

75,000 HOMELESS IN SMYRNA

SENATE BACKS BONUS VETO BY SMALL MARGIN

Sustains Official Action by Four Votes After House Overrides President

AGITATED SINCE 1919

Compensation Legislation Must Wait Until Next Session in December

(By the Associated Press) Washington, Sept. 21.—For a third time the soldiers' bonus legislation has failed of enactment.

The Senate late yesterday sustained President Harding's veto of the Fordney-McCumber bill, the vote of 28, falling four short of the two-thirds majority that would have been necessary to have made it a law without the executive's signature.

The first bonus bills were introduced in the House and Senate early in the special session of the sixtieth congress, which began May 19, 1919.

INJUNCTION ARGUMENTS NEARLY DONE

Decision on Continuing Rail Writ Expected Late Today

Chicago, Sept. 21.—Judge James H. Wilkerson this afternoon deferred decision on the government's bill for a temporary injunction against the railroad strikers until Saturday and continued the restraining order now in effect until that time.

In effect the court told the attorneys, the extension is a temporary injunction as the restraining order itself expires tonight at midnight.

Judge Wilkerson said the delay would give him time to study the evidence further.

He set Saturday morning at 11 o'clock as the time for his decision.

Chicago, Sept. 21.—Attorneys for the railroad strikers closed their final arguments against Attorney General Daugherty's bill for a nation-wide injunction against the railroad strikers until Saturday and continued the restraining order now in effect until that time.

Judge James H. Wilkerson was expected to decide today whether the nationwide strike of railway shippers can be legally regarded as a conspiracy in restraint of interstate commerce, and to determine the extent to which he believes the federal government is justified in going to restrict strike activities.

Closing arguments in the Daugherty injunction case were begun today and Judge Wilkerson's ruling was expected to follow the temporary restraining order extended ten days ago, expires at midnight.

Although Attorney General Daugherty and his legal aides had made no indication of any intention to recommend modification of the order, predictions were made by persons who have watched the proceedings closely that some of the drastic clauses of the writ would be toned down in the injunction which the government attorneys would ask Judge Wilkerson to sign.

Strike settlements made while the hearings progressed had no apparent effect on today on the attitude of Attorney General Daugherty and his aides towards the injunction.

They hammered in their charges of widespread conspiracy of violence and destruction to cripple railroad transportation.

Chicago, Sept. 21.—When Mr. McLaughlin concluded Attorney General Daugherty read the proposed injunction to the court.

Virtually the only difference between it and the temporary restraining order now in effect, the government attorneys said, is in the list of persons named.

Practically all the drastic clauses of the restraining order have been retained, they said.

LOITERING IS UNLAWFUL UNDER MINOT ORDINANCE Minot, N. D., Sept. 20.—The police department is empowered to prohibit persons from loitering or congregating on the streets, or sitting in the doorways of public buildings.

ONE BODY SHORT IN MINE DISASTER

Jackson, Calif., Sept. 21.—One body was missing today among those of the 47 gold miners who perished from gas nearly a mile down in the Argonaut shaft. By a whim of fate, it was the body of William Fessel, the man who wrote on the rock with the smoke of his miner's lamp, a farewell message for all the doomed 47.

Fessel wrote: "Gas getting bad. 3 o'clock." It was hoped to find Fessel's body today. The men from that bureau of mines were certain that they counted 47 bodies when, last Monday night, the gruesome discovery was made. They believed that Fessel's body was buried by a cavern since the work of removal began.

LAW RULES OUT TESTIMONY IN TIERNAN CASE

Much Evidence in South Bend Triangle Episode Not Admissible

South Bend, Ind., Sept. 21.—Direct examination of Prof. John Tiernan, husband of Mrs. Augusta Tiernan who charges Harry Poulin with the paternity of her ten months old child, will be continued by Prosecutor Floyd Jellison when hearing of the case is resumed here today. Examination of Tiernan, which was begun Tuesday last, was marked by lengthy interruptions during arguments by contending counsel.

Most of yesterday and part of Tuesday's session was taken up with wrangling by the attorneys over the admissibility of testimony concerning the marital relations between the professor and his wife during a period before the child was born the testimony finally being ruled out by Judge Ducomb, on the ground that the law prohibited the husband giving such testimony in case of the character of the present one.

Chief points brought out in the examination of Professor Tiernan were a denial by him of the parentage of the child and the assertion that Poulin admitted to him the parentage and asked to make a settlement of the case by offering to pay the expenses of accouchement. He also told of frequent absences of his wife, from home ostensibly to attend church. Mrs. Tiernan previously had testified that she was with Poulin during these absences. He told that Poulin showed unusual attentions to Mrs. Tiernan at dances attended together. Another incident related by the witness was a meeting on the street with Poulin shortly after the baby was born. Tiernan said when he informed Poulin of the birth of the child, the latter turned and with scarcely a word, strode quickly away.

Mrs. Mae Poulin, wife of the defendant and witness for the state, will probably follow Tiernan on the stand today. Although subpoenaed by the prosecution, she has maintained throughout a staunch belief in her husband's innocence. Only a few more witnesses remain to be called and officials indicated that hearings may be ended at today's session.

VIOLATION OF MINIMUM WAGE LAW CHARGED

Warrants were issued today for the arrest of three Bismarck business men on charges of violation of the minimum wage law, the suits being brought by States Attorney F. E. McCurdy on request of S. S. McDonough, representing the bureau.

One employer was charged with failing to pay the minimum wage scale and with working a woman employee more than 48 hours a week and seven days a week. The other two employers were charged with violating the eight-hour law.

It is expected that the cases will be carried through all the courts.

"Father of Rocky Mountain Park" Dies Suddenly

(By the Associated Press) Denver, Colo., Sept. 21.—Enos Mills, the naturalist and author, died at his home at Long's Peak, Colorado, early today.

Mr. Mills, retired as usual at his home last night. He awakened early this morning, called his wife and complained of feeling ill. He died a short time later. Overwork and loss of strength following an accident in a subway car in New York last January, are believed to have caused his death.

Mills was familiarly known as "the father of Rocky Mountain National Park." In addition to conducting Long's Peak Inn, known to tourists all over the country, Mr. Mills wrote extensively for leading magazines and was the author of many books, having to do with bird, wild flower and scenery protection and the development of national parks. He also wrote of animal life. He had climbed Long's Peak, one of the loftiest in the Rockies, more than 300 times.

There were 32 declarations of war by the nations on both sides during the World War.

BEAUTY CONTEST WINNER



No wonder Miss Ruth Jane Bradshaw of Denver, Col., smiles! She has just been declared the winner in a magazine beauty contest. Miss Bradshaw is just 18 and has won several beauty contests. She plans breaking into the movies.

"MYSTERY HOUSE" IN HALL CASE FAMILIAR PLACE TO WOMAN WHO TELLS UNCANNY STORY

New Brunswick, Sept. 21.—"The house of mystery" that stands on a knoll on the old Phillips farm overlooking the crabapple tree beneath which the Rev. Edward Wheeler Hall and his choir leader, Mrs. Eleanor Reinhardt Mills were found slain last Saturday was brought forcibly back into the picture today by an uncanny story told by Mrs. Charles Amedee de Russy one time playmate of the slain rectors' widow, and resident for 16 years in the ramshackle building.

Mrs. de Russy said she had visited the old homestead last June with a woman friend; whose name she refused to divulge. This woman, she said, pointed the identical tree under which the bodies were found with the comment: "This would be an ideal place for a murder."

Mrs. de Russy said she attempted to laugh it off, but the woman retorted: "You think I am jesting. Some day you may read or hear of a murder here."

Last Monday night—three days after the bodies had been discovered—she had a vivid horrible dream, in which she saw the murders committed in a second floor room of the West wing of the building.

Mrs. de Russy declined to give details of her dream or to say who the "dream murderer" was.

Expressing her belief that robbery was the motive for the murder of Mr. Hall and Mrs. Mills, the rector's widow today issued a statement in which she declared her confidence in the integrity of her husband and Mrs. Mills and her disbelief of suggestions that there was any unproprietary intimacy between them.

GRAIN GROWERS SALES COMPANY INCORPORATED

Producers Sales Company Starts with Initial Capital of \$25,000

St. Paul, Minn., Sept. 21.—Articles of incorporation for the U. S. Grain Growers Sales company of Minneapolis, a producers' sales agency, were filed with the secretary of state here today.

The agency which will maintain office in Minneapolis in charge of R. H. Hagen of Lakelle, Minn., will market grain for farmers of Minnesota, North and South Dakota and Montana who have signed contracts with the U. S. Grain Growers, officials said.

The company has an initial capital stock of \$25,000.

SCOTTISH RITE SESSION ENDS

Cleveland, Ohio, Sept. 21.—New York City was selected as the place for holding the next convocation of the Supreme Council of the Thirty Third Degree, Ancient Accepted Scottish Rite of the Northern Masonic Jurisdiction of the United States of America at the closing session here today. The date of the next convocation was not announced.

NOMINATED AS U. S. MINISTER

Washington, Sept. 21.—Ulysses Grant-Smith of Pennsylvania, was nominated today by President Harding to minister to the newly recognized government of Albania. He has been in the diplomatic service since 1903, serving successively in Turkey, England, Chile, Belgium, Austria-Hungary, Denmark and Hungary.

PRaise FOR TARIFF BILL FROM HARDING

As He Signs McCumber-Fordney Act, Says It Points Progress in Tariff Making

LEADERS ARE PRESENT

Chairmen of Senate and House Committees Attend Ceremony of Signing

(By the Associated Press) Washington, Sept. 21.—President Harding today signed the tariff bill of 1922, making the new rate effective at midnight tonight.

The bill was signed shortly after 11 o'clock in the President's office in the presence of Chairman McCumber of the Senate Finance Committee, Chairman Fordney of the House Ways and Means Committee, a number of House members, and others.

Remarking that the measure has been "long in the making," President Harding, after he had affixed his signature with a pen presented to him by Mr. Fordney, who said he intended to keep it as a souvenir, said that "if we succeed we will succeed in making effective the elastic provisions of this bill, this will prove the greatest contribution toward progress making in a century."

REDUCTION OF GRAIN RATES TO BE ASKED

Further Cut for Western Territory to Be Sought by N. D. and Other States

North Dakota will become a party to a general plea for reductions in grain rates in western states, V. E. Smart, traffic manager for the state on his return from a conference in Kansas City and from St. Paul.

Several western states, including North Dakota, will join in an amended complaint along the same lines as a complaint made by the Kansas railroad commission with the Interstate Commerce Commission, alleging that since lowering of grain rates on July 1, 1921, conditions have changed so that further reductions should be ordered and applied to states west of the Mississippi river to the Rocky Mountains and part of Illinois and Wisconsin.

The theory on which the complaint will be made, Mr. Smart said, is that reports of railroads show a continued increase in earning power which indicates that further reductions should be ordered and applied to states west of the Mississippi river to the Rocky Mountains and part of Illinois and Wisconsin.

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GIRLS FORCED OUT OF AUTO

Minneapolis, Sept. 21.—Irene Minot, 19 years old of Flaxton, N. D., and Esther Sunne, 17 years old of Minot, N. D., who told the police that they had been forced to get out of an automobile after being driven by motor mashers to a park, were being held today by the police. The girls came to Minneapolis recently and the authorities have notified their parents.

FINDS CITY MUCH IMPROVED

Former Resident Returns Here on Vacation

Frank L. Albertson of Detroit, Mich., who left Bismarck 13 years ago, was among the visitors in the city today, coming here on vacation to renew old acquaintances. Mr. Albertson graduated from the Bismarck high school. He now is doing a special work for the Goodyear Tire and Rubber Co. in Detroit, his business being chiefly with large industrial plants.

Mr. Albertson said that he was immensely impressed with the appearance of Bismarck and the evidence of progress in the last several years. The city, he said, appeared to have improved much faster than any other North Dakota town he had seen on the Northern Pacific railroad.

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NEW FUTURES REGULATION BILL SIGNED

President Harding Approves Capper-Tincher Bill in Its New Form

EFFECTIVE NOVEMBER 1

Bill Is Designed to Meet Objections Raised in the Supreme Court

Washington, Sept. 21.—The Capper-Tincher bill providing for regulation of trading in futures on grain markets was signed today by President Harding.

The new act which became effective November 1, was passed by congress as a substitute for the regulatory provisions of the futures trading act of 1921, which provisions were declared inoperative by the supreme court. It follows along the same lines as the act of 1921, except that it is based on the power of congress to regulate interstate commerce while the statute to which the supreme court found objection was predicated on the taxing power of congress.

Grain exchanges coming under the new act are those at Chicago, Minneapolis, Duluth, Kansas City, St. Louis, Toledo, Milwaukee, San Francisco, Los Angeles and Baltimore.

Wallace Makes Statement Secretary Wallace, who as head of the department of agriculture is entrusted with enforcement of the new law, declared in a statement issued after the President's signature had been affixed that he expected cooperation "from legitimate dealers in grain and from all others who favor free, open and competitive markets."

"This does not interfere with hedging transactions on the Boards of trade," said Mr. Wallace. "Neither does it interfere with ordinary speculation in the buying or selling of contracts for future delivery. If, however, there should be evidence of undue manipulation or attempts to corner the market, or of the dissemination of false or misleading information about crop or market conditions by members of the board, such conduct would be inquired into and promptly dealt with, as required by law. In addition, it prohibits the exchanges from discriminating against cooperative associations of grain producers who may desire membership in order to obtain use of the facilities of the grain exchanges."

The reports that this law will put the exchanges out of business or interfere with their legitimate functions are without foundation.

G. N. KENISTON RESIGNS FROM COMMERCE JOB

Secretary of Bismarck Commercial Club Resigns, Effective November 1

George N. Keniston, secretary of the Bismarck Commercial club for several years, has resigned his position, it was announced today. The resignation was accepted by the board of directors, effective November 1, E. B. Cox, president of the club said. Mr. Keniston resigns to engage in business in Bismarck, the nature of which he did not care to announce at this time.

Mr. Cox said the resignation was tendered August 15 to take effect as soon as the board could relieve him. Because of the board being in the midst of its plans and the fact that Mr. Keniston was secretary-treasurer of the Joint Pageant committee the board asked him to continue until November 1, if possible, Mr. Cox said. No arrangements have been made by the board for a successor, and none will be made until the club committee and members can be consulted, the president said.

Mr. Keniston has been secretary of the club over six years.

Germany May Ask Admission To Nation's League

Geneva, Sept. 21.—The council of the League of Nations, decided today to increase the non-permanent membership of the council from four to six. This will make the council membership ten, with non-permanent members in the majority.

News received here that the German socialist convention had called upon the German government to apply for admission to the League of Nations has aroused great interest in league quarters. Delegates who have taken part in the work of the assembly expressed the opinion today that Germany would be elected to membership if she applied.

LEGION FIGHT "JUST BEGUN"

Cloquet, Minn., Sept. 21.—That the American Legion "has just commenced to fight," was the statement of Gerald V. Abron of Cloquet, department commander of the American Legion of Minnesota, when interviewed today on the subject of the Presidential veto of the adjusted compensation measure.

BEAD IN NOSE TROUBLES

Towner, N. D.—Howard Bergt, playing, pushed a small bead up his nose. He was taken to a doctor, who inserted a tube from the other side of the nose but this was also ineffective. Physicians believe that the bead eventually will work down to his stomach.

Golf Instructor Killed Spectator

Racine, Wis., Sept. 21.—Miss Evelyn Calnan, De Pere, Wis., a teacher in the Racine public schools, was killed last evening by an accidental blow delivered with a golf stick by Allan Simpson, assistant district attorney.

Simpson was showing a strike to a number of devotees of the game when Miss Calnan stepped behind him just as he lifted the driver over his shoulder. The club struck the young woman just back of the ear.

FORD PLANTS OBTAIN COAL, WILL REOPEN

100,000 Workers Are Called Back to Their Jobs Tomorrow by Heads

FORD'S ANNOUNCEMENT

Says Cancellation of I. C. C. Order No. 23 Makes it Possible to Obtain Coal

Detroit, Sept. 21.—The plants of the Ford Motor company in the Detroit district, closed last Saturday because of the coal situation, thereby throwing 100,000 Ford workers out of work in different parts of the country, will reopen tomorrow morning, it was officially announced today.

Orders for the reopening of the plants were telegraphed here today by Edsel B. Ford, president of the motor company, who is in Cincinnati. Mr. Ford said cancellation of the interstate commerce commission's service order No. 23, had made it possible again to obtain coal.

The telegram read as follows: "Cancellation of the Interstate Commerce Commission's service order No. 23, had made it possible again to obtain coal.

"Movement of coal to Detroit has started and we feel justified in starting the plants tomorrow (Friday) morning.

"Post notices calling the men back to work and notify the newspapers."

Result of Conference. Executives of the company said operations would be resumed at Highland Park, River Rouge and Dearborn, where the three large plants of the concern are located, at midnight tonight. Assembly plants throughout the country that were shut down with the parent plants will also resume as quickly as their men can be recalled.

It is planned to put production immediately on the basis it was at the time of the closing.

The resumption is understood at the Ford offices here to be a direct result of a conference Edsel Ford had in Cincinnati yesterday with a group of about fifty coal producers. Just what arrangements were made to obtain coal were not made known here.

The closing of the plants last Saturday, stirred in business circles an industrial strike, on the part of the manufacturer against certain brokers who were charged with demanding excessive prices for coal, threw approximately 70,000 Detroit men out of work.

GRAIN STORAGE CASE IS HEARD

Glen Ullin Farmers Demand Money from Company

Judge H. I. Berry of Morton county has completed hearing the case in which Peter Kastner is suing the Andrews Grain Co. for \$2,979.86 because of the alleged conversion of grain which had been stored in the Glen Ullin Cooperative Elevator Co.

According to the complaint, Anton Wagner, John Shirado, Frank Fitterer, P. G. Kastner and Peter Kastner had put wheat in the elevator and received storage tickets. The Andrews Grain Co. took the grain under claim against the Glen Ullin elevator. The storage tickets were transferred to Peter Kastner who brought suit to recover the money. The wheat had been in storage in 1921.

75,000 Destitute

(By the Associated Press) Smyrna, Sept. 21.—Although eight days have passed since fire obliterated Smyrna, 75,000 survivors remain exposed on the quay, destitute, distracted and abandoned. No allied vessel has offered to salvage this last wreckage of human life in the greatest disaster in Asia's history.

Nearly a dozen warships remain in the harbor but none show disposition to aid the wretched population except the American destroyers. Deportations continue and Turkish soldiers are beginning to carry off the Greek and Armenian girls, leaving their parents in a frantic state.

Sporadic shooting and thefts continue. Smoke is still emerging from the ruins. The Turkish authorities explain that this is due to the burning of human bodies. Dr. Wilfred Post of New York, medical director of the Near East Relief, has urged the Turks to bury their dead, in order to prevent pestilence. He also has appealed to them to vaccinate every one in order to guard against cholera and smallpox.

(Continued on Page Three)

POWERS SEEK TO PLACATE TURK LEADER

French Envoy Holds Conference with Kemal Pasha at Smyrna

WOULD HOLD THRACE

Position of British Troops at Chanak Considered Perilous -Mohammedans well Armed

(By the Associated Press) London, Sept. 21.—While the allied powers are feverishly endeavoring to arrange a peace conference to clean the slate between Turkey and Greece and prevent more fighting in the Near East, rumors of impending hostilities continue to come from Constantinople and the Dardanelles.

A relatively small force of British troops is holding Chanak, the key position on the Southern shore of the straits, while the Turkish Nationalists, eager for further conquests after their overwhelming defeat of the Greeks, are concentrated outside the neutral zone at Ismid and Chanak, impatiently awaiting for the word from Mustafa Kemal Pasha to advance.

Well Armed. The Kemalists, official French dispatches say, have available for use in such a drive 1,000 modern field guns, 5,000 machine guns and enough ammunition which they captured from the Greeks, for a two years campaign.

If their spokesman at Constantinople is to be believed, the Turks are determined that the Allies shall not terminate in the path of their desire to recapture Thrace.

An Associated press despatch quotes this spokesman, Hamid Bey, to the effect that the Kemal army will certainly declare war on the British if they attempt to interfere with a movement across the Straits.

Confer With Kemal. A ray of hope is seen in the conference at Smyrna between Mustafa Kemal Pasha and General Pelle, French high commissioner, to which Yussuf Kemal Bey, the Nationalist foreign minister, has been hastily summoned from Angora. The calling in of Yussuf Kemal points to the discussion of important and delicate questions, and the consequent delay raises hopes the Turkish attack, if it takes place at all, will be retarded until the British reinforcements can arrive.

Troops in Danger. If fighting breaks out before that time the question of the safety of the comparatively small British forces at Chanak will become an anxious one here. Marshal Foch is quoted as saying the position is absolutely untenable, except if held by a very considerable force.

Opinion here for the moment is banking on the strength of the British Naval force in the Dardanelles, which is considered sufficient alone to hold any possible attack by the Turks.

No details are available of the burning of Panderma, on the Southern shore of the Sea of Marmara, as included in official French circles last night. It stated the Greeks burned part of the town before leaving.

According to the TIMES the Russian Soviet government sees in the present Near Eastern situation an opportunity to obtain recognition from the powers. Russia proposes, the newspaper says, to act the part of mediator between the Turks and the Greeks, hoping thereby to establish a popularity of the Soviet republic among the people of Mohammedan Asia and compel the entente powers to revise their attitude toward her.

British war vessels are continuing to stream toward the straits of the Dardanelles. The Mediterranean fleet under command of Admiral Brock is being concentrated in the neighborhood of the Dardanelles. The fleet consists of six battleships and six lighter cruisers. Eight destroyers, and four light cruisers of the Atlantic fleet also are on the way to the straits.