

The Oregon Statesman

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SEVENTY-FOURTH YEAR

SALEM, OREGON, WEDNESDAY MORNING, SEPTEMBER 17, 1924

PRICE FIVE CENTS

FIGHTING NOW FIERCER THAN EVER BEFORE

Heavy Engagements Take Place Along Coast Within One Hundred Miles of City of Shanghai

IS SPREADING OVER THE REST OF CHINA

Clash Between New Forces Is Reported Near Border of Manchuria

SHANGHAI, Sept. 17.—(By The Associated Press.)—The general engagement between the Kiangsu and Chekiang armies west of Shanghai, continued this morning without material changes in the positions of the two armies.

The latest developments in the operations is a report of recent fighting near the border of Anwei province, southwest of Tai lake. In this corner where the borders of Anwei, Chekiang and Kiangsu meet the Lungwha headquarters claims the Chekiang troops are withstanding attacks of the enemy. The fighting, according to the reports occurred near the towns of Szean in Chekiang and Kwangchow, just across the border in Anwei.

Civil war Tuesday continued to spread over China.

In the north, a clash between the troops of Chihli and Manchuria was reported near the borders of the province, while further preparations pointed to fighting soon near Shanhaikwan.

On the middle coast, near the "gateway" port of Shanghai, the fiercest fighting of the war continued all night on a battle line within a hundred miles of the city.

Only in the south was no change reported.

So far as General Sun Yet Sen, head of the south China government, still was gathering troops for a campaign to aid the defenders of Shanghai.

The Lungwha headquarters lacked reports from the Iing sector, just west of Tai lake, where Chekiang has been carrying on an offensive with the Shanghai-Nanking railway, behind the Kiangsu line as its objective, but reports further vigorous Kiangsu attacks at Luho, Kiating and Hwangtu between the railway and the Yangtze river, all of which it claims were repulsed. With the renewed rifle firing today the artillery bombardments subsided.

A conservative estimate of the Kiangsu casualties place them at 1200, including 300 dead. The Chekiang casualties total about the same.

The weather continues clear. It is quiet in the foreign settlements here.

La Follette to Open Campaign Tomorrow

WASHINGTON, Sept. 16.—Secluded in his home here, Senator Robert M. La Follette continued work today on the speech he will deliver in New York City Thursday night in opening his campaign as an independent presidential candidate. He failed to complete the text as he had hoped, but it was said he would do so tomorrow.

At a La Follette-Wheeler meeting here tonight, Senator Ladd of North Dakota asserted the present industrial and agricultural conditions refute claims that either of the parties has made the average citizen prosperous. He also described the Dawes reparations plan as "simply a scheme to re-establish the gold standard in Europe."

THE WEATHER

OREGON: Fair in interior, mostly cloudy on coast; cooler in northeast portion; moderate north to northwest winds.

LOCAL WEATHER (Tuesday)

Maximum temperature, 62
Minimum temperature, 49
Rainfall, None
River, .5 stationary
Atmosphere, part cloudy
Wind, Northwest.

MILK IS SOLD FOR 9 CENTS AT SEATTLE

Shipping Milk to City From Distance Causes Setback in Local Market

SEATTLE, Sept. 16.—Milk is to be delivered to Seattle homes tomorrow at nine cents a quart and six cents a pint, said to be the lowest price paid for city milk since post-war days, the Seattle Milk Shippers' association announced today. This will be two cents a quart less than at present.

Frank Torrence, president of the milk association said that the reduction in price was the result of attempts to bring outside milk into Seattle, notably from Snohomish county.

SEATTLE, Sept. 16.—At the same time the association reduced the retail price of milk in Seattle they reduced the price paid for the product from \$2.50 per 100 pounds to \$1.80.

This brought a protest today from white farmers, members of the association who asserted they cannot produce milk as cheaply as the Japanese and who declared the association's board of directors was "Japanese controlled."

Farmers in the association are under five year contracts to furnish milk to the association's distributors at a price fixed by the board of directors.

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BRYAN BOOSTS FOR HIS PARTY

Eminent Democrat Opens National Campaign in Armory Address

William J. Bryan, world-renowned and eminent Democratic leader of America, addressed an audience that overflowed the Salem armory yesterday afternoon. His speech here and at Albany earlier in the day opening the campaign in Oregon in behalf of the national Democratic ticket.

Mr. Bryan included in his address a strong plea for the election of Milton A. Miller as United States senator and H. L. Clark as representative in congress from the first Oregon district. These candidates and other prominent Democrats were seated on the platform. Preceding Mr. Bryan's address Mr. Miller spoke for several minutes, concluding by introducing the speaker. August Hucksstein presided.

Davis Held Progressive

Among the assertions of Mr. Bryan was that John W. Davis, Democratic candidate for president, is a progressive as well as La Follette, the independent candidate, but that La Follette has no chance for election, and Davis is the only progressive who has a chance for election; therefore progressives should vote for Davis. A vote for La Follette, he said, would be a vote for Collidge, whom he termed a reactionary.

Relative to his brother, Charles W. Bryan, candidate for vice president on the Democratic ticket, the speaker recited in detail his political and social achievements. He emphasized the point that Charles Bryan was Davis' choice for second place on the ticket.

Miller's Record Lauded

Bryan began by saying that he knew enough good Democrats to substitute for every Republican in the United States Senate and make an improvement.

"And there is no Democrat I would rather see there than Milt Miller," added Bryan.

"There hasn't been a remedial measure in thirty-four years," continued Mr. Bryan on which I wasn't on the winning side, which was the people's side, and Milt Miller has been with me on every question. I am very anxious to see Miller elected senator and Clark to Congress.

"My business," said Mr. Bryan, "is to give out information that will enable you to vote intelligently. I have been doing that for thirty-four years and am an expert at it. A progressive is a person who does not want the stream of progress dammed up, and wants a change soon as the evils are discovered. Three-fourths of the people of the United States are progressive. Over half the Republicans are progressive as was shown when they left Mr. Taft and voted for Mr. Roosevelt. Even La Follette voter for Roosevelt. I'll tell you one of the things that is making progressives. It is the oil investigation."

Conservative Defined

"A conservative is the opposite

Plan for Disarmament Matures Rapidly Among Delegates at Geneva

GENEVA, Sept. 16.—(By Associated Press.)—The representatives of 12 governments, sitting privately in sub-commission, gave preliminary approval today to the several articles concerning sanctions in the draft protocol, which Premier Benes of Czechoslovakia submitted after long and difficult negotiations as a pact which advances the cause of arbitration, produces a sense of security among nations and prepares the way for disarmament. Italy expressed more apprehension concerning regional alliances, which are permitted by the draft pact, although her delegates did not press this matter. Former Premier Branting of Sweden, voicing the opinion of the neutral states, declared that Dr. Benes had produced a big, historic document which would be given close study.

Among the articles dealing with sanctions, which were thoroughly discussed today, was article seven of the protocol, providing for general contributions from all states in order that the country which the arbitral tribunals have de-

GREAT CROWDS GATHER AT ST. PAUL PARADE

25,000 Men March in American Legion Affair—Spectators Estimated to Number Over 150,000

GENERAL CHARLES G. DAWES PARTICIPATES

Ranks Pass Reviewing Stand for Period of Almost Three Hours

ST. PAUL, Minn., Sept. 16.—Down streets banked with humanity, plazas packed with cheering thousands, more than 25,000 members of the American Legion marched today as an outstanding event of the international convention.

With Legionnaire Charles G. Dawes tramping along with his Illinois buddies, the long line wound its way past a reviewing stand at the state capitol, where National Commander J. R. Quinn headed the group of prominent visitors which reviewed the parade. Police estimated the crowds at more than 150,000. It took a few minutes less than three hours for the parade to pass a given point.

Pass Commander Quinn

In the reviewing stand with Commander Quinn were Governor J. A. C. Preus of Minnesota; W. B. Haldeman of Louisville, commander in chief of the United Confederate veterans; S. R. Vanzandt and Ell Torrance of Minneapolis, past commanders of the GAR, and former Judge K. M. Landis.

Troops from Fort Snelling headed the parade and the first legion department in the line was Florida, followed in order by New Mexico, Tennessee, Wisconsin, and on down the line in accordance with membership increase rating. Seventy one departments were represented.

As the procession wound through the downtown district, spectators in windows high above the streets sent confetti showering down on the legionnaires and paper streamers shot out upon them.

Airplanes Overhead

Overhead six airplanes of the Minnesota observation squadron whirled in varied formation.

Milbanks, S. D., corps had a complete threshing machine in the float section, with the blower of the separator waiting straw into the crowd as it moved along. A handful of civil war veterans, with their own fife and drum corps, were applauded all along the line.

Minnesota's best fall weather prevailed, a warm September sun making shirt sleeve marching pleasant. Commander Quinn led the parade to the reviewing stand wearing the garb of a cowboy and mounted on a bay horse.

JAPAN RAVAGED BY TYPHOON, FLOODS

Large Part of City of Tokio Is Reported Flooded—Landslides Occur

TOKIO, Sept. 17.—(By The Associated Press.)—Floods, following a heavy typhoon, have inundated many parts of Japan. The death list may reach 100. Forty thousand houses in Tokio alone have been partially flooded. Three hundred persons are reported missing in one village in Saitama prefecture. Landslides following the floods killed several persons in Chiba prefecture.

NEW ORGANIZATION FORMED

CHICAGO, Sept. 16.—Organization of the professional and business men's division of the La Follette-Wheeler campaign was announced today.

BRYAN SPEAKS AT PORTLAND

PORTLAND, Or., Sept. 16.—William Jennings Bryan, spoke here tonight to 4,000 persons.

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STILL ANOTHER PROGRESSIVE PARTY FOUND

Third Group Announces That It Has Only Genuine La Follette Ticket

SEATTLE, Sept. 16.—In a message to John E. Nelson, manager of the La Follette presidential campaign at Chicago, today, E. H. Rettig of Olympia, secretary of the independent party, said: "The independent party, a minority party of record, anticipating the dilemma facing the La Follette interests in this state, nominated La Follette electors and a fall state ticket September 9."

This was the third La Follette group to notify Mr. Nelson that its ticket was the only bona fide La Follette filing in this state.

FLIERS TO LEAVE CHICAGO TODAY

Unless Weather Interferes, Hop to Omaha Will Be Begun at 8 a. m.

CHICAGO, Sept. 16.—Weather permitting, the world fliers will leave Chicago shortly after 8 o'clock, central standard time, tomorrow morning for Omaha, Neb. Resumption of their flight westward, scheduled for today, was delayed when air scouts reported a low hanging fog extending for miles along the route the airman intend to take.

Lieutenant Lowell Smith, flight commander, said, "We're not on schedule and the safety of our ships is our prime consideration."

Thousands of persons who crowded the Maywood flying field remained several hours after announcement of the postponement of the hop-off had been made but left when the world gliding ships were trilled into their hangars and the fliers, Lieutenants Smith, Leslie B. Arnold, Erik Nelson, John Harding, Leigh Wade and H. H. Ogden were driven away in an automobile.

TO INVESTIGATE STUDENT DEATH

Alpha Beta Phi Chapter Is Revoked at University of California

BERKELEY, Cal., Sept. 16.—An investigation by university authorities into the automobile accident in which Dale Smith, president of the Alpha Beta Phi fraternity at the University of California, was killed early last Sunday morning, tonight resulted in the revocation of the chapter's charter and an order being issued by President W. W. Campbell, in conjunction with his officer Jooi Hildebrand, dean of men and the student affairs committee, that the fraternity immediately disband.

Theodore Eggert, member of Phi Alpha Phi and companion of Smith when he was killed, appeared today in court in Martinez to answer the charge of operating an automobile while under the influence of liquor. In view of the failure of the two young girls who were in the machine when Eggert was driving, to appear, Eggert's case was postponed. Eggert denied that he was intoxicated but admitted to the coroner that he had taken a drink of gin.

At the same time the authorities were probing the case of Alpha Bet Chi, Letty Stubbins, dean of women, appeared before a meeting of the women's federation of students and asked that the heads of all sororities at the university bring to her a report of the social standard of girls as compared with their scholastic records. It is thought that a sweeping investigation of all fraternities and sororities would result from the Smith accident.

RAINS FAIL TO PUT OUT FIRES IN WASHINGTON

Thousands of Dollars Worth of Logging Equipment Totally Destroyed

SEATTLE, Sept. 16.—Forest fires in western Washington were still raging today despite slight rains and drizzly weather last night.

One of the most severe fires in years was burning fiercely near Blyn, 25 miles east of Port Angeles, after destroying donkey engines and other logging equipment valued at several thousand dollars. One hundred and thirty five men were battling the blaze to keep it from spreading into standing timber.

Whatcom county reported that ground fires had developed into crown fires and were sweeping up Mount Baker out of control.

WILL ELIMINATE FAKE COLLECTORS

Cooperation Is Pledged at Convention of Oregon Retail Merchants

PORTLAND, Or., Sept. 16.—Cooperation of the Oregon Retail Merchant's association in the elimination of crooked collectors was pledged to the new Pacific Coast Collectors' association at the final session of the collectors here today.

It was said that by this agreement, merchants of Oregon will stop the practice of placing their collection business with out of fly by night collectors, who often pocket the money received without forwarding it to the creditor.

A guaranteed directory of accredited collection houses will be issued to all merchants in Oregon, Washington, California and British Columbia it was decided.

Officers of the Pacific coast association elected were W. C. Austin, Pasadena, Cal., president; John I. Knight, McMinnville, Or., vice president, and W. W. Clarke, Spokane, Wash., secretary-treasurer.

FIRE FIGHTER KILLED

PORTLAND, Ore., Sept. 16.—Michael Harney, a fire fighter, met death from a falling tree late yesterday while patrolling a burned area in the Siskiyou national forest, according to a report received today by John D. Guthrie, assistant district forester.

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INCOME TAX HELD VALID BY TRIBUNAL

Supreme Court Finds Only One Unconstitutional Provision in Law—McCourt Writes Document

FISHER TAKES STEPS TO BEGIN COLLECTION

Reasonable Leniency Following Notice to Be Allowed Payers

With the exception of a proviso in section 3 of the state income tax law, the law is held constitutional by the state supreme court, in an opinion handed down yesterday. The proviso that is held invalid permits corporations to deduct from their net income return dividends paid to a resident of the state of Oregon on or before 30 days after the expiration of the income year.

Lower Court Reversed.

The opinion of the supreme court reverses the decree of the lower court for Marion county, signed by Judges Kelly and Bingham, a decree which enjoined the state tax department, Governor Pierce, Secretary of State Olcott and Attorney General Van Winkle from enforcing the act. The opinion of the supreme court dismisses the suit of the Standard Lumber company.

The opinion was written by the late Justice John McCourt, and was doubtless his last official act prior to his death, the fatal illness having attacked him during his vacation period. "It is an unconstitutional and 'is an arbitrary and capricious method of classification.'" In this, it was alleged, it violates the 14th amendment to the United States constitution and also the state constitution. The other main provision attacked was that which gives a corporation the right to subtract from its taxable income dividends paid to residents of Oregon, a right now allowed in the case of non-resident stockholders. It was alleged that this is discriminatory against corporations whose stock is owned wholly or partially by non-residents. Relatives to these points the supreme court opinion says:

Federal Constitution Cited.

"The decisions of the supreme court of the United States . . . hold that the provision of the fourteenth amendment, that no state shall deny to any person within its jurisdiction, equal protection of the laws, was not intended to prevent a state from adjusting its system of taxation in all proper and reasonable ways, nor to compel a state to adopt an iron rule of equal taxation, to prevent the classification of property for purposes of taxation, or the imposition of different rates upon different classes. The court has declared repeatedly that the amendment does not prevent the classification of subjects for taxation; that in taxation there is a broader power of classification than in some other exercises of legislation; and that the requirements of the equality clause of the fourteenth amendment are met in the state statute operates 'equally and uniformly upon all persons in similar circumstances' and does not create 'clear and hostile discriminations between particular persons and classes.'"

" . . . Any classification they say is permissible which has a reasonable relation to some permitted end of governmental action and it is not necessary that the basis of the classification must be deducible from the nature of the things classified; it is enough if the classification is 'reasonably founded within the purpose and policy of taxation, and if some real and substantial distinction is present a classification based thereon is reasonable if made with respect to the kind of property or the amount or value of the property or the character of the taxpayers subjected to the tax."

"The validity of the progressive

VOTED MOST BEAUTIFUL GIRL, REIGNS AS QUEEN OF MEXICAN FESTIVAL



A Mexico City newspaper recently held a beauty contest to select the queen for the September festival. The winner was Senorita Eva Platt, who comes from Senora, President Oregon's home state. She received a million and a half votes and it is said that about 40,000 pesos or about \$20,000 in American money, was spent by Senorita Platt's admirers in purchasing these votes.

PRINCE MAKES PRESENTATION

Silver Cup, Signifying Polo Supremacy Is Given to American Team

SYOSSET, N. Y., Sept. 16.—The Prince of Wales smilingly took part today in the ceremony of handing the great silver polo cup back to America and was immediately afterward surrounded and followed for a quarter of a mile across the Meadowbrook grounds by a dense, pushing, skirmishing crowd of American men and women, far from interested for the moment in looking at the future British king and cheering his gesture of sportsmanship in the victory that their countrymen had just won. It was all the local and special police could do to prevent the blocking of his path by the throng.

His royal highness appeared to enjoy the game today, at least the first part of it, more than Saturday's game. When the first two British goals were scored, making the count two to nothing in England's favor, the prince literally leaped for joy. He waved his hat and clapped his hands.

At no other point in the match did the prince get so excited. There were no more such opportunities. He applauded when the other three British goals were made but more mildly.

ROAD BECOMES IMPASSABLE

The rain continued to fall in torrents and shortly afterward the news of the disaster had spread to Kemmerer the road to the mining camp was declared to be nearly impassable. An urgent call for help was dispatched to the bureau of mines headquarters at Denver, Colo., and rescue car No. 3 on duty at Trinidad, Colo., was ordered to proceed with all dispatch to the scene of the disaster. A second car, No. 1, held at Butte, Mont., was ordered held in readiness for the journey in case it was needed.

As soon as a clearing large enough to admit a man had been opened into the wrecked main portal rescuing parties attempted to enter the mine but were forced to withdraw because of the gas which was pouring from the mine.

Help Is Summoned

Orders were sent at once to the Frontier mines to Diamondville, Cumberland and Rock Springs for rescue workers and late in the afternoon a crew of about 200 men had been assembled.

(Continued on page 9)

METHODIST MEET HELD AT MEDFORD

Over Two Hundred Delegates of Oregon Conference Hold Convention

MEDFORD, Or., Sept. 16.—Following the welcoming service tonight for the delegates from all parts of the states here to attend the seventy second session of the annual conference of the Methodist Episcopal church of Oregon, the conference will get under way with its opening session tomorrow morning.

Between 200 to 300 delegates and other prominent conference visitors have arrived.

Among the prominent churchmen arriving today were Bishop Eben S. Johnson and the following superintendents: Dr. W. W. Youngson, Portland district; Dr. D. H. Leach, eastern Oregon district; Dr. E. E. Gilbert, Salem district, and Dr. S. A. Danford, southern Oregon district.

The rumored shakeup coming in many Oregon pastors was an all-absorbing topic among convention visitors. The list of assignments as near as can be learned will not be ready or given out for publication until next Monday.

Small Classified Ad Sells 150 Pullets

Lloyd Lee ran the following ad in yesterday morning's Statesman:

LEGHORN PULLETS FOR sale—Ready to lay. No runs. Phone 32P31.

Yesterday he sold 150 pullets and only has sixty left to sell. Among the many readers of The Statesman there is always someone wanting just what you have to offer. If you want results use this medium.

OSTRICHES ON THE WANE

CAPTOWN, Sept. 16.—The number of ostriches in South Africa has dropped from 900,000 to 120,000. There is in consequence fear of an ostrich feather shortage.

12 MINERS ARE RESCUED FROM A LIVE BURIAL

47 Men Left Entombed Underground as Result of Disaster Near Town of Kemmerer, Wyoming

EXPLOSION OCCURS JUST BEFORE NOON

Three Victims of the Catastrophe Have Been Already Identified

KEMMERER, Wyo., Sept. 16.—(By The Associated Press.)—An official checkup tonight of the number of miners and workers in Sublet mine No. 5 when an explosion entombed all at 11:45 o'clock this morning, show that but 47 men were in the mine at the time of the blast, according to officials of the Kemmerer Coal company, owners of the property. The number of entombed men was set at 81 in earlier estimates by the company.

At a late hour tonight 12 miners had come out alive and bodies of three had been recovered. The dead are: William Hood; Harry Bonns; and Paul Bahem.

All three men were married, and, with the exception of Hood, all leave children.

Bahem leaves two small daughters and Bonnet a family of several partially grown children.

Towns Is Shaken

A resounding roar that reverberated throughout the little mining camp nestled in the mountains, broke through the sound of crashing thunder at 11:45 o'clock today and heralded Sublet its first great mining disaster. As the sound of the terrific explosion died out, residents of the little community of 500 persons started an exodus from their homes through a blinding rainstorm to the mouth of mine No. 5, a drift mine, there to claim their dead.

Within an hour so many residents of the camp had congregated around the main portal of the tunnel that it was with difficulty that the workmen and rescue crews were able to make their way in to start the work of rescue. News of the disaster was sent to Kemmerer and the winding little mountain highway became congested with automobiles and persons on foot, all on their way to the scene of the explosion. Rescue crews from the mines in the adjacent territory, many of them owned and operated by the Kemmerer coal company and others by the Union Pacific railroad company were quickly formed and started on their way to the mine.

Road Becomes Impassable

The rain continued to fall in torrents and shortly afterward the news of the disaster had spread to Kemmerer the road to the mining camp was declared to be nearly impassable. An urgent call for help was dispatched to the bureau of mines headquarters at Denver, Colo., and rescue car No. 3 on duty at Trinidad, Colo., was ordered to proceed with all dispatch to the scene of the disaster. A second car, No. 1, held at Butte, Mont., was ordered held in readiness for the journey in case it was needed.

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