR interest, from both the standpoint of saving money and saving worry and work.

FREE Clip this ad and present at our store tomorrow for beautiful book of Library Interiors.

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and everything goes at cost. Tomorrow morning the red tag sale will be on in earnest, and if any piano selling is done outside our store it will be because they have not heard of this sale.

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