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THIRD CONFERENCE FAILS TO SETTLE COAL CONTROVERSY; FIRST CALL OFF THE STRIKE

Atty.-General Palmer Tells Labor Delegation Injunction Would Be Dismissed Instant That Is Done

HEARING SET FOR TODAY MAY BE POSTPONED

New Plan of Ending Struggle Is Mooted, and If Those Representing the Strikers Ask For More Time The Department of Justice May Not Object; But the "Calling Off of the Strike Is the Only Thing That Can Stop Court Proceedings," Mr. Palmer Declared

(By Associated Press.)
Washington, Nov. 7.—Eleventh hour efforts by Samuel Gompers to settle the coal strike were met tonight by emphatic declaration from the government that injunction proceedings would be dismissed the instant the strike order was withdrawn—and not before.

This final decision was given to Mr. Gompers, leading a delegation of the labor officials at the close of the third conference of the day with Attorney General Palmer, and after Mr. Gompers had talked over the telephone with John L. Lewis, Acting President of the United Mine Workers of America, at Indianapolis.

The aged President of the American Federation of Labor, fighting hard to have the government drop its injunction suit, set for a hearing tomorrow, plainly showed that he was under a severe strain as he left the department of justice—flatly and bluntly refusing on his way out to say one word about the trio of conferences or hope of ending the strike of more than 400,000 miners before the United States could press its suit against officers of the miners organization.

No further statement from Palmer. Attorney General Palmer, to whom Mr. Gompers referred all requests for information, refused to see newspaper men.

"Mr. Palmer wishes me to say that he will make no statement tonight other than that he made as he left the cabinet meeting," his special secretary announced.

There were only eighteen words in the statement of Mr. Palmer dictated to newspaper men as he left the White House after the cabinet meeting and an earlier brief conference with President Wilson.

Must Call Off Strike First.
"The injunction proceedings against the coal miners' leaders will be dismissed the instant the strike order is recalled," the attorney general said and his utterance stood tonight as the final word from the government on the era of what may prove the beginning tomorrow of the greatest labor union litigation in the history of the country.

Hearing May Be Postponed.
Through the day, at Washington, that the government and the miners were considering new plans for ending the struggle without further resort to law, the feeling grew that hearing on the restraining order, set for tomorrow morning in the Federal court before Judge Anderson at Indianapolis, would be postponed "without prejudice to either side."

Government's Ultimatum.
The Department of Justice will not ask for a postponement but whether it might oppose the request if miners asked for more time, not an unusual proceeding, officials declined to say.

"The only thing that can stop the proceedings started by the United States is for the miners to call off the strike," the attorney general reiterated, time and again.

RESTRICTIONS ON USE OF COAL DURING SHORTAGE
Chicago, Ill., Nov. 7.—(By the Associated Press.)—Curtailed of passenger train service, discontinuance of bunkering of foreign owned vessels at American ports, restrictions in some places of the use of public utilities and appeal for coal from various cities as the strike against approximately 425,000 bituminous coal miners today rounded out its first week gave the nation further indications of the distress in store should there be a protracted suspension of mining operations.

EXTENSION OF FUEL CONTROL ACT NECESSARY TO PREVENT HIGH PRICES, ATTY.-GENERAL TELLS HOUSE COMMITTEE

(By The Associated Press.)
Washington, Nov. 7.—Extension of the Lever Food and Fuel Control law for six months after the proclamation of peace is necessary to protect the country from high prices, Attorney General Palmer today told the House Agriculture committee.

"Unnatural economic conditions," the Attorney General said would be taken "advantage of by unscrupulous people," to make prices high unless the powers granted under the act are continued in force. These conditions, he said, prevailed throughout the world.

More Necessary Now Than Ever.
"The conditions in the country immediately following peace make it even more necessary that the law be continued than the conditions that prevailed and led to the enactment of the original act," said the Attorney General.

"The act originally had for its purpose the increase of production and to protect the people from war time conditions that result in very high prices. Since the armistice prices have very largely increased and unless the government control is continued over some commodities the after war conditions may result in higher prices than during the war itself."

Suggestions by committee men that extension of all sections of the law was unnecessary were answered, the Attorney General urging blanket extension for he said unexpected "situations might arise," and that the mere existence of the law would be of wholesome influence.

"The main purpose of the extension would be to stop profiteering," declared the Attorney General.

EARNESTNESS OF LEADER GOMPERS

His Persistent Pleas Regarded As Earnest Desire To Restore Peace

Washington, Nov. 7.—The persistency with which Mr. Gompers presented plea after plea to the attorney general indicated his earnest desire to bring peace to the coal fields before the battle is waged more heatedly in the Federal courts. Accompanied by Matthew Wolf, vice president, and Frank Morrison, secretary of the American Federation of Labor, Mr. Gompers saw Mr. Palmer before the latter went to the White House for a word with the President and to outline the strike situation to the cabinet.

The second meeting took place immediately after the cabinet session adjourned. It lasted an hour and when the labor leaders departed they were far more cheerful than they seemed tonight. Mr. Gompers told the attorney general they would return later, and Mr. Palmer intimated that Mr. Gompers would talk meanwhile with Lewis.

Equally Earnest About This.
Somebody asked Mr. Gompers as he was entering the elevator after his third conference with the attorney general if he had talked with Lewis. He wheeled about, and snapped out that he would not answer that and would not say anything at all about any of the conferences or the coal strike.

Various theories were advanced as to the apparent difference in the attitude of the labor leaders after the second and third conferences. Returning to his office tonight Mr. Gompers remained there for several hours and was in communication with labor officials here and elsewhere.

Not much came out of the cabinet meeting, all of the members declined to say what was taken up, although Secretary Glas, a trifle more communicative turned his questioners away by saying it was just an hour and a half wasted.

LABOR CONFERENCE HEARS DOCTRINE OF TO M. MARSHALL

Vice-President "Objects To Classes In A World Where God Made Man"

HOPES GOLDEN MEAN MAY BE REACHED BY DELEGATES

Conference Adjourned Till Monday After Accepting Invitation of Secretary of Navy To Make Trip On Mayflower To Mt. Vernon Today; Delegate Paid Tribute Wilson

Washington, Nov. 7.—Vice-President Marshall visited the International Labor Conference late today, making a short address and shaking hands with the delegates. The visit came as a surprise at a moment when the labor delegates were putting forward amendments to the convention on hours of work.

Announcing that he spoke for nobody but himself, the Vice-President told the delegates that he "occupied the most unique position of any official on the face of the globe," for the reason that "I am without power or authority, or influence."

Mr. Marshall stated that he did not know enough about the problems before the conference to discuss them intelligently.

Troubles of His Own.
"I have troubles enough of my own," he said, adding amid laughter and applause, "I preside over the Senate of the United States."

"But I do have some idea as to how the many wrongs which exist in the relations of labor and capital are to be solved," he said, "and I cannot help saying this to you: For God's sake, get at the solution of these problems in a spirit of amity and concord and friendship and common human sympathy."

The vice president objected to referring to legislation in the interest of the "laboring class" or any other class, saying "I object to classes in a world where God made man." He proceeded to classify legislation into two groups, the first being that which lacks the support of the people and therefore creates trouble and turmoil, and the second, or successful sort "which seeks to crystallize into the law of the land the public opinion of the country."

His closing statement was a wish that a "golden mean" might be reached in the conference after "radicals" and "conservatives" had expressed their views.

Tribute to Wilson.
In offering a motion to thank Vice President Marshall for his address, George N. Barnes, member of the British war ministry, and government delegate, said he regretted the absence of President Wilson, who he said, had made "such magnificent efforts on behalf of the democracies of the world."

The conference before adjourning until Monday accepted an invitation from Secretary Daniels to make a trip tomorrow on the Mayflower to Mount Vernon.

Watch Presented to Tar Heel Corporal Who Returned With Great Record
Clinton, Nov. 7.—Lieutenant Belvin Maynard made no flights at the Sampson fair today. The big machine with which he thrilled the world in his transcontinental flights last month lies shorn of all power to fly in the sands of the fair grounds where it fell yesterday upon his return from a visit to Wilmington. It is an impotent, inanimate thing, minus wheels and propeller. Tricix, the flying dog, and a lone artillery man guard it from hands of those who would pick it to pieces for souvenirs.

A tremendous crowd came to Clinton today to see the final flights of the Flying Parson over his home soil. Their disappointment was dulled by the presence of Corporal Isaac M. Newton, a modest Sampson county youth, who is officially accredited with the second biggest individual feat of the late war. Newton bluffed seventy-eight German officers and men into surrendering to him in the American offensive of September last year. He was decorated with the distinguished service cross for this feat.

NO INDICATIONS OF POSPONEMENT AT INDIANAPOLIS

Injunction Proceedings in Coal Miners Strike May Be Heard Today

ATTORNEYS FOR MINERS WILL ASK DISMISSAL

If Their Efforts Fail They Will Ask For Modification So As To Allow Use of Benefit Fund; Situation As Reviewed at Late Hour Last Night

Indianapolis, Ind., Nov. 7.—There was no indication here tonight that an effort would be made to have injunction proceedings against the striking coal miners, set for hearing tomorrow in Federal court postponed, and attorneys for the government declared they were prepared to carry out their program.

Attorneys for the miners tonight stated they would make no effort to secure a continuance of the hearing, but that if their efforts failed to secure dismissal of the case, they would ask for a modification of the injunction to allow use of the strike benefit fund.

Lewis Refuses to Talk.
Officials of the United Mine Workers of America, at international headquarters here, also refused to discuss the court action tomorrow or the possibility of settling the strike outside of the courts. John L. Lewis, acting president of the organization, when asked tonight about the report that Samuel Gompers had communicated with him concerning his conferences with Attorney General Palmer today, would only reply that he had nothing to say.

The injunction proceedings come up in court tomorrow morning. It is expected that first argument will be on the miners motion for dismissal of the government's petition for injunction. This motion attacks the government's right to interfere in the strike situation and declares that President Wilson exceeded his authority in re-establishing the national fuel administration.

If this motion is overruled by the court, the government's petition for a temporary injunction to prevent mine workers' leaders from participating in the conduct of the strike will be argued. This petition is in addition to asking that the present restraining order be made a permanent injunction, asks for a court order to compel the miners' heads to withdraw their strike call.

Permanent Injunction?
It was pointed out today that although the government's petition asks for a temporary injunction at this time, Judge Anderson may, if he thinks advisable, make the injunction permanent.

In their defense against that part of the government's prayer for a mandatory order to rescind the strike, the miners, it is understood will bring up the question of whether or not the union officials can call off the strike if ordered by the court. The miners have contended at all times since the strike call was issued that as the walkout was ordered by the Cleveland convention they were powerless to arrest it and that only another session of the convention could authorize the miners to return to work. The union's lawyers also will invoke the Clayton law of 1914 which they say, prevents interference in any disputes between employers and employees on wages.

Two Points To Be Pressed.
Two points to be pressed by the government are that the Lever law for the control of fuel is in effect, despite the miners contention that it would not apply because the war "had ceased progressively," and that since the railroads are guaranteed a certain income by the government, the United States would be forced to pay the railroads in excess of the amount necessary if operation were continued as usual. The latter point presents the question of property right and injury, which is said to be necessary to secure the restraining order.

The government's case will be in charge of C. B. Ames assistant attorney general who arrived today from Washington. He will be assisted by Henry S. Mitchell, who accompanied him to Indianapolis; Dan W. Simms, of La Fayette, Ind., special district attorney, appointed in the case, and United States District Attorney L. E. Strick, of Indianapolis. The miners' counsel is headed by Henry Warrum, of Indianapolis and includes several attorneys who in the past have represented the various districts of the mine workers.

WEBB TO SIT AS JUDGE ON COURT OF APPEALS
Judge Pritchard Pays New Jurist Compliment of Invitation.
Shelby, Nov. 7.—A distinct compliment was paid Judge E. V. Webb in a telegram which he received today from Judge Pritchard, inviting him to sit as one of the appellate judges on the Circuit Court of Appeals beginning Monday. He wired his resignation as congressman today to Governor Bickett, effective Monday and has accepted Judge Pritchard's invitation, so his initial work as jurist will be at Richmond. As senior judge, Justice Pritchard has power to call either of the ten district judges in five states and the honor is very distinct for Mr. Webb, the newest in the jurisdiction of the Circuit court.

Judge Webb will hand in his resignation to the Speaker of the House. He will hold the Asheville court, which has been adjourned until November 24. In all probability Judge Webb will make his official headquarters in Charlotte.

RESULT OF OHIO ELECTION STILL IS UNDETERMINED

Take Official Count To Prove Fate of National Prohibition Amendment

TWO OF DRY PROPOSALS WON BY PROHIBITIONISTS

Stronger, 2.75 Per Cent Beer Defeated By 15,000; Proposal To Repeal State Dry Law Beaten By 30,000; But State Prohibition Enforcement Act Lost By 25,000

Columbus, O., Nov. 7.—(Election)—Whether Ohio voters Tuesday approved the state legislature's action in ratifying the Federal prohibition amendment or repudiated the ratification will be determined only by the official count of the votes cast.

Computations Too Close.
Complete official and unofficial returns from 86 of the 88 counties less seven precincts compiled by the secretary of State show a wet majority of 2,163 against the proposal. Newspaper returns from the two missing counties give dry majorities in those counties of 1,930, which would reduce the wet majority to only 204.

If the missing precincts give dry majorities equal to last year's statistics figure that the apparent wet majority will be turned into a dry majority of 83 votes, thus upholding the legislature's action in ratifying the amendment.

Both Sides Admit Close Vote.
Secretary of State Smith, L. H. Gibson, Manager of the Ohio Home Rule Association and James A. White, Manager of the Ohio Dry Federation, admitted this evening the vote is so close the official count will decide the result. Gibson, however, claims the official count will show the wets victors with defeat of the proposal, while White is equally as firm in his contention that it will show the dries victors and the ratification sustained.

Official Canvass Begins Monday.
Official canvass of the vote will not be commenced until Monday and this may take a week or ten days.

Of the 86 counties reporting this evening, 62 were certified by the county election boards as official, while 24 are certified as unofficial being the first results obtained without a rechecking of the precinct vote. While, as a general rule, there is not much difference between the totals submitted as official and those given as unofficial mistakes often are discovered which in a close election may change the entire result in the State, it was said.

Result on Other Proposals.
Interest today in the election results was confined exclusively to the Federal prohibition amendment, the other three prohibition proposals being considered definitely disposed of. The 2.75 per cent beer proposal is conceded by all parties to have been defeated by the dries by more than 15,000. The proposal to repeal state-wide prohibition also conceded to have been defeated by the dries by more than 30,000, while the Crabbe State prohibition enforcement act it conceded to have been defeated by the wets by approximately 25,000.

NATION-WIDE RAID ON ANARCHISTS

Arrests in Various Cities and Many Are Held For Deportation

Hundreds of radicals, including many described as among the most dangerous anarchists agitators in the country, were arrested last night by Department of Justice agents in simultaneous raids upon radical headquarters in many cities of the United States. It was learned that thirty-six warrants had been issued by commissioner general of immigration Caminetti for men in New York considered particularly active in creating unrest, and it was reported that these men had been caught.

A nation-wide plot to defy government authority openly is said to have been nipped in the bud upon the eve of the second anniversary of the establishment of the Russian Soviet government. This plot, it is alleged, had been advocated for weeks by combined radical elements throughout the United States, including the I. W. W., Anarchists and Russian agitators.

Plans for the raid, which took place in New York, Philadelphia, Chicago, Detroit, St. Louis, Newark, New Jersey, Jackson, Mich., Waterbury and Ansonia, Conn., and other cities have been in preparation for weeks, it was said in Washington.

SENATE ADOPTS MAJORITY PREAMBLE TO RESOLUTIONS

Initial Test of Strength On Reservation Program Found

Republicans United Except McCumber

FIRST OF THE FOURTEEN PENDING AT ADJOURNMENT

Senator Hitchcock Conferred With President, What Mr. Wilson Is Said To Have Urged; Assured Leader of His Support in Contemplated Program; Plan To Vote Against Treaty and Deadlock Ratification Fight and What May Come of It

Washington, D. C., Nov. 7.—As it was adopted by the Senate the reservation preamble was as follows:
"The reservations and understandings by the Senate are to be made a part and condition of the resolution of ratification which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and condition of said resolution of ratification by at least three of the four principal allied and associated powers, to-wit: Great Britain, France, Italy, and Japan."

Washington, Nov. 7.—The first affirmative step toward qualification of the peace treaty was taken today by the Senate after administration leaders, with the backing of President Wilson, had reaffirmed their intention of voting against ratification if the reservations drawn by the Senate Majority are adopted.

The initial test of strength on the reservation program of the foreign relations committee found the Republicans almost solidly united behind it, the group of mild reservationists who helped mill the committee's amendments and the irreconcilable group of treaty foes standing together for the first time since the long treaty fight began.

Preamble Wins 48 to 40.
By a vote of 48 to 40, the Senate approved after all efforts to amend it had failed, the committee's preamble to the reservation program requiring that to make the treaty binding, at least three of the four great powers must accept the Senate qualifications. The only Republican who did not swing into line for the proposal was Senator McCumber, of North Dakota, while three Democrats, Senators Reed, Missouri, Gore, Oklahoma, and Walsh, Mass., voted with the majority.

When adjournment was reached the first of the fourteen reservations was under debate, and Republican leaders were claiming they had safe majorities pledged for the entire group.

New Offer Tard Down.
The mild reservationists it was declared had turned down a new Democratic offer of compromise while the irreconcilable wing was devising a plan of action by which they hoped to defeat the treaty entirely. The best claim made by the administration forces was that the treaty would be wedged into a deadlock which in the end would make a compromise inevitable.

Plan for a Deadlock.
The plan to vote against the treaty and thus deadlock the ratification fight was declared to have President Wilson's unqualified support. Senator Hitchcock of Nebraska, the Democratic leader, saw the President during the day for the first time since Mr. Wilson returned from his speaking tour and went over with him the entire situation surrounding the treaty in the Senate. Afterward Mr. Hitchcock said the executive regarded the committee reservations as "destructive," and the preamble as "very embarrassing," and advised the administration Senators to stand by their guns.

What President Told Hitchcock.
The President was said to have asserted an aggressive opposition to acceptance of reservations which would impair the treaty, but to have shown a willingness to leave the matter of a compromise in the hands of the administration Senators, to be worked out after the deadlock stage had been reached. Mr. Wilson explained, Senator Hitchcock said, that he had acted for the administration leader to give assurance of his support in the contemplated program and of his gratitude over the successful fight against amendments.

No Compromise, Says Hitchcock.
After the White House conference the Democratic leader declared his conviction that there would be no compromise until the deadlock actually had developed. He conceded that most of the committee reservations would be written into the ratification resolution and that after the latter had been killed by Democratic votes an unqualified ratification resolution also would probably fail. Then the time would be ripe, he declared, for the Senators favoring ratification without reservations and those wanting ratification with reservations to get together.

Will Go No Further.
By leaders of the reservation Republicans the possibility of such a compromise was emphatically denied, and it was declared the group had gone as far as it would go in curtailing treaty qualifications. Feelers had been thrown out immediately after Senator Hitchcock returned from the White House these Senators declared, and had been absolutely fruitless. They were more uncertain as to what might happen, however, should the irreconcilable enemies of the treaty adopt the course, said to be advocated by some of them, of demanding more drastic reservations as the price of keeping the Republican majority intact.

With the same line-up the Senate rejected 48 to 40 two proposals by Senator McCumber to modify the acceptance requirement and also vote down 63 to 25 a motion by Senator Borah, Republican, of Idaho, to require acceptance by all four of the powers named. An amendment by Senator King, Democrat, of Utah, to make tacit recognition of the United States as a party to the treaty equivalent to affirmative acceptance of the qualifications was defeated 45 to 42.

NEW PROVISION AS TO SHORT LINE R. R.

Added By House Committee To Draft of Permanent Ry. Legislation

Washington, Nov. 7.—With the return of the railroads to private operation, shortline roads, although they have not been under Federal control, would receive the financial aid from the government similar to that given the larger systems now operated by the government under a provision adopted today by the House interstate commerce committee as a part of its draft of permanent railroad legislation.

The new sections approved by the committee provide payment for six months of amounts equal to the rental of the short lines would be entitled to have received under the rail control law, had these lines been retained for operation by the railroad administration. The short lines also would be given the privilege of obtaining government loans.

Considerable opposition to the sections was manifested during the committee consideration, objections being raised that subsidies were being granted the carriers.

All provisions of the House subcommittee draft of the railroad bill relating to extension of control by the Interstate Commerce Commission over coastwise and inland water carriers were today eliminated by the committee which twice voted to deny the commission control of port to port rates.

The committee began consideration of the labor sections of the measure, but no decision was reached. The discussion indicated that anti-strike legislation similar to that in the Senate bill would not be adopted, although Representative Webster, Republican, Washington, announced his intention of offering such a proposal.

COAL FOR CUBAN SUGAR REFINERS

Provided They Sign Agreement To Ship Production To United States

Washington, Nov. 7.—Appeals of sugar refiners in Cuba for coal were met conditionally tonight through orders issued by the railroad administration's central coal committee which modify the original export coal embargo. Under the new regulations the Cuban refiners will be permitted to buy coal here provided they sign agreements to ship their sugar production to this country.

The sugar shortage in the United States was admitted to have been the deciding factor in the discussion to change the committee's embargo. Estimates of the amount of coal required by the Cuban refiners varied but officials believed the amount would not be sufficiently large to affect materially the American coal stocks. Relief from the sugar shortage obtained as a result of the exchange now permitted is expected to be felt in the next two weeks.

TWO DEATHS REPORTED IN ATLANTA HOTEL FIRE

Atlanta, Ga., Nov. 7.—Two deaths late today from injuries received in the fire here early today at the Wilson Hotel brought the total number of dead to five. Half a dozen men and women who were injured are expected to recover and a score were rescued unharmed.

James Thompson, 21, Atlanta, who leaped from a window, died during the afternoon shortly after J. C. Maulding, 22, Atlanta, had succumbed. It was young Maulding's fatal leap that gave rise to the report that a woman had lost her life as a result of the fire. The other dead are: Sergeant Echley Fleck, 31, Silver Valley, Texas, member Camp Gordon military police. George Fitzpatrick, sailor, about 21, said to be from Chicago. Captain Proctor B. Lawrence, 75, dry clerk at the hotel.

WHY THESE SHIPS MAY NOT STOP FOR LOCK OF COAL
Miami, Fla., Nov. 7.—While the majority of vessels sailing from this port, in the Bahamas Island and Cuban trade, by the British flag, the government has on the coasting of foreign ships during the strike of soft coal miners will have the effect of them, except possibly two large craft, and these may be transferred to American registry, or be equipped with oil burning engines. Nearly all vessels in foreign trade here are equipped with auxiliary engines burning either oil or gasoline.

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