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ATTORNEYS AT KANSAS CITY TO DECIDE ON TEST

GREGORY AND RAILROAD ATTORNEYS REACH AGREEMENT THURSDAY.

THOM BEFORE COMMITTEE

Tells Congressional Investigators That People Want Roads Out Of Politics and They Are Out.

By Associated Press

WASHINGTON Nov. 23.—Conferences between Attorney General Gregory and counsel for important railway systems of the country, looking to the expedition to the supreme court of one of the suits attacking the constitutionality of the Adamson Act, virtually were concluded today and the question of which shall be made the test case was placed in the hands of Department of Justice attorneys and legal representatives of the railroads now in Kansas City.

It was said tonight that in the conferences here the form of the agreement between the attorney general and the railroad lawyers was in substance decided upon and that the only matter to be determined in Kansas City is whether the suit of the Missouri, Oklahoma & Gulf Railroad decided yesterday against the government or that of the Santa Fe set for hearing tomorrow, shall be made the test case. Terms of the tentative understanding were telegraphed by the department to U. T. Todd assistant to the attorney general in charge of anti-trust prosecutions, now acting in handling the Kansas City cases and he counsel for the carriers in Walker D. Hines, president of the Santa Fe.

Both Want Speed.

In substance the plan provides that both the department and the railroads agree in every way to expedite and actively press the case to be determined upon to a final decision in the Supreme Court and that during the pendency of these suits the Government will not bring any suits against carriers for failure to apply the law. During its pendency the carriers will institute no more suits and at its determination, both parties to the agreement will be bound by the Supreme Court decision, the carriers agreeing not to bring such actions if the law is found constitutional and to drop all others. Neither party is bound by the agreement to refrain from efforts to obtain legislation which might change the commission Act.

Attorneys Chose Case.

It was explained tonight that the question of choosing a test case had been put in the hands of the attorneys in Kansas City because of the lack of sufficient information to warrant an agreement. It developed that when the attorney general asked the railroad representatives last night if they were willing to make the case on the Missouri, Oklahoma & Gulf case they answered that they knew nothing about it and could not say that it would meet all the conditions that should be covered. They were confident however that the suit of the Santa Fe, with whose case they were familiar, was sufficiently broad to make a typical case presenting all the essential points in controversy. On the other hand, the attorneys general had not seen the Santa Fe suit and could not say whether it would meet the views of the department.

A. H. Harris of the New York Central, E. T. Gawen and Frederick D. Wilkinson of the Pennsylvania and C. M. Waves of the Baltimore and Ohio participated in the conferences here approached the department in behalf of the railroads represented by them.

Their authority was said to have been delivered to Mr. Hines, who is a member of the conference committee representing all roads west of the Mississippi and there is no doubt that what he accepts will be acceptable to them.

Thom Before Committee.

The Congressional committee investigating transportation issues in its search for expert testimony today put W. P. Thom, counsel for the railroad employes' authority committee, through the two hours and a half on railroad problems of the day. He will continue tomorrow and may not finish examination before the end of the week.

Mr. Thom went into many phases of railroad conditions but dwelt particularly on their cost for which they are to refund and transportation for them upon the roads and the public demands. He said that in the last seven years the percentage of railroad securities commanding transactions worth the par value had increased from 15 per cent to about 65 per cent of the total securities, and predicted that financiers who would come before the committee to state would testify that the larger line had been reached. The witness against Mr. Thom with the exception of a six day rest recess said to three per cent earnings. Until that he

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New Austrian Envoy

COUNT TARNOWSKI

Count de Tarnow-Tarnowski who was secretary of the Austrian embassy at Washington from 1899 to 1905, has been appointed ambassador in place of Dr. Dumba, recalled at the instance of this government. He has been accepted by the American government. The count is a Pole, his home being in Galicia.

EXPRESS VAULT IS ROBBED NEAR CHI.

CHICAGO AND NORTHWESTERN TRAIN EXPRESS CAR LOSES $12,000.

MESSENGER GAGGED STILL

Express Employes Found After Train is in Chicago and Robbers Worked for Over Thirty Minutes

By Associated Press

CHICAGO, Nov. 23.—Two masked men held up the messenger on an express car on the Chicago & Northwestern Railroad train No. 608 after it left Barrington, Ill., tonight and in the thirty minute run to Chicago filled the sack of $12,000. After taking what they wanted from the packages, they dropped off the train when it reached Elmhurst junction, a switching stop in the heart of the city.

The train crew found the messenger, W. H. Cater, strapped to his hair, gagged and bound. Unconscious the bandits had thrown the door of the car with checks and securities, and after getting all negotiable writing, escaped without leaving any apparent trail.

Cater was all the night in the car from his unconscious condition and tied up and handcuffed. He was bound to the chair and the search for the valuables began. The robbers, secure in their security, worked leisurely and thoroughly. A number of tools which they were careful to take with them were found lying about the place.

There were between 25 and 100 packages of valuable in the car, it was stated officially. Officials of the express company said it was impossible to determine how much had been taken until all had been checked up.

Clerks May Pass Soon.

By Associated Press

ATLANTIC CITY, N. J., Nov. 23.—The Democratic subcommittee on unassigned business that may confront the senate that has confronted the decision that the senate would be passed early next week and the opinion was expressed that the agreement reached would be carried through. Senator Lodge was held today. Senator Lodge was also given assurance that the Republican leaders made by the Democrats and all indications were right with them.

General Service on Border

By Associated Press

FORT SILL, Okla., Nov. 23.—Brigadier General Funston, commanding the Southern department, arrived here today for a conference with the officers of the Fourth Infantry.

SHORTEST MESSAGE EVER SENT TO CONGRESS READY

By Associated Press

WASHINGTON, Nov. 23.—President Wilson's message to congress is in the hands of the printers and the message will be read in both houses of congress on Monday. It is understood that the subjects of the national preparedness, conferring with the Mexican situation, and the Adamson law will be the principal matters dealt with in the message.

The newspapers emphasize the unusual brevity in the draft of the message to congress at the last session, in view of the unusual political situation at the most pressing problem facing congress. He then goes on to a general discussion of other domestic problems.

Inland Gold Move

By Associated Press

WASHINGTON, Nov. 23.—The movement of gold overseas for the entire Dominion of Canada with Nov. 1 was announced today at Ottawa, Canada, in a cablegram to Sir Edward Kemp, acting premier, from Sir Thomas White, finance minister.

HOW TO CARE FOR MEETING PROBLEM

RETURNING DELEGATES SAY AMARILLO'S POPULATION WILL DOUBLE IN JUNE.

TENT CITY PROBABLE

Every Home in the City Will be Necessary if Amarillo Is To Make Good.

Singing the praises of C. H. Landergraf, who marshalled the Amarillo forces and led them to victory and of the Oklahoma and New Mexico and Texas Panhandle cities who combined so effectively, the delegation which went to the Oklahoma City Coast Trade convention returned yesterday.

The big question bounded and rebounded in the city yesterday when the returning delegates told of the result of the convention coupled to the number state capital and that question is: What is Amarillo going to do with them?

Fifteen thousand visitors are expected in Amarillo next June. The city has never entertained anything like this number of guests. Startling suggestions were offered yesterday. One of them was that every home in the city offer one or two rooms free guests and in addition a tent city be erected to care for the others. June is a large month and it is to be settled a certain that this will have to be done.

The definite result of the Coast Trade is to be announced at the time meeting and delegates said it is all together likely that there will be more public lots than there in Oklahoma City.

The Federal Farm Loan Board when out in Oklahoma City last month, photo Amarillo Chamber of Commerce W. Norris and Herbert Hirsch addressed the convention. Hirsch characterized the meeting as the greatest gathering of good men and thousands in the history of the world. A short time after he the chief Amarillo was selected as the next meeting place.

That Amarillo is the fastest city of its population in the United States is fast becoming known. The Tulsa World came to the Convention Hall Wednesday and left the Tulsa World Tulsa has the Boosters Club for 1917 Convention. The paper enumerating 17 other things showed that it had $17,000 in bank deposits, yet with an early rise in they failed to bring enough cash to get the convention. Federal Farm Board committeemen Norris and Quinn expressed their appreciation of such a large and enthusiastic gathering that character.

Each emphasized the great importance of good roads. This finds confirmation in the following quotation by the Department of Agriculture at Washington, D. C.: "The value of the increase in values of farm lands in the eight counties in which the railroads have been built is very interesting for it shows that the improvement of the road market roads the increase in the selling price of tillable farm lands across by the roads has amounted to from $[illegible]

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MEXICAN TROOPS AT AUGUA PRIETA

COMMANDER ANNOUNCES NO MORE WILL BE BROUGHT NORTH FOR WORK

By Associated Press

NOGALES, Nov. 23.—[illegible] Mexican troops at Agua Prieta, Sonora, have been withdrawn to Cananea, Sonora, it was learned here today. Some troops have been withdrawn from Nacozari, Sonora, and Agua Prieta, it was stated here today by an officer of the Mexican border.

General [illegible] commanding the Mexican troops at Agua Prieta, in a proclamation issued here today, said that no more troops would be brought north for work in Sonora.

General [illegible] said he had been informed by the Mexican authorities that the reported [illegible] in the Mexican troops at Agua Prieta were not particularly serious. The account of the attack on Agua Prieta, it is said, to have been [illegible] by the Mexican authorities.

General [illegible] said the Carranzista troops in the state of Sonora are in good condition and prepared for any emergency. The Carranzista troops are now in the state of Sonora, he said, and are being moved from Agua Prieta to other points in the state.

New Mexico May Get Low Fare

SANTA FE, N. M., Nov. 23.—[illegible] Being December 1 [illegible] the conference [illegible] has been issued by the state corporation commission. The meeting will be held here and will be attended by prominent representatives of the railroads.

Says West Prosperous

ROBERT S. LOVETT

After a tour of the lines of the Harriman system, including the Union, Central and Southern Pacific, Robert S. Lovett emphasis on the word of strength of all these lines, and the west was more prosperous than ever before. "I think railroads are assured of good earnings for several months, at least, without comparisons that are so striking [illegible] with those of last year."

MEXICANS SEEK WEEK'S RECESS FROM MEETINGS

REQUEST COMES RATHER AS SURPRISE TO THOSE ON OUTSIDE TALKS

HOPE AGREEMENT SOON

American Commissioner Had Previously Announced That an Agreement Will Come Out [illegible]

By Associated Press

ATLANTIC CITY, N. J., Nov. 23.—A recess of two weeks has been requested by the American members of the Mexican commission in order to give time or opportunity to lay before General Carranza the proposals formulated by the American for border control.

The indications tonight were that the request would be granted.

Alberto J. Pani probably will be delegated to the conference to confer personally with American officials and present to them a detailed statement of the developments since the return of the Interior Secretary, present of the American program as outlined by President Wilson. The United States have expressed a willingness to confer the request.

While an agreement in some respects would be satisfactory, but Carranza represents a representative, it is not likely that they cannot consent to a plan which they maintain would violate the sovereignty of their country.

Luis Cabrera, Carranza's chief delegate, and Jesus Acuna, and Ignacio Bonillas, will remain in the United States until Mr. Pani returns, so that an informal conference may be held.

The Argentine mediation commission will remain in Atlantic City.

THE WEATHER

[illegible]

Abe Martin

NO AGREEMENT IS REACHED LAWYERS OVER TEST CASE

DEPARTMENT OF JUSTICE AND RAILROADS FAIL TO GET TOGETHER.

SANTAFE CASE IS PUT OFF

Postponement of One Day Put Into Effect in Hope That Amicable Settlement Can Be Reached

By Associated Press

KANSAS CITY, Mo., Nov. 23.—Throughout today counsel for the federal government and counsel for the railroads remained in deadlock concerning efforts to test case of the Adamson law.

Tonight the situation was unchanged but the lawyers gave a formal expression in some that an agreement could be reached tomorrow morning.

The legal staff of the Atchison, Topeka & Santa Fe was to have come to Judge Pollock on the Kansas case of the Missouri, Oklahoma & Gulf, but counsel being unable to decide on a jurisdictional course to pursue, the case was postponed.

The whole problem hinges on the decision of Judge Pollock yesterday in the case of the Missouri, Oklahoma & Gulf, which is in the hands of a special court. Frank Hagerman, assistant special counsel to represent the government in Atlantic City, Washington, working to harmonize both the lawyers, represent that the decision by Judge Hook holding that the law is valid and constituting it in the money directly to the supreme court of the United States. The case will be argued in the supreme court of the United States.

Mr. Hagerman explained, it is said, that a view simple as a case of the constitutionality of the whole law.

Points in the case are one of the intimately both sides. They maintain that a decision one could be presented only on including in an appeal the litigation only of such great systems as the Santa Fe or the Chicago, especially the former.

Supporting Mr. Hagerman were Patrick Walsh, in charge of anti-trust [illegible] Henry Crawford Ferris, [illegible] Lamar, solicitor general.

The railroads were with Mr. Hagerman, the former [illegible] Chicago, Burlington & Quincy.

[illegible]

JEAN CRONES IS BELIEVED FOUND

ANTI-TRUST WITNESS POISONED BY 150 PERSONS AT CAFE ASCERTAINED

By Associated Press

[illegible]

CARRANZA TROOPS WIN FIRST CHIHUAHUA FIGHT

ARTILLERY GIVES CONSTITUTIONALIST FORCES ADVANTAGE AT SANTA ROSALIA HILL IN BIG ENGAGEMENT.

JUAREZ CLAIMS VILLA WAS REPULSED

Governmental Forces' Greatest Fear is That Ammunition Will Give Out and Request Has Been Made to American Commanders That Permit Be Issued for Importation at Once.

By Associated Press

EL PASO, Texas, Nov. 23.—Francisco Villa withdrew his surprising forces in defeat from Chihuahua City at 4:15 o'clock tonight after a battle of seven hours, during which he made fruitless attempts to carry General Trevino's protecting works by assault.

Trevino Wounded.

General Trevino, commanding the Carranza forces, was wounded during the fighting in the early afternoon while personally directing the fighting from the vicinity of Santa Rosa hill. General Francisco Gonzales announced in Juarez tonight, after receiving a message from Chihuahua City.

General Trevino returned to the city to have his wound, which was a scalp wound on the right side of his head, dressed at the military hospital. With a bandage around his head he returned to his post at Field headquarters and continued the direction of the Carranza forces on the firing line.

At 10 o'clock tonight the military in Chihuahua City telegraphed to General Gonzales in Juarez that General Carlos Osuna, in command of the Carranza cavalry, was pursuing the Villa bandits south in the direction of Magula and the cavalry column was reported to be ten miles south of Santa Rosa.

Casualties Unknown.

No estimate of the number of killed and wounded has yet been made [illegible] was impossible to estimate the number of dead on the battlefield.

GERMAN U BOATS CAUSING WORRIES

OFFICIALS AT WASHINGTON SAWING WOOD UNTIL THEY HEAR SOMETHING

By Associated Press

WASHINGTON, Nov. 23.—[illegible] Germany [illegible] Allies [illegible] Germany [illegible] Allies [illegible] Germany [illegible] Allies [