

NORTH DAKOTA FACES COAL STRIKE; SEIZURE OF MINES BY STATE; APPEAL TO U. S.

EXPECTED DRIVE ON BIRDZELL IS BEGUN BY LEAGUE

Courier-News Declares Associate Justice Would Aid in "Bank Wrecking"

INSIDE OUTS ARE GROWING

Colony of Prominent Nonpartisans Excommunicated By Townley Increasing

Associate Justice Luther E. Birdzell is the most recent Nonpartisan state official to be read out of the party by the Townley press. Judge Birdzell, as a result of his dissenting opinion in the Scandinavian-American bank matter, is accused by the Courier-News of Fargo, of which President A. C. Townley of the National Nonpartisan league is editorial director, with a desire to "lend the weight of the law to the protection of bank wreckers."

"He would," says the Courier-News, editorially, "have made the law parties criminals in a bank-wrecking."

President Townley has within the last year excommunicated more than a dozen high state officials, legislators and other public servants who were elected by the Nonpartisan league. The list included:

- Thomas Hall, secretary of state.
- William Langer, attorney general.
- Carl R. Kositzy, state auditor.
- F. E. Packard, assistant attorney general and former tax commissioner.
- Simon J. Nagel, former member of the state board of control.
- F. W. Mees, senator from Morton county.
- Fred J. Nims, representative from Ransom county.
- Henry Nathan, representative from McIntosh and Logan counties.
- John Nathan, representative from Sheridan county.
- E. W. Herbert, representative from Dunn county.
- J. A. Harris, representative from Oliver county.
- Charles E. Brown, senator from Cass county.

Luther E. Birdzell, associate justice of the supreme court.
Walter W. Liggett and many other league appointees have fallen by the wayside.

There have been occasional rumblings of Townley's displeasure with Overt A. Olson, state treasurer, and S. A. Olness, commissioner of insurance. Even Associate Justice J. E. Robinson, because of his independent criticism of certain phases of the league movement, has not been immune.

BIRDZELL'S MENTALITY
"It is perhaps sufficient commentary on Justice Birdzell's type of mentality, which puts judicial precedent ahead of all else," says the Courier-News editorial "to point out that if men of his kind had prevailed during past centuries we would still be enjoying the medieval trial of ordeal."

The Courier-News admits that "in order to prevent the bank-wreckers from doing irreparable damage to the bank and its stockholders and the state itself, the majority of the supreme court did not hesitate in time of crisis to smash a few precedents."

The Courier-News regards it fortunate for North Dakota that a majority of the supreme court believe that judicial precedents must sometimes be smashed in the interests of justice."

"If Justice Birdzell's wishes in the matter had been followed," the Courier-News contends, "the bank would still be in Langer's hands, the trial in the district court and the resultant appeal to the supreme court would have dragged on for months, and in the meantime it is evident, from the manner in which the wreckers began their work, that they would have wrecked the bank past hope of reconstruction."

In the Scandinavian-American bank matter Justice Birdzell, for the first time, dissented from a majority opinion in a case which vitally interested the National Nonpartisan league. In a number of similar instances Associate Justice Robinson has very vigorously dissented, and he has received his meet of criticism.

Today's Weather
For Twenty-four hours ending at noon, November 6.
Temperature at 7 a. m. 2
Temperature at noon 15
Highest yesterday 32
Lowest yesterday 21
Lowest last night 2
Precipitation None
Highest wind velocity NW-20

Forecast: Fair tonight and Friday; rising temperature Friday and north and west portions tonight.

Lowest Temperatures
Fargo 14
Williston 4
St. Paul 32
Winnipeg 4
Helena 20
Chicago 40
ORRIS W. ROBERTS
Meteorologist.

DEADLOCK STILL TIES UP MINING; FARMERS ACTING

Places of Strikers in Oklahoma Being Taken By Agriculturists

TOPEKA WITHOUT FUEL

Mid-West Director Appealed to For Relief—Confiscation Protested

Chicago, Ill., Nov. 6.—The disputes between bituminous coal mine operators and union miners which resulted in virtual cessation of production throughout the country, last Friday night today continued a deadlock.

As the approximately 425,000 miners remained idle for the sixth day, further steps had been taken to reduce the menace of a threatened coal shortage already imminent in some sections.

PASSENGER SERVICE CURTAILED
Six passenger trains had been removed from service on railroads in the middle west and Federal Fuel Administration Garfield had been clothed with full authority over prices, distribution and shipments of all fuel.

To the pleas of several Nebraska towns, Iowa and California added requests for relieving the threatened shortage. The mayor of Topeka telegraphed B. Hugh Rowe, middle west coal director at Chicago, that the city was without a ton of coal in its markets and "hundreds of families are in immediate need." California coal dealers asked for the release of coal confiscated by the federal fuel administration and the Iowa fuel administration complained against the continuation of services in luxurious trans continental trains.

FARMERS REOPEN MINES
Preparations for reopening the mines at McMurran, Okla., today with 450 men, mostly farmers, promised to be an interesting development.

General conditions surrounding the strike today remained virtually unchanged. No disorder or vandalism was reported.

RAILWAYS HAVE THIRTY SEVEN DAYS' COAL
Chicago, Ill., Nov. 6.—Railroads of the northwest region have a supply of 2,282,286 tons of coal adequate for 37 days, L. S. Carroll, chairman of the purchasing committee for railroads of that region announced today. Mr. Carroll added that no coal taken over in the northwest region would be used by the railroads but would go to commercial users.

TO ASK DISSOLUTION
Indianapolis, Ind., Nov. 6.—Attorney for the United Mine Workers of America some time today will file a motion in the federal court here for dissolution of the restraining order to prevent officials of the union from issuing instructions to the striking members it was learned today. The officials were in conference this morning with their attorneys, and it is understood have completed the writing of the motion.

Such motions in accordance with a court rule must be filed two days in advance of the argument. The hearing of the government's petition for a temporary restraining order has been set for Saturday and today is the last day for filing motions in the case.

COLD WEATHER COMING
Duluth, Minn., Nov. 6.—With temperatures of twenty or more below at Edmonton and throughout Saskatchewan Canada and with the wind coming from that direction that local government forester today stated that by late today northern Minnesota, the range country and northern Wisconsin will feel the first below zero weather of the winter.

Six inches of snow fell here and throughout northern Minnesota between 7 p. m., yesterday and 7 a. m. today.

GRAVE ROBBING IS BELGIAN EPIDEMIC
Brussels, Nov. 6.—Grave robbing in military cemeteries has become more or less frequent of late. The thefts of bodies are generally committed by persons hired by families anxious to have their dead brought to a particular cemetery or in the burial grounds of their home cities. Requests to remove the bodies have been refused by the authorities and the result is that these persons take the law into their own hands. Parents or relatives of soldiers have been frequently encountered near military cemeteries at night seeking to recover and to bury elsewhere their loved ones.

Rents Marcellus Home
Henry Tatley of this city who spends a considerable portion of his time in California, has rented the home recently built by A. V. Macellus at Los Angeles and is now occupying that house. Mr. Marcellus has returned to Bismarck and recently bought the Eastman Mercantile Co. of Wilton. He intends to remain here permanently now.

POSSIBLE DEVELOPMENTS OF TODAY IN NORTH DAKOTA STRIKE SITUATION

Refusal by the operators of President Drennan's demand for a sixty per cent flat increase.

Declaration by Governor Frazier of martial law.

Seizure of North Dakota's 200 lignite mines.

Appointment of Capt. I. P. Baker, former federal fuel administrator, to operate the coal mines on behalf of the state.

Proclamation by the state of a sixty per cent increase in wages for miners employed in state coal mines.

Increase in cost of coal to the people of \$1.25 to \$1.50 per ton.

Diversion to the treasuries of the mine locals, to be used as a strike fund, of \$48,000 per week, an average of \$24 per week for each union miner employed in North Dakota.

Probable application by the mine operators to the federal courts for mandatory writ preventing the state of North Dakota from violating the federal injunction against the coal strike.

Proclamation by the governor creating a regiment of state militia to effect the seizure of the mines and to enforce the state's orders for their operation.

OHIO WETS HOPE FOR VICTORY ON LATEST RETURNS

Early Indications of Big Winning For Dry Element Reversed Today

RATIFICATION TOTTERING
Columbus, O., Nov. 6.—Later returns today from Tuesday's prohibition election in Ohio seemed to shatter the election night's prediction of Secretary of State Smith that the dries had carried the four prohibition proposals voted upon by majorities ranging as high as 75,000.

Unofficial returns from 59 counties including all of the wet centers and big cities showed wet majorities on all four proposals and marginally large wet majorities against the Crabbe prohibition enforcement act and ratification of national prohibition.

State dry headquarters this morning admitted the probable defeat of the Crabbe bill, said the vote was very close on ratification, but insisted that the repeal of state-wide prohibition and the 275 percent beer amendment had been defeated by large votes.

H. Gibson, wet campaign manager, declared the Crabbe act overwhelmingly defeated and ratification decisively so.

BROKEN NECK IS FATAL TO HIGH FOOTBALL STAR
Neodesha, Kan., Nov. 6.—Lewis Moulton, a member of the Neodesha high school football squad died today from a broken neck received in football practice last Saturday.

LANGER TO NEW LEIPSIG FOR ADDRESS TO FARMERS
Attorney General Also Invited to Cahill's Home Town

Attorney General Langer goes to New Leipzig this afternoon to address a mass meeting of league farmers this evening. He also received a petition signed by a large number of farmers of Lehigh, the home of Senator J. I. Cahill, a prominent Townley leader, asking for an address there.

AUSTRIA PROTESTS SALE OF TREASURES
Vienna, Nov. 6.—The decision to sell the art treasures and historical relics of former royal families of Austria is meeting strong opposition. The city council today passed a formal resolution of protest, asserting that the money so obtained would buy food for only a few months, while these articles are Austria's pride and inheritance.

GIANT STILL SEIZED BY NEW YORK RAIDERS
New York—Here's a giant still that made whiskey for thirsty New Yorkers till detectives uncovered it. It was set up in an old barn in the Bronx. When it was seized, 18 barrels of whiskey cachaed in the barn were taken too.

MEXICO GIVEN REBATE ON FEE PAID BY YANK
Washington, Nov. 6.—Mexico will not be asked by the American government to refund the \$150,000 ransom money which counsel for William O. Jenkins, American consular agent at Puebla, paid bandits for the release of Mr. Jenkins. This announcement was made today at the state department.

LONGSHOREMEN STRIKE BROKEN; COST \$40,000,000
Insurgents Promise to Return to Work Pending Possible Rehearing

New York, N. Y., Nov. 6.—The strike of 40,000 longshoremen which has held up port activities here for several weeks appeared to have been broken today.

The deciding factor was the surrender of the "insurgent strikers" who promised Mayor Hylan yesterday they would return today at the old rate of pay pending a decision from the national adjustment commission for a rehearing.

Steamship owners would not hazard a guess today as to their approximate loss. Early in the strike officials of the United States shipping board estimated a daily loss of \$1,000,000 to \$1,500,000. On this basis the cost would be between \$25,000,000 and \$40,000,000.

EAST BOOMING GENERAL WOOD FOR PRESIDENT
Col. C. B. Little Believes Republicans Will Sweep the Country in 1920

Col. C. B. Little, president of the First National bank, who has just returned from a two weeks trip to New York and other eastern points, feels confident that Major General Leonard Wood will be next republican nominee for president of the United States and that beyond a shadow of a doubt he will be elected to that office.

Sentiment in the east is swinging away from the democratic party, Col. Little believes, and General Wood is gaining strength every day as the republican nominee for the presidency in 1920. Prominent political leaders in the east, Col. Little understands are putting their influence behind the military man and expect to sweep the country with Wood.

WILSON WILL NOT RUN
"Wilson will not run on the democratic ticket if the sentiment in the east and middle west can be taken as an indication," said Col. Little this morning. "Whatever strength he might have had has been lost since the war ended and the people all over the country seem to be impressed with the idea that the next president must be elected on the republican platform."

WATCHING NORTH DAKOTA
The east is watchful of North Dakota's experiment in practical socialism as embodied in the Nonpartisan league program, said Mr. Little, and the big majority of the papers there do not believe that the league, as at present conducted, will succeed much longer.

"There was considerable interest in the closing of the Scandinavian-American bank of Fargo," said Mr. Little "and bankers in the larger cities cannot understand the political situation here and its relation to the state bank very well. There has been some confusion of the Fargo bank with the Bank of North Dakota, several papers, connecting the two during the recent troubles."

OPERATORS NOT EXPECTED TO ACCEPT TERMS EXACTED BY DISTRICT PRESIDENT

North Dakota faces a strike of its lignite miners.

A decision will be reached this afternoon at a conference called by the governor and his "coal strike cabinet," the mine operators and Henry Drennan, representing the union miners of the state.

Drennan demands a sixty per cent increase for the miners. Governor Frazier is understood to be siding with Drennan. The coal operators maintain that by agreeing to this demand they will violate the federal injunction restraining union officials from financing the strike and thereby face possible criminal prosecution by the government.

Rather than grant the demands made by Drennan, thereby possibly violating the government's injunction, the coal operators are understood to have decided at their meeting last night that they will refuse to give the increase, thereby forcing the issue and bringing on the strike.

ON STRIKE FRIDAY
If this program is followed out it will probably mean that the lignite miners of North Dakota will be called out on strike Friday, abandoning the mines and leaving the issue up to Governor Frazier. It is known that the governor favors taking over the mines in case there is a split between the miners and the operators and if he does, there is a possibility that the United States government, through the department of justice and the fuel administration, will step in.

The situation in North Dakota is being watched by the leading men in both the operators' camp and that of the union men on strike. The federal government, it is understood, is making a complete investigation of the problem here and definite action by the fuel administration is expected next week.

EAT BAD EGGS AND BE A LIVE ONE, SAYS M. D.
London, Nov. 6.—(By the Associated Press.)—Dr. Josiah Oldfield, known internationally as a physician and writer, has published a prescription for keeping old age at bay.

According to him, it is not a question of an operation but a daily diet which includes dandelion leaves, foul eggs, grapes, lettuce, cow's milk, water cress, honey and salad (uncooked).

"Old age," he says, "is largely caused by deposits in the blood vessels and cells of the body of waste matter. So by adopting a part of fruitarian diet a man, however old, may become young again because every cell in his body will be replaced by new young cells."

Dr. Oldfield considers that a normal person, rightly fed, should live from 90 to 105 years of age.

SUPPORTER OF MISS NIELSON HEADS N. D. E. A.
A. C. Berg of McHenry County Made President of State Association

Minot, N. D., Nov. 6.—A. C. Berg, superintendent of schools of McHenry county, Wednesday was elected president of the North Dakota Educational Association for the ensuing year. He was elected on the first ballot. Under the constitution, the association holds a primary before the final balloting, but Berg's strength was so overwhelming in the initial voting that no further balloting was held.

During the past year Berg led the campaign to remove the North Dakota schools from politics.

J. H. Colton of Minot was elected first vice-president; Elizabeth Gill of Williston, second vice-president; W. E. Parsons, Bismarck, secretary; Martha Fulton, Wahpeton, treasurer; executive committee for four years, Mary McGinnis, Jamestown; for two years: L. A. White, Minot; for one year: G. W. Hannah, Valley City.

At last night's meeting President O. T. Corson of Columbus O., delivered an address on "The Three C's in Education."

Charles B. Stillman an organizer for the American Federation of Teachers' which is affiliated with the American Federation of Labor, spoke on the unionization of teachers.

THREE DAY STRIKE
Inasmuch as the miners themselves are understood to be anxious to work in the mines in this state under the present wage scale it is not believed that many will remain out on strike if the federal government orders them to return. If this supposition proves correct it will mean that North Dakota's prospective lignite coal strike will only be of two or three days duration and that there will be no coal shortage or fuel famine in this state.

The threat of Governor Frazier to call out the militia if the mines are closed because of a strike is laughed at among former military men of the state. They point out that the only militia that Governor Frazier can control unless he calls on federal aid which seems unlikely, would be the adjutant general, one or two other officers in the adjutant general's department and perhaps a couple of clerks.

"What the governor really meant by 'martial law' one operator said this morning, 'is probably the various sheriffs and their deputies.'"

GOVERNOR AIDING DRENNAN
In the Townley press, Drennan is quoted as saying, "If the governor (Continued on Page Eight).

