

GREAT VICTORY FOR JOHN MITCHELL.

Offer of Operators Nearly Duplicates His Own Proposition.

There Is Joy In the Hard Coal Regions.

President Roosevelt More Than Pleased With the Situation.

Washington, Oct. 14.—The offer of the coal operators submitted to President Roosevelt last night through the medium of J. P. Morgan is regarded here as a practical surrender of President Baer of the Reading railroad and his associates. There is very little difference between this offer and the one made by Mitchell at the conference in the President's office Oct. 3, rejected at that time by the operators. Attached to Mitchell's proposition was a promise of immediate resumption of work and a stipulation of an agreement on a basis of the tribunal's award for any period from one to five years. Attached to the operators' present offer is a stipulation of immediate return to work without discrimination as be-

tween union and non-union men and a promise to be governed by the award of the President's commission for at least three years. The difference between the propositions, if there is any, is one of sentiment. Under the agreement which Mitchell proposed, there would have been a positive recognition of the union. Under the operators' proposition Mitchell and the mine workers' union are recognized to the extent that they are receiving almost the identical offer that they themselves submitted ten days ago. President Roosevelt is delighted with the outcome, and particularly pleased with the part Secretary Root played and the share he had in bringing about the result.

MITCHELL WILL NOT TALK---

JOY AMONG THE MINERS

Wilkesbarre, Pa., Oct. 14.—President Mitchell said, as he came down to breakfast this morning, that he had received no official notification of the proposed matter of arbitration, that he had no statement to make at this time, nor would he give one out for publication until such notification is made. Mitchell has summoned the district presidents and they are on the way to this city.

enough for one day?" Neither Secretary Root nor Mr. Bacon had anything to say on the strike situation. Morgan, accompanied by Bacon, left on his special train for New York, at 9:30.

Tamaqua, Pa., Oct. 14.—News that the coal operators had agreed to stand by the decision of a board of arbitrators was received with great satisfaction here. When the miners heard the news they looked at one another in wonder, scarcely believing that the struggle that had been waged so fiercely was to be brought to an end. There was little outward demonstration. Business people and the general public who have suffered considerable worry a different look this morning. Hope of a speedy settlement worked like magic on them.

THE OFFER OF THE OPERATORS

Washington, Oct. 14.—After a conference at the temporary White House last night between President Roosevelt, Secretary Root, J. P. Morgan and the latter's partner, Bacon, the announcement was made that the anthracite mine operators have proposed to arbitrate. The presidents of the coal-carrying railroads and mine operators propose a commission of five persons to adjust differences and settle the coal strike in the anthracite fields of Pennsylvania.

to be understood, and therefore make the following statement of facts: "There are in the anthracite regions about seventy-five operating companies and firms, and 147,000 miners and workmen (of whom 30,000 are under age) comprising some twenty nationalities and dialects.

"Of these workmen possibly one-half belong to the United Mine Workers' union, of which Mr. Mitchell is president. That organization was originally formed in the soft coal region and three-fourths of its members are miners of soft coal, and bituminous coal is sold in active competition with anthracite coal. The remaining workmen in the anthracite fields either belong to no union whatever, or do not belong to the Mine Workers' union.

"The present strike was declared by the Mine Workers' union on the tenth day of May, 1902. Since that time many workmen not belonging to or not willing to follow that organization were working in and about the mines. From 17,000 to 20,000 are now at work. Many more have wished to work but have been prevented by a course of violence and intimidation towards those working and towards their families, accompanied by the destruction of properties and the fear of death or bodily harm to every man who wishes to exercise his right to work.

"A schedule is annexed hereto showing some of the things done to create this reign of terror, and every instance stated can be verified by reference to the officers of the law—civil and military—in the anthracite region. This violence has continued and steadily increased, notwithstanding repeated disavowals by Mr. Mitchell, and it is clear that he either cannot or will not prevent it, and that the rights of the other workmen cannot be protected under the supremacy of the Mine Workers' union.

"The coal companies believe that the wages paid in the coal regions are fair and full, and that the business in its normal condition has been able to stand if the capital invested is to

(Continued on second page.)

THE WEATHER:
FAIR TONIGHT; WEDNESDAY
FAIR AND WARMER.

CELEBRATED

The 25th Anniversary of Their Marriage.

(Special Correspondence.)
Barberton, Oct. 14.—Mr. and Mrs. Lovine Boerstler, of West Barberton, celebrated their 25th wedding anniversary Saturday evening. A large number of friends were present and many gifts were received. Mr. Boerstler is an employe of the Alden Rubber Co.

GUILTY

The Plea of Boy Burglars.

Bound Over to the Grand Jury.

They Took Their Arrest Very Calmly.

Clarence Dessler, Chas. Green and Arthur Brown, the boys caught, following the discovery of three youths in a Cuyahoga Falls saloon, Sunday night, pleaded guilty to the charge of burglary Tuesday morning at the preliminary hearing before Mayor Doyle and were bound over to await the action of the grand jury. Bond was fixed at \$1,000.

Each of the trio is 17 years old, there being only three months' difference in the ages of the youngest and the oldest. They took their arraignment as an every day occurrence and answered His Honor's questions unhesitatingly.

On the police ticket, Dessler's occupation is given as telegraph operator. He has no home. Brown had on a new-fitting suit of clothes, a white collar, bow tie, patent leather shoes and appeared like a youth of leisure. Green, the colored youth, has made the acquaintance of the police before. Chief Durkin stated that Brown was the most remarkable of the trio, and committed petty thefts when he was three years old.

FOREIGN COAL

Bought by a Big Steamer Line For Importation.

Philadelphia, Oct. 14.—The Brauer Line Steamship company, operating between Philadelphia and New York and Hamburg, are reported to have purchased for importation to this country 20,000 tons of anthracite coal from Germany and 15,000 tons of anthracite coal from Southern Russia. The latter is to be shipped from Marlinopol, South Russia, during October and November.

The bulk of the coal that will come from Germany will be reimportations of Pennsylvania stove and chestnut grade exported to Germany and purchased from the Philadelphia and Reading Railroad company.

The British steamer Marianne is scheduled to sail from Hamburg for Philadelphia with the first cargo about October 15. The steamships North Point, Montauk Point and Manchester Market have all been chartered to load coal at Welsh ports for Philadelphia, New York and Boston.

THEY MUST PAY THE DOW TAX

(Special Correspondence.)
Columbus, O., Oct. 14.—In a decision rendered by Assistant Attorney General Todd to State Auditor Guilbert, Monday afternoon, he held that persons who sell liquors in houses of ill fame, and in municipalities which have voted to exclude such traffic, will not be permitted to evade the Dow law tax because such business happens to be illegal under the Winn and Beal laws. It is slightly incongruous that the State has by law prohibited a business under certain conditions and can still collect a special tax under those same conditions.

"To permit a person to plead," said Mr. Todd, "in defense, when charged with non-payment of the Dow tax, that the law prohibited the business it sought to tax, would be to permit him to take advantage of his own wrong doing." The State Auditor will order such collections to be made in every instance.

ARTHUR C. JOHNSON.

COUNCIL MAY PROVIDE FOR PURCHASE OF CITY HALL SITE AT SPECIAL SESSION TONIGHT

The City Commissioners today sold to the Security Savings bank the Dobson notes for \$12,500, given when the sale of the old City Hall site was made. In addition to selling the notes at par value, the city got \$227.68 accrued interest on them. There is now money enough in the Building fund for the purchase of the South Akron site, and a special meeting of Council has been called for this evening to adopt a resolution authorizing the Board to buy this site. The Councilmen favoring the South Akron site claim to have a majority of votes over the North Enders.

HOMERULE

Has Very Little Chance.

The Board Plan Is Being Forced

Upon Ohio by the Republican Bosses.

(Special Correspondence.)
Columbus, O., Oct. 14.—It looks very much as if the home rule element in the Legislative Code Conference committee, had given up hope of incorporating its ideas in the coming code bill. Mr. Guerin, who has been the leader of the home rule element in the committee, practically admitted defeat today, and stated that the House members are inclining strongly to the single-headed departments plan. The strongest kind of pressure is being brought to bear in favor of the board plan. That is where the battle ground is going to be. Of course Hanna and Foraker, consistent with their former attitudes, are advocating the board plan very strongly. Telegrams from Cincinnati business men are pouring in to the legislators, urging them to stand for the police board at least. In addition to his other troubles, Mr. Guerin was forced to admit, also, that the arbitration feature of the House bill will be eliminated as will the provision for the appointment of a state civil service commissioner.

The conference committee did not get together Monday as expected. Senators Harding, Patterson and Archer failed to show up. Harding is making Republican speeches instead of attending to business, and Patterson is very busy as head of the speakers' bureau at Republican state headquarters.

ARTHUR C. JOHNSON.

RINGING

Applause Greeted Johnson's Name.

Then Gov. Nash Was Sorry That He Spoke.

Findlay, O., Oct. 14.—When Gov. Nash mentioned the name of Tom Johnson in his speech here last night something transpired that was not down on the program.

Deafening applause greeted the mention of Cleveland's Mayor, and the Governor was forced to sit passively by until it subsided. The meeting was the opening one of the local campaign, and was preceded by a small parade. Senator Hanna had been advertised to speak, and the Marvin theatre was crowded from pit to dome. The Senator's indisposition keeping him in Cleveland, J. H. Shively, of Olympia, Wa., took his place.

Hon. Ralph D. Cole presided. Gov. Nash's speech was, as usual, confined largely to figures and statistics. He held up to ridicule the campaign for "home rule and just taxation" waged in Cleveland, and cited that city as a misgoverned municipality, while Cincinnati was held aloft as the model town of Republican rule. He essayed to answer Mayor Johnson's speech in this city a few weeks ago, and after the ovation to Mayor Johnson's name had subsided, he sought to show that Johnson claims to be the only Democrat that has been right in the last 40 years of state politics. Governor Nash warmly defended the railroads.

GREAT PRAISE FOR "THE CRISIS."

Manager John R. Pierce of the Colonial theatre received a telegram from Manager John L. Gibson of the Park theatre in Erie, Pa., this morning, regarding "The Crisis," which played there last night. "The play, company and production were among the finest in the history of my theatre," "The Crisis" comes to Akron tomorrow night.

SCANDAL

Growing Greater Instead of Less.

Recommended That Commissioner Wilson Be Ousted From Office.

The special committee of Council appointed to investigate the Grant st. paving scandal recommended to Council Monday evening that Contractor Wildes be exonerated from all charges of intentional fraud, but that City Commissioner Wilson be removed from office, upon the grounds of malfeasance in office, incompetency and neglect of duty, and also that the inspector of the improvement, Chas. E. Ruckle, be discharged. The trouble is over a charge of neglect on the part of the contractor to comply with the specification requiring him to put an eight-inch slag base under the pavement. At the meeting of Council a week ago, Councilman Piske, of the Eighth ward, reported that in some places the slagging was not more than two inches thick, and that the property owners were demanding that the specifications of the contract be complied with in every respect. As a result of this report, a special committee, composed of Councilmen Sawyer, Merz and Piske, was appointed to investigate the report. The investigation was made, and the report Monday evening was one of its results.

Mr. Sawyer, as chairman of the committee, read the report. He stated that in addition to the committee, all the members of the Board of City Commissioners and Councilman Ormes and Contractor James Wildes were present at the investigation. Twenty-three holes were dug at various places in the slag foundation laid between Palmer and South sts., and it was reported that the depth of the slag varied from two inches to nine and a half inches. This made the average amount of slag found 5.83 inches, 2.11 inches less than required by the specification. Only one hole was dug through the finished pavement, and the committee claimed that the slag base in which their investigation was made had apparently been completed ready for the laying of bricks. It had been rolled and made to conform to the grade of the street. In some places, it was stated, sand had been piled on where there ought to have been slag. The committee reported that Mr. Wildes should be exonerated from blame of intentional fraud, because he had not given the work personal supervision, but that he should be held for carelessness and neglect. He had trusted the work to employes, and the committee claimed that they had not fulfilled their duties properly. It was stated that the inspector had so far neglected the interests of the city that he ought to be discharged, and such action was recommended. Commissioner Wilson was accused of exhibiting an undue interest in behalf of the contractor, and of repeatedly declaring that the committee working in the interest of the city was not making proper measurements. In view of this, the committee recommended that he be removed from office, on the grounds that it is not for the best interests of the city to keep him there.

A motion to refer the report to the Street committee was presented, but later, it was decided to have the matter investigated again, this time by the whole Council, the Board of Commissioners and all city officials, and Messrs. Wm. Roach, John Gross and G. A. Kemple, disinterested citizens. After the reading of the report, Contractor Wildes took the floor and for about half an hour, belabored Mr. Sawyer with round after round of abuse, declaring that he acted unfairly in the matter, and that his whole scheme was to make a foundation for a big law suit, for the benefit of himself and his brother-in-law, Attorney E. F. Voris. He offered to bet \$500 against \$250 that the figures reported by the special committee were incorrect. Mr. Wildes' temper got the better of him, and he seemed to single Mr. Sawyer out as the prime mover in the whole affair, practically ignoring the other members of the committee. He said Mr. Sawyer had designed to blacken his reputation as a contractor.

As against the report of the committee, he offered freight receipts, showing the amount of slag that had been delivered on the street. "There is now more slag upon the street," he said, "than the specifications call for. These freight receipts show the weights of 100 car loads of slag, and will prove that we have put on the street from 150 to 300 yards more of slag than is required by the estimate of the City Civil Engineer. This ought to satisfy any fair-minded person."

"You must remember that after the slag was placed on the street a lot of wagons have driven over it, and that by reason of this, some of the slag has been worn down and particles of it carried away on the wet wheels of wagons. Your committee seemed to be disposed almost invariably to dig its test holes where it knew the wagon tracks would be found. You can see how unfair this was to me. I ask you to have the matter investigated fairly by people who understand how such work ought to be done. I will not take from the city one cent that is not due me, and I am willing to stand upon the merits of the work that we have done on this street."

Mr. Piske stated that Mr. Wilson had said at the meeting a week ago that nearly \$12,000 was due Mr. Wildes for work under the contract. "This was wrong," declared Mr. Piske. "We find that his bid for the contract amounted to something like \$21,000, and it can be shown that he has already drawn about \$19,000. Why hasn't the Engineer held back 10 per cent of the contractor's estimates, according to the provisions of the law, to guard the city against having to pay out money to make repairs?"

The figures of Mr. Piske, however, were wrong, as a result of a mistake in applying a certain estimate that was not made by Mr. Wildes. Engineer Payne corrected him by stating that Mr. Wildes has drawn only \$16,386. Mr. Piske declared that the figures reported by the committee, relative to its findings during the investigation, were correct, and that all the members would stand by them. Mr. Merz, another member of the committee, said the same thing, and a number of Grant st. citizens who were present stated that the report read by Mr. Sawyer was absolutely correct in every way.

City Commissioner Wilson said that he had done nothing during the investigation that he considered wrong. "I believed it my duty to see fair play administered to Contractor Wildes the same as to the city. The investigation was made by candle-light, and I still hold to the belief that the measurements taken were not correct. I believe that the contractor is doing a good job of work for us, and am willing to stand by him, in whatever I think is right."

In replying to the remarks of Contractor Wildes, imputing to Councilman Sawyer an ulterior motive in making the investigation, the latter said that he knew nothing about the condition of affairs on the street until the report of Mr. Piske was presented at the meeting a week ago. "I also made a special request," he added, "that I should not be placed on the committee. It was a job I didn't like, but once I got started in it, I was bound to report things just as I found them. The figures we reported are absolutely correct, to the best of our judgment, and the committee is unanimous in its report. We will stand by everything we have said."

No action has yet been taken upon the recommendation of the committee, as it has been thought best to wait until after the investigation to be made by the big committee of all the Councilmen and city officials and the three citizens selected. This investigation will be made Saturday afternoon, beginning at 2 o'clock.

Gallon Man's Frightful Death.

Crestline, O., Oct. 14.—Frank Ball, aged 65 years, a prominent resident of Gallon, met death in an awful manner Monday. He was trying to put a barrel in the cellar, and it got away from him, rolling over him and crushing his head in such a fearful manner that he died almost instantly.

ROUGH

Road For a Gas Franchise.

Application Made to Barberton Council.

Magic City Solons Will Demand a Good Bargain.

(Special Correspondence.)
Barberton, O., Oct. 14.—"We will not be governed by Akron," said Councilman Anthony.

"If they have flinched the Akron Council, they probably think that you will fall in line," said Solicitor Baker. "Don't you think it?" replied Anthony.

"The gas company must think we are a lot of spring chickens," said Councilman McCarty.

These are a few of the remarks that followed the reading of an ordinance to give the East Ohio Gas Co. a franchise in last night's Council meeting. The ordinance was very vague and will have to be altered greatly before it can pass the Council. No time limit was set on the franchise in the ordinance, the price to be charged for gas was to be the same as is charged in Akron, and several references were made in the ordinance to the City Commissioners. Barberton is unfortunate in that it has no such august body as the City Commissioners to help get rid of the people's coin.

Councilman Anthony thought that some provision should be made whereby the city would receive a portion of the gross receipts. "We might get enough in this manner to keep the streets clean," he remarked.

While the Councilmen desire natural gas, it is a safe wager that a franchise will not be rushed through unless the city gets something in return.

A Harvest Festival.

The feast of booths, or Succoth, a harvest festival in the Jewish church will be celebrated in the High st. temple beginning Wednesday evening at 7:30 o'clock. There will be appropriate decorations and Rabbi Philo will speak of "The Gospel of Joy."

Beautiful Duchess Regaining Health



Paris, Oct. 11.—The Duchess of Rochefoucauld, who is a daughter of United States Senator J. H. Mitchell, of Oregon, was successfully operated upon for appendicitis, and is rapidly recovering.