

VOL. VI. NO. 33.

PORTLAND, OREGON, SUNDAY MORNING, NOVEMBER 14, 1909.

PRICE FIVE CENTS.

473 MEN WEET HORRIBLE DEATH IN BURNING MINE

FIRE DISASTER IN COAL VEIN AT CHERRY, ILL., DEALS DEATH HUNDREDS FEET UNDER GROUND

VICTIMS BURN BEFORE AID ARRIVES

Spring Valley, Ill., Nov. 13.—The most appalling mine disaster in the history of Illinois mining and one of the worst in the history of the United States, took place late this afternoon when the lives of hundreds of miners were snuffed out in a fire in the second vein of the Chicago, Milwaukee & St. Paul coal mine at Cherry, seven miles from here.

SEVENTEEN MINE HORRORS IN 22 YEARS COST 4810 LIVES

- Cherry, Ill.—Chicago, Milwaukee & St. Paul mine explosion, 473 believed to be dead.
- Fairmont, W. Va.—Fairmont colliery, of Fairmont Coal & Coke company explosion in 1907, 400 dead.
- Jacobs Creek, Pa.—Darr mine, Pittsburgh Coal company, explosion in December, 1907, 375 dead.
- Yolande mine, Yolande, Ala.—December, 1907, 70 dead.
- Nasom, Pa.—United Coal company's colliery, devastated by explosion in November, 1907, 50 dead.
- Cananea, Mexico, June 1, 1906, 100 dead.
- Pa. De Calais, France, March 10, 1905, 1060 dead.
- Warrstown, Wales, July 11, 1905, 126 dead.
- Kartsyck, Russia, June 17, 1905, 300 dead.
- Hanna, Wyo., July 2, 1905, 192 dead.
- Hannick, Pa.—Harwick mine explosion in 1900, 600 dead.
- Anderlus, Belgium, March 11, 1897, 200 dead.
- Johnstown, Pa., July 11, 1892, 112 dead.
- Abermills, Wales, May 24, 1891, 90 dead.
- Dover, Belgium, Nov. 15, 1888, 125 dead.
- Sydney, Australia, March 24, 1888, 158 dead.
- Nanaimo, Vancouver, May 4, 1887, 170 dead.
- Lundhill, England, February 13, 1887, 139 dead.

GUS LOWIT IS EN ROUTE TO PORTLAND

Deputy Sheriff Beatty Departs From Denver With Prisoner on Late Train Saturday Night; Expected Here Tuesday.

(Special Dispatch to The Journal.) Denver, Colo., Nov. 13.—Deputy Sheriff Beatty left Denver for Portland late tonight, having in charge Gus Lowit, who is wanted in Portland on a charge of embezzling funds of the Oregon Trust & Savings bank. Beatty and his prisoner are expected to arrive at Portland Tuesday morning. The sudden departure of Beatty and his prisoner caused surprise here, as it had been given out that Lowit's attorneys had prepared a petition for a writ of habeas corpus and that a hearing would be held in Denver Monday before Judge Whitford.

MME. STEINHEIL IS ACQUITTED; PARIS JOINS IN HYSTERICAL DEMONSTRATION OF APPROVAL



Mme. Steinheil, Who Was Acquitted of Murder of Her Husband.

"RED WIDOW" SWOONS AT VERDICT

(United Press Leased Wire.) Paris, Nov. 13.—Amidst scenes of greatest confusion and excitement, which required soldiers to maintain order, Mme. Marguerite Steinheil, accused of the murder of her husband, Adolph Steinheil, the artist, and her step-mother, Mme. Japy, on the morning of May 21, 1908, was acquitted by a jury in the tribunal of the assize tonight. The accused woman showed remarkable fortitude, but weakened when she learned of her good fortune and swooned. Great crowds stormed the assize building and sympathizers paraded through the streets. The case was given to the jury at 10 minutes of 11 o'clock tonight, in the most sensational trial of the French annals. The jury deliberated briefly and returned a verdict of not guilty of murder. The verdict followed a day of unusual scenes in the court, when sensation after sensation thrilled the spectators.

Verdict Spreads Quickly. The word "acquitted," pronounced at 12:50 a. m. in an almost inaudible tone by the foreman of the jury in the crowded assize courtroom in the Palais de Justice, spread like fire. As Mme. Steinheil stretched out her arms in mute gratitude to the jury that saved her life, the news traveled. The shout "Acquittal!" issued from the lips of the hundreds of distinguished spectators in the courtroom. A hysterical wave—"Acquittal!"—was swept along by the hundreds in the corridors of the Palais de Justice and rolled—a volume of sound—across the sea of 200,000 people who jammed the courtyard of the palace and filled the surrounding streets for blocks. From street to street, from alley to alley, the tidings spread, until the tattered denizens of the Mont Marte district, from their crooked alleys, joined the thousands in the gay-it bonanza in a cry of "Bravo! Bravo!" The red widow is innocent. All Paris Shouts Approval. Cafes, hotels and residences emptied their thousands into the streets to join the mob, wild with excitement, that surged to and fro with but one object—to spread the news. Hysterical Paris, again, universally of the opinion that the "red widow" was guilty, turned (Continued on Page Seven.)

AWFUL TASK 25 MEN FACE TO CHECK FLAMES IN BLINDING BLIZZARD, LAKE BOAT HOYT STRIKES ROCK; TEMPESTUOUS WAVES ARE RAPIDLY POUNDING HER TO PIECES.

Water Hauled Three Miles to Extinguish Fire in Burning Mine—Story of Escape of Two Men Is Terribly Vivid.

Spring Valley, Ill., Nov. 13.—Late tonight special trains carrying fire apparatus were sent to Cherry and the volunteer firemen began to pour water into the mine in the hope of checking the flames. The work was greatly hampered, however, by the fact that there is little water at Cherry and the engines have to carry it three miles in. Several hundred men, some of them armed with buckets were set to work dumping the water into the shaft. President Earling and General Manager Bush expressed the belief that some of the entombed men are still alive, and that when the fire has been checked and the smoke cleared from the shafts, rescuers may be sent down safely and efforts made to communicate with any of the miners still surviving. Outlook Hopeless. These hopes are not shared by the practical miners of Cherry who declare that, even if the imprisoned men could get aid, they could not have survived the intense heat of the fire. It was stated at Cherry tonight that the officials of the local miners' union were formulating a demand for a complete investigation of the disaster and the circumstances surrounding it. Miners were heard to declare that if the exhaust fan had not broken at a critical moment some of the men now entombed might have been taken out alive. Tells Vivid Story. A vivid story of the fire was told tonight by John Haney, a miner and one of the 24 men who were taken out alive. Haney and James Flood, the latter of whom went back into the mine with the rescue party and perished, are believed to have been the last miners taken out of the mine alive. Haney declared he and Flood were the first to discover the fire. He said he was about to leave the mine about 2 p. m. and was walking through the main entryway from the escape shaft to the hoisting shaft when he discovered the flames. He summoned Flood, who was nearby, and together they fought for an hour with the fire in an effort to extinguish its spread. "I don't know how the fire started," said Haney. "I only know that I saw the flames and I realized that it was absolutely necessary that I put them out or several hundred miners would be roasted to death. "The heat was terrific, and both Flood and I were blackened and burned, but we stayed with the fire for an hour and did our best to put it out. Finally, though, the fire got away from us, and when it crept up into overhead timbers of the mine I could see it was all over. "Flood and I then ran from the place as fast as we could to the hoisting shaft. We could see that others had been there before us and were being hoisted up. We waited in the hoisting basket for what seemed a lifetime, but finally the cage came down and we were lifted to the surface. I guess we were the last men taken out alive, for when the cage went down the next time it came up empty. "Escape Impossible. "I don't know what became of the

COLORADO GOVERNOR SIGNS REQUISITION FOR PORTLAND MAN

Telegraphic advices from Denver received Saturday afternoon stated that Governor Shafroth has granted the requisition papers for the custody of Gus Lowit, wanted in Portland on a charge of embezzling funds of the Oregon Trust & Savings bank. Lowit, however, has not given up the fight to avoid extradition. He will commence habeas corpus proceedings in the district court in Denver tomorrow on the grounds that he once returned to Portland to face trial, and was told by the then prosecuting attorney, John Manning, that his skirts were clear. Attorneys for Gus Lowit prepared their writ of habeas corpus yesterday, and it will be argued before Judge Greeley Whitford tomorrow. Lowit states that he will fight to the last to prevent his being taken out of Colorado, and that he will carry on his battle in and out of court as long as he has a penny. In case he is brought back to Oregon the former department store head promises to make things lively for every one concerned in the Oregon Trust & Savings bank case since the failure of that institution. He points to the fact that he returned to Portland of his own accord soon after the failure of the bank, and of his department store even after a requisition for him had been denied, and says that following the hearing of the charges of larceny brought against him in justice court at that time the district attorney assured him that he would not be prosecuted any further, and in fact gave him a clean bill of character so far as his Portland record was concerned. Mr. Manning stated last night that he had no recollection of having told Lowit he returned to Portland of his own accord, although he said that it was his understanding that Lowit's record was clear. "I did not try Lowit's case in connection with the alleged department store larceny," said Mr. Manning, "but my chief deputy, Gus Mower, had entire charge of the matter. I was present, however, and knew in a general way what the circumstances of the case were." (Continued on Page Seven.)

COUNTY ATTACHES STEAMER FOR JAR OF BURNSIDE BRIDGE

Claiming negligence on the part of those engaged in the handling of the steamer Olson & Mahoney, when she hit the east pier of the Burnside street bridge, the county yesterday afternoon for the sum of \$3022 damages, through the county sheriff's office, the papers being served by Deputy Sheriff Harry Butler at about 4 o'clock. When seen by a representative of The Journal Captain H. T. Payne, master of the Olson & Mahoney, was somewhat indignant about the affair, and said that was the most irregular proceeding that he had ever seen. "As ships come directly under the laws of the United States government, and therefore are handled by the federal courts, it seems rather a strange proceeding for the sheriff's office to usurp the duties of the United States marshal. "The charge against the steamer is that of negligence, but for my part I think that the county is negligent and contributes to accidents in not having guards around the piers, which would protect them in case of just such accidents as occurred on the afternoon of February 27, and which was unavoidable, according to the findings of the United States local inspectors, who exonerated the pilot, Captain Al Betts, of Astoria. They form a board appointed by the United States government for the investigation of just such cases, and they acquitted the pilot, (Continued on Page Seven.)

MILWAUKEE ROAD TO PASS UP SEATTLE; BUILD TO PORTLAND

(United Press Leased Wire.) Washington, Nov. 13.—Government traffic officials claim to have advised that the Milwaukee road will go to Portland and will make Everett, not Seattle, its chief northern terminal. An official from the coast said: "The Milwaukee has bought a half mile water frontage at Everett for terminals, also an island for shops. My understanding is that Hill's opposition to the coal lumbermen causes them to sid the Milwaukee in getting a footing in Everett, where Hill's beneficent must divide traffic with the Milwaukee company. From what I learn, I am led to believe that the same result may be produced by Portland, to which city the Milwaukee road is certain to build in the near future."

DWINNELL GETS YEAR AND \$1000

San Francisco, Nov. 13.—Dr. George W. Dwinnell will spend a year in the Alameda county jail for having conspired with John Galpin to defraud the government by suborning dummy locators of timberlands to commit perjury. Judge De Haven imposed that sentence upon him today in the United States district court, after denying a motion for a new trial. A fine of \$1000 was added to the imprisonment. Judge De Haven refused to change the location of the incarceration. A request was made by attorneys that the defendant be sent to the county jail of Siskiyou county, where the defendant is enabled to visit his family more frequently, but Judge De Haven refused to accede to the request. Galpin, who was convicted with Dwinnell, received a similar sentence. Dwinnell is a prominent Republican politician. He was one of the Taft electors from California, and owns large tracts of timberlands in Siskiyou county.

BURKHARD BUILDING SOLD AGAIN, NAPOLEON DAVIS MAKING GOOD PROFIT WHEN V. D. WILLIAMSON, A NEW YORKER, INVESTS ON EAST SIDE—IMPROVEMENTS PLANNED.

For the second time in 10 days the Burkhardt half block building on East Burnside street has changed hands, the property having been sold yesterday by Napoleon Davis to V. D. Williamson, a New York capitalist, for \$170,000. The property has a frontage of 200 feet on the north side of East Burnside, 100 feet on Union avenue and 100 feet on Grand avenue, and is improved with a three story brick building. It was purchased just 10 days ago by Mr. Davis from Arata Brothers for \$150,000, and yesterday's transaction the seller nets \$20,000 without ever having completed his original purchase. The buyer, V. D. Williamson, is a New Yorker of large means, who has operated extensively in the northwest during the past few years. He was the original organizer and builder of the Grand Trunk railway, which recently passed under the control of the Hill interests and is now a part of the Great Northern. Before taking over the Burkhardt building Mr. Williamson had a local architect inspect the structure, with the result that he announced last night that he would immediately expend \$150,000 to \$200,000 in improving it, making extensive alterations in the interior of the building and building two additional stories. The sale is the largest transaction, and is regarded as the most important deal that has ever been made in east side business property. It is in line with the well-defined movement to build up an immense east side business district, extending from Hawthorne avenue on the south, north to Holiday avenue. Mr. Williamson said yesterday that he regarded Portland really as one of the safest and best investments to be found anywhere in the country, and that he knew of no other city where better opportunities were afforded for profitable investments in real estate. He leaves today or tomorrow for Spokane, but will return to Portland in a few days when he contemplates making other investments in business property on both sides of the river. The Burkhardt property has changed hands no less than five times in the past three years. At that time it was optioned by the owner, Joseph Burkhardt, to Joseph M. Healey and Joseph Buchtel for \$125,000. Later they sold it for a substantial profit to John P. Sharkey, who sold it to Arata Brothers for \$135,000. Arata Brothers held it less than two years and sold it to Napoleon Davis for \$150,000. The building now yields an annual rental of about \$15,000, but with the remodeling and building of two additional stories as proposed by the owner, it is expected that the income can be more than doubled. (Continued on Page Four.)

EVIDENCE IN SUGAR CASE STOLEN

(United Press Leased Wire.) New York, Nov. 13.—The most sensational development of the government's war against the sugar trust came today when the direct charge was made that evidence against the trust which implicated former high officials, was stolen nearly two years ago from the desk of Richard A. Parr, the special treasury agent, who uncovered the "crime of the seventeen holes" at the Williamson refineries of the sugar company. This crime has been concealed by the government officials and was only made public because District Attorney Wise believes he has presented to the grand jury evidence sufficient to secure the indictment of the man responsible. According to District Attorney Wise, the suspect is a former government special agent who was "removed for cause." The evidence, however, has never been located. According to Wise, although there was evidence against other big corporations in Parr's desk at the time, and jewelry and cash, nothing but the evidence against the sugar trust was touched. The report that other sugar companies have also avoided payment of duties through short weighing of sugars was partially confirmed by special prosecutor Bituminous, this morning, when he admitted that investigations were in progress by the concern mentioned. (Continued on Page Four.)

SEATTLE SEES MUCKRAKE WRAITHS

(Special Dispatch to The Journal.) Seattle, Nov. 13.—Without giving any reason in open court for the action, Judge Mitchell Gilliam in the superior court today called a grand jury. The action was taken upon an order signed by every judge of the superior court. Twenty-four names were ordered drawn, and the men whose names were selected were ordered to appear for service on November 22. An unofficial statement was taken made that such action would be taken and the courtroom was crowded, principally with attorneys, when Judge Gilliam mounted the bench. The crowd awaited expectantly the reading of each name. A few were instantly recognized as the names of men well known in business life, but the majority were names of men who had gained no prominence and were practically unknown to the general public. Two Well Known Bankers. Of the 24, two are well known bankers, R. R. Spencer, vice president of the National Bank of Commerce, and J. F. Gleason, manager of the American Bank & Trust company. There are one contractor, six mechanics, one wage-earner, two grocers, four ranchers or farmers, one railroad man, two real estate men, a horse dealer, one other business man and three men whose occupations is not known. The subpoena for service were put (Continued on Page Four.)

MRS. ROOSEVELT AND ETHEL COMING HOME

Naples, Nov. 12.—Mrs. Roosevelt and Miss Ethel Roosevelt sailed today on the steamer Koenig Albert for New York. A number of friends, including First Secretary Garrett of the American embassy, Captain Long, naval attaché, and the major of Naples, went to the ship to see them off.

DUFFY IN LINE FOR ROCK QUARRY

Jack Duffy, an undesirable who was ordered out of town yesterday morning by Judge Bennett of the municipal court, was picked up last evening by Detective Brown and taken to the city jail. He is charged with the murder of Judge Bennett, and the municipal judge is expected to issue a warrant for his arrest immediately.