

WEATHER:
Fair Thursday and Friday, not much change in temperature.

The News and Observer

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VOL. CX. NO. 157. TWENTY PAGES TODAY. RALEIGH, N. C., THURSDAY MORNING, DECEMBER 4, 1919. TWENTY PAGES TODAY. PRICE: FIVE CENTS.

GOVERNMENT AGAIN ASKS POWERS OF COURTS IN AN EFFORT TO STOP STRIKE

Information Charging Criminal Contempt of Court Filed In United States Court Against Miners

84 LEADERS OF UNION OF MINE WORKERS TO BE CALLED FOR TRIAL

Acting President John L. Lewis and Secretary William Green, of the International Organization, Among Those Cited To Appear By Special District Attorney; Action Against Officers of Two Local Unions For Payment of Strike Benefits Also Contemplated; Banks May Also Be Prosecuted

Indianapolis, Ind., Dec. 3.—The United States government today again invoked the powers of the Federal courts in an effort to end the strike of 400,000 bituminous coal miners of the country. Information charging criminal contempt of court was filed in the United States District Court here against 84 international and district officers of the United Mine Workers of America named in the court injunction issued immediately after the strike was called, and captions requiring their appearance to answer the charges were issued late today. It is alleged that all of the officers have conspired to keep the strike in force and thus have violated the terms of the injunction.

Hearing Next Tuesday. Acting President John L. Lewis, Secretary-Treasurer William Green, Percy Tetlow, statistician, and Ellis Series, editor of the United Mine Workers Journal, the only officials of the organization in Indianapolis, were notified of the action and agreed to report to court tomorrow to furnish bonds, fixed at \$10,000 by Federal Judge A. B. Anderson.

Other officials in the jurisdiction of the Federal Court here include Edward Stewart and William Mitchell, of Terre Haute, officials of district No. 11, of the mine workers, will be served as soon as possible, government officials stated, and all will be required to appear at 10 o'clock next Tuesday morning for hearing.

Den W. Simms, of Lafayette, Ind., special United States District Attorney, in charge of enforcement of the injunction, stated today that the proceedings against the miners' representatives will be pushed and that removal proceedings to obtain the appearance in court here of officers who reside outside of Indiana will be instituted at once.

Action Against Unions. Mr. Simms announced that proceedings against officers of two local unions at Clinton, Ind., also would be instituted very soon, charging them specifically with violations of the injunction by payment of strike benefits to miners. Local No. 2711, officials, he declared, had paid benefits by check, attempting to "camouflage" the real nature of the action by stating that they were for over-payment of dues. Local No. 39, he said, drew one check for \$800 and distributed currency among its members.

In connection with the issuance of strike benefits, Mr. Simms again declared that the injunction extends to any persons whether or not a miner, who in any way encourages the strike and said that banks which honored checks drawn against a strike benefit fund were liable to prosecution.

Mr. Simms stated that the citations against the men named today were only a start in the prosecution against alleged violators of the injunction and that the action might be expected soon.

To Continue Prosecution. "It is the government's purpose," Mr. Simms said, "to continue prosecution as fast as evidence can be prepared and filed with the court against all officers of every local who are conspiring by concerted effort to keep the strike in force. Refusal to return to work, if a miner knows of the injunction and the subsequent order of the injunction, and the government will proceed on this theory, regardless of whether officers are guilty of some specific act in encouragement of the strike.

The government waited patiently while the conference was going on in Washington hoping that some plan for averting the impending disaster consequent on the shortage of fuel would be evolved. After the conference closed, the government directed the operators to reopen their mines and advanced wages 14 per cent. The government again waited patiently for some action on the part of the miners looking toward resumption of work. The officials not only failed to make any effort to bring about an end to the strike, but in numerous statements to representatives of The Associated Press and newspapers, encouraged its continuance. During every moment of this period of waiting all officers of the union have violated the injunction and the government has exhausted its patience.

DISCUSS NEED OF CHANGES IN RATES

North Carolina Corporation Commission Presents Case In Washington

ATTORNEYS ARGUE FOR NEED OF A REVISION

"Virginia Cities" Case Involving Freight Charges Discriminatory Against Points In This State Presented To Interstate Commerce Body For Adjustment

The News and Observer Bureau, 603 District National Bank Building. By R. E. POWELL. (By Special Licensed Wire.) Washington, Dec. 3.—Attorneys for the North Carolina Corporation Commission, the North Carolina Chamber of Commerce and the railroads today argued before the Interstate Commerce Commission the "Virginia Cities" case involving freight rates discriminatory against points in North Carolina.

Edgar Watkins, of Atlanta, made the argument for the State Corporation Commission and J. Howard Fishback, interstate commerce practitioner, argued the case for the several chambers of commerce interested. Charles J. Rixey, one of the leading attorneys for the carriers, argued the other side.

Mr. Rixey, at points in his argument, sharply attacked the recommendations of Attorney Examiner Eyrnside which, if adopted, would give North Carolina a substantial reduction in rates northward and between North Carolina and South Carolina. He referred to the present interstate scale as the lowest in the South, but didn't go into the recommendation of the examiner involving this phase of the case.

Hearing Lasts All Day. Mr. Watkins declared that the reference of the attorney examiner to interstate rates was unauthorized. Mr. Fishback said that it presented a very serious matter.

To case came before eight of the nine members of the commission today, the hearing beginning at 10:30 and lasting until 4:30 this afternoon. Members of the commission, particularly Commissioner Eastman, manifested a close interest in the argument of counsel and frequently interrupted the speeches to get at particular parts of the case.

The burden of the argument by Mr. Rixey was a plea not to disturb existing rates, although admittedly inequitable, for the reason that roads, when returned to private owners, would complete the revision of rates in the southeast begun in 1916, which gave no relief to North Carolina.

DANIELS TO SPEAK IN CHARLOTTE IN SUPPORT OF HOEY

Secretary of Navy Accepts Invitation To Make Address In The Campaign

SENATOR SIMMONS GOES INTO DISTRICT MONDAY

Senator Joe Robinson Will Be Last of Heavy Artillery To Invade District In Interest of Democratic Nominee For Congress; Coal Situation In State Acute

The News and Observer Bureau, 603 District National Bank Bldg. By R. E. POWELL. (By Special Licensed Wire.) Washington, Dec. 3.—Secretary Joseph Daniels will leave here Tuesday night of next week for Charlotte, where, on Wednesday, he will make a speech in the Mecklenburg capital for Clyde Hoey, Democratic nominee for Congress from the Ninth District.

Mr. Daniels decided today that he would make the trip to the State and "take the stump" in behalf of Mr. Hoey. There was no definite announcement made today as to when Senator Simmons would go, but in all probability he will make a speech in Charlotte next Monday.

Senator Joe Robinson will be the last of the heavy artillery to speak in the interest of the Democratic nominee, and while no date has been fixed for his visit to the district, it is expected tonight that he will leave the latter part of next week.

Coal Situation Acute. From the numerous telegrams and letters from all sections of North Carolina to the congressional delegation from that State it is concluded that the coal situation there is acute and calls for immediate consideration on the part of the government.

Both Senator Overman and Senator Simmons, as well as the Representatives have been appealed to for relief and they have acted promptly in the matter, employing their best endeavors to secure modification of drastic orders, and to have certain unnecessary ones rescinded. It seems that the combined efforts of the delegation have resulted in modification of the order requiring business houses to close at 4 o'clock p. m., and suspension of the order forbidding the consumption of hydraulic power.

Protest has gone up from all over the South that discrimination against that section has been made in the orders regulating the use of coal, but it was learned today that there has been no discrimination made in the matter by the Washington authorities against any section of the country.

Regional Committee Responsible. The situation as to the administration of this authority is the Fuel Administration has turned over the coal distribution to the central coal committee of the United States Railroad Administration, and the 4 o'clock closing order for the Southern Regional Coal Committee at Atlanta, and not by the Washington authorities, as that committee has jurisdiction over the Southern section.

SENATE LEADERS STRIKE SNAGS IN THEIR PEACE PLAN

Republican Senators Want To Declare State of Peace By Concurrent Resolution

HOUSE CHAIRMAN SEES WORTH IN PROPOSITION

Proposal Faces Stubborn Democratic Opposition In Upper House and It Is Predicted That It Will Not Go To Vote In Near Future; To Repeal War-Time Legislation

Washington, Dec. 3.—The plan of Republican Senate leaders to declare a state of peace by concurrent resolution of Congress struck a snag today in the House.

Chairman Porter, of the Foreign affairs committee, said his committee had no intention of reporting out such a resolution and it was indicated that House leaders supported this position.

The position taken by the House Republicans was said to be that repeal of the war-time legislation which extends until peace is established would be a more acceptable method of restoring normal conditions and that the question of peace was one which the President and the Senate constituting the treaty-making power should determine.

The stand of the House Republican leaders was accepted as at least blocking the plan of Republican Senators to have the House act first on a peace resolution. In the Senate such a resolution has been presented by Senator Lodge, the Republican leader, and now is in the hands of the Foreign Relations Committee.

Members thought tonight that the committee probably would not take it up when it meets tomorrow for the first time in the new session. In the Senate the resolution faces stubborn Democratic opposition and it was predicted by many Senators that no effort to bring it to a vote would be made in the immediate future.

It was explained that while Chairman Porter opposed a concurrent resolution, he would not oppose a joint resolution which requires the President's signature. Democrats said the President never would sign such a resolution and that it could not be passed over his veto.

Palmer Asked to Give Opinion on Prohibition. Washington, Dec. 3.—Attorney General Palmer will be asked for an opinion as to whether a new proclamation declaring the constitutional prohibition amendment adopted will have to be issued as a result of the defeat of the amendment in Ohio, Secretary Lansing said today. A statement from the Secretary of State, of Ohio, informing the State Department of the recall of the amendment has been received at the department.

MODIFY ORDER FOR CONSERVING COAL; APPLIES TO SOUTH

Public Utilities and Private Plants Using Hydro-Electricity Exempted

STORES AND INDUSTRIES MUST LIMIT COAL USE

Between Hours of Four In Afternoon and Nine In Morning, Places of Business Must Not Use Heat, Light or Power Derived From Coal, Says Latest Order

Atlanta, Ga., Dec. 3.—Public utilities and private plants operated solely by hydro-electric power were exempted from shortened hours by the Regional Coal Committee today and industries, stores and other places of business were authorized to remain open between 4 p. m. and 9 a. m. provided that during the latter hours they use no heat, light or power derived in any fashion from coal, wood or gas. Grocery, meat and milk stores, barber shops and places of public amusement may be operated out of their hours provided they comply with the same regulations.

Hydro-electric plants will be required to show that no coal, wood or gas is used in generation of their electricity and that no coal, wood or gas is used in any way outside the regular hours. Heads of such plants were asked to come to Atlanta and furnish such proof to the committee as soon as possible.

Certain businesses and organizations were added tonight by the committee to those classes that are permitted to be operated at any time. These are wholesale druggists, drug manufacturers, churches, fraternal organizations, social clubs, coal mines and coal mine commissaries and other necessary branches of the coal mines. The committee added that gasoline filling stations may be operated until 9 p. m. and garages with the necessary safety lights at all hours.

The committee's statement extending the hours of stores and of hydro-electrically driven plants follows: "Industries, stores and other places of business may open before 9 a. m., and close later than 4 p. m., if outside of those hours they use no heat, light or power which was produced in any way with coal, wood or gas. This modification is made strictly upon the condition that these plants and places of business which use heat, during the hours fixed by the committee will shut off their fuel consumption at the same time it would be shut off if they were closing their doors at 4 p. m., and that heat will be used no earlier in the morning than allowed by the original regulations. Grocery, meat and milk stores, barber shops and places of public amusement, may operate outside of special hours fixed for them, if they comply with the above conditions.

"Evidence has been placed before the Southern Regional Coal Committee showing that in certain cities and towns of the region there are public utilities and private industrial plants which manufacture or use exclusively hydro-electric power, and whose operations, therefore, do not involve the consumption of coal or gas. Where such a situation exists, it is recognized that application of present restrictions designed to reduce fuel consumption is not necessary.

Revenue derived from the lower amounts assessed under war-time provisions of the laws may well be increased, said Mr. Glass, who added that the top-most amounts listed under these provisions already had passed their usefulness. The only consequence of increasing the tax on the larger sums under the war-time law, he said, would be to drive "possessors of great incomes to invest their wealth in billions of state and municipal securities," which are wholly tax exempt.

The Treasury plan seeks to raise more revenue from incomes above \$4,000 without attempting to disturb incomes of persons whose salaries barely meet living costs, as any change in that tax would only add a burden on a class unable to bear it.

RESOLUTION IN SENATE URGES WILSON TO SEVER RELATIONS WITH MEXICO

CAPTURE OF VILLA AGAIN REPORTED

Rebel Leader Declared To Be Held By His Men For Reward From Mexico

MEXICAN OFFICIALS TO INVESTIGATE ADVICES

Two Villa Men Said To Have Presented Themselves at Federal Headquarters in Parral To Give Information; Five Thousand Soldiers Pursuing Bandit

Juarez, Mexico, Dec. 3.—Francisco Villa has been captured by a force of his own men and is being held for a reward from the Mexican government according to advices received here late today by Superintendent Caballero, of the Chihuahua division of the National Railways of Mexico.

Two Villa rebels are reported to have presented themselves at the Federal headquarters at Parral and notified the commander there that Villa had been captured and was being held for reward. The State of Chihuahua has already offered fifty thousand pesos as reward.

Mexican officials here expressed the opinion that General Gonzalo Escobar, commander of the Juarez district, would proceed immediately to Chihuahua City for a conference with military officials.

P. W. Caballero, who received the news of the reported capture, is here on an inspection tour in company with Col. Paulino Fuentes, director general of the national railways of Mexico. Although the advices received by Caballero gave no details of the incident, it is known that a detachment of Federal forces has been sent from Parral to the place indicated by the two Villa rebels. So far as is known, the only offer of reward for the apprehension of Villa has been made by the state government of Chihuahua.

FIVE THOUSAND MEN SAID TO BE CHASING BANDIT. Galveston, Tex., Dec. 3.—Five thousand picked Mexican cavalrymen in five divisions are in hot pursuit of Francisco Villa, according to a statement by Mexican Consul Ferro, who said he received this information today. The men are under command of General Diegues and have orders to apprehend him dead or alive. The massacre of a regiment of Federal troops by Villistas recently reported from El Paso was declared false by the consul.

MEXICAN CONSUL GENERAL DENIES FALL'S CHARGES. New York, Dec. 3.—Roman P. de Negri, consul general here for Mexico, emphatically denied today that his office is now, or ever has been, engaged in distributing Bolshevik propaganda. He added that a continuous effort has been made to urge citizens of Mexico to comply with the laws and regulations of the United States.

Mr. de Negri when shown The Associated Press report of the declaration of Senator Fall, made the following statement: "The statements made by Senator Fall of New Mexico, this morning in the Senate, according to the press, have greatly surprised me. Undoubtedly an official of the rank of the United States Senator while making such statements, will be willing to prove their truthfulness if required to do so.

"I hereby emphatically deny that this office of my charge ever has or at the present time is engaged in distributing any Bolshevik propaganda.

Senator Fall Declares Evidence Has Been Found Which Would "Astound The World"

BOLDLY CHARGES THAT MEXICAN EMBASSY HAS AIDED IN BOLSHEVISM

New Mexico Senator Says Aid In Spreading Bolshevik Propaganda In United States Has Been Done With Consent of Carranza; Resolution Asks President To Withdraw Recognition of Carranza Government; Question Put Squarely Before Congress; Quick Action Expected

Washington, Dec. 3.—President Wilson was requested in a resolution introduced today in the Senate to sever diplomatic relations with Mexico. The resolution was offered by Senator Fall, Republican, of New Mexico, who as chairman of a sub-committee investigating the Mexican situation, declared evidence had been found which "would astound the world." It also asked that the President withdraw recognition of the Carranza government.

Senator Fall boldly charged that the Mexican embassy, the consulate generals in New York and San Francisco and the consulates along the border with the knowledge and consent of President Carranza, had been actively engaged in the spreading of Bolshevik propaganda in the United States. Evidence, it was said, would be forthcoming to bear out the charge.

Question Before Congress. By this resolution, which was sent to the Foreign Relations Committee of the Senate for consideration tomorrow the whole Mexican problem admittedly grave in view of the refusal of the Carranza administration to release Consul Agent Jenkins from the penitentiary at Probuia will be put before Congress.

The latest note from the State Department calling for the immediate release of Jenkins was laid before the Mexican government on Monday. Word to this effect reached the department today, but there was no intimation as to when an answer might be expected.

An early report from the committee on the Fall resolution is expected, and this will put the question squarely before the Senate, a question to a high pitch by recent murders of Americans in Mexico and the treatment of the American consular agent.

While Senator Fall did not indicate the exact nature of his evidence, it was said that he had obtained photographic copies of correspondent which would clearly show secret operations of the Mexican president and his official representatives in this country.

There also was introduced in the Senate a resolution by Senator Ashurst, Democrat, of Arizona, authorizing the Secretary of War to use the nation's forces for protecting its people on their own side of the border. For eight years Senator Ashurst said he had been waiting for the army to protect American rights along the border, and he felt that the time had come for action.

IMPORTANT!
Advertising in considerable quantity is being crowded out of The News and Observer daily, and a similar condition has been experienced for some time past.
The print paper shortage has compelled The News and Observer to establish a limited schedule averaging not more than 16 pages per day for week-day issues, and advertisers are urged to restrict their demands for space as far as possible.
In many cases half pages might be used instead of full pages, and like reductions on smaller advertisements. If very large advertisements will help out, all might be accommodated.
Late copy, however, will necessarily have to be first excluded where space ordered exceeds that available.
THE NEWS AND OBSERVER

Facilitating Mexican State. Mexico City, Nov. 19.—(By Mail.) Optimistic reports of the pacification of the state of Michoacan are sent from that state. Within a short time, it is said, the bandit leaders Jose Zapata, Felix Ireta and one called "El Ardillo" (the squirrel) have either been killed or have surrendered to Colonel Anacleto Lopez, in charge of Federal operations in the state.

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