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NEW COAL MINE HAS A 1,000 TON CAPACITY

Fowler & Wilson Preparing to Operate Huge Mining Industry in East Ottumwa; Have 600 Acre Field.

The opening of a new coal mine that is estimated to have an output of 1,000 tons daily when the capacity is reached is underway east of Ottumwa with the Fowler & Wilson Coal Co. behind the move. And to make this even better for Ottumwa the company has deteremined that the new mine is to be distinctively an Ottumwa mine and not a camp on the outskirts of the city but one in which the employes shall live in Ottumwa adjacent to the new property. The mine will be located on the south side of Agency hill along the Rock Island lines south of the city some two and a half to three mles. Already there has been some 600 acres secured by the company, and its engineering staff under the direction of Mining Engineer Ernest Grantstaff of Albia, is on the ground making the final surveys and planning the work generally. Mr. Grantstaff will probably lay out the top works in connection with the new mine.

A Modern Coal Mine.

The prospect in the opening of the new property is the best that has loomed up about Ottumwa for many years and the feature of the new industry will be its entire modern equipment. The most up-to-the-minute equipment used in mining will be installed and this includes electric power and equipment generally. The local power plant of H. M. Byllesby & Co. will run a line of power wires to the new plant and furnish the electric power for operation of the east end mine. Shaker screens and other modern top and inside work will be installed and throughout the mine is to be strictly modern. This is the statement of Ed Fowler, who with William Wilson, his business partner, has been very busy working out the details of the new coal property for several months.

An Ottumwa Enterprise.

For several months past the preliminary surveys and drilling for coal has been carried on in the hills east of the city and so promising has been the results in places that the company long since decided to ascertain as far as possible just what the prospect was and to develop the property. While nothing is vouched as to the depth of coal veins found in the east end hills it is known that they are of a size to warrant the expenditure of a huge sum for the installation of modern mining equipment sufficient to handle daily 1,000 tons of coal. The Rock Island road has already arranged to lay a mile or more of trackage from its line in that vicinity and will build a yard for the mine trackage near the top works. The mine is located around the turn of the lower road on the way to Cliffland at what is known as the old stone house on the south face of the Agency hill. While the company does not state when it expects to get busy mining coal in the new property it is known that by the first of the new year the mine is expected to begin operation.

When asked this morning if the company would establish a camp at the new mine Mr. Fowler said that it would not. "Instead," said he, "we expect the employes will live in the east end and if the mine should develop to such an extent as to demand more employes than we figure on now we will arrange to have a train for our employes. We do not intend to go out of Ottumwa, but to make this an Ottumwa enterprise."

ANTI HOME RULE PLEDGE PREPARED

Covenant to be Signed by Unionists Following in Ulster—Think it Means Disaster.

Belfast, Sept. 20.—Sir Edward Carson, ex-solicitor general for Ireland, will submit for the approval of the Ulster unionist council the wording of the covenant which Ulster unionists throughout the province will sign Sept. 28.

The covenant will be as follows:

"Being convinced that home rule would be disastrous to the material well being of Ulster as well as to the whole of Ireland, subversive to our civil and religious freedom, destructive to our citizenship and perilous to the unity of the empire, we whose names are underwritten, men of Ulster, loyal subjects of his gracious majesty King George V., humbly relying on God, in whom our fathers in days of stress and trial confidently trusted, hereby pledge ourselves in solemn covenant throughout this, our time of threatened calamity, to stand by one another in defending for ourselves and for our children our cherished position of equal citizenship in the United Kingdom, and in using all means which may be found necessary to defeat the present conspiracy to set up home rule in Ireland; and in the event of such parliament being forced upon us we solemnly and mutually pledge ourselves to refuse to recognize its authority, in the sure confidence that God will defend the right."

Blames Officials for Accident That Cost Gill's Life

Chicago, Sept. 20.—"I protested to the aero club of Illinois against flying in the approaching darkness but officials insisted I should fly because the crowd would be disappointed if I did not."

George Mestach, the French aviator, so testified today at the inquest into the death of Howard W. Gill, the Baltimore aviator, who was killed at the aviation meet at Cicero last Saturday after his biplane, seventy-five feet in the air had collided with a monoplane driven by Mestach. The accident occurred at 6 p. m.

"Officials then promised my machine would be the only one in the air," Mestach testified, "they didn't keep their promise. I was going at terrific speed when I saw Gill's biplane 300 feet ahead of me. I tried to turn off and avoid a collision but it was impossible."

SHOW COLONEL IS LOSING GROUND

Woodrow Wilson Club Conducts Canvass of Nebraska with that Result.

Omaha, Neb., Sept. 20.—That Roosevelt is losing ground in Nebraska is the opinion of well posted democrats in different parts of the state.

Two weeks ago Woodrow Wilson club of Omaha sent out letters to prominent democrats in every county. Among the questions asked was: "Has the Roosevelt support in your county increased or diminished since the Chicago convention?" Forty-nine answers have been received, each answer being from a different county.

Thirty-eight of these answers reported the Roosevelt support as waning seven said the sentiment was at a standstill, three reported an increase, and one was undecided.

Many of those who announced a decrease estimated this at 25 per cent, others said 10 pe rcent, the lowest was 8 per cent. These letters came from men who are in touch with the situation in their immediate counties.

EBERHART HOLDS LEAD OVER RIVALS

Returns From Minnesota Primary Show Big Poll For Governor; Third Ticket Planned.

St. Paul, Minn., Sept. 20.—Complete returns from fifty-three counties out of the eighty-four in the state, shows the vote cast for the candidates for the republican nomination for governor in Tuesday's state primary as follows: Eberhart, 44,780; Lee, 25,800; Young, 23,268; Spooner, 9,802; Gordon, 7,581; Folla, 4,497.

The progressive state central committee will hold a meeting tonight, when a third ticket may be placed in the field. Opposition to this course developed last night, it is said, in Hennepin county. Friends of Col. Roosevelt, according to reports, fear that a progressive state ticket might injure his chances of carrying Minnesota in the November elections.

SO. DAKOTA G. O. P. WOULD OUST LEADERS

Resolutions Denounce Governor, Senator and Committeeman For Supporting T. R.

Mitchell, S. D., Sept. 20.—A mass state convention of republicans here late last night adopted resolutions in which Roosevelt and the progressive candidates in South Dakota were severely denounced.

The resolutions also declared that the Huron convention presidential electors were named who are openly against the election of President Taft, thus disfranchising those who desire to vote for him.

The action of Senator Coe I. Crawford, Gov. R. S. Vessey and National Committeeman Thomas Thorson from South Dakota, in supporting Roosevelt was denounced. The convention demanded that the chairman of the national republican committee remove Thorson as national committeeman and appoint a republican for the position, recommending J. F. Halliday for the place.

MISSOURI ELECTOR LEAVES THE TICKET

St. Joseph, Mo., Sept. 20.—John Albus of St. Joseph today withdrew from the republican ticket as a Taft elector for the fourth Missouri district and announced himself for Roosevelt and the entire progressive ticket, national, state and county. In a letter to Politte Elvins, chairman of the state republican commitee, Albus said Roosevelt in his judgment represented all that is for the best interests of the people, regardless of their candidate, in life and expressed the conviction that the colonel would carry Missouri and the union at November election. Albus was surveyor of the port here during the Roosevelt administration.

CALL MEETING TO CONSIDER COMMISSION

Gathering Will be Held in Commercial Club Rooms Monday Night to Discuss New Government.

The citizens of Ottumwa are urgently requested to attend the open meeting in the rooms of the Ottumwa Commercial association next Monday evening, beginning at 7:30 o'clock. The object of the meeting is to discuss the commission form of government and secure the sentiment of the people of Ottumwa as to whether the proposition of changing from the present form of city government be put to a vote of the people.

An effort is being made by the committee of the association to secure some out of town speaker who is familiar with the workings of the commission plan to address the meeting, but this address will only be a part of the night's program. It is planned to have the citizens present express their sentiments for or against the plan, with the end in view of ascertaining whether or not it is advisable to change the present form of government.

The Commercial association is behind this movement of educating the people with reference to the commission plan, and it is the hope of the association that the citizens will show a sufficient interest in its endeavor to attend Monday night's meeting in large numbers.

The librarian just recently published a list of publications on the shelves of the institution that refer to the commission form of government and these will be distributed to all who seek them by calling at the library.

LABOR LEADER IS OUT FOR TAFT

A. P. Kelly, a Former Democrat, Will Take Stump for G. O. P. Ticket.

Chicago, Sept. 20.—Woodrow Wilson and Colonel Roosevelt are the targets of attack in the announcement that Andrew P. Kelly, member of the Brotherhood of Locomotive Engineers and Firemen, and a former democrat, has taken the stump for President Taft. Mr. Kelly gives out an interview setting forth that he is opposed to Governor Wilson on account of his alleged attitude toward trade unions and against Colonel Roosevelt because of his alleged indifference to the interests of organized labor.

"I was one of the thirty-eight international officers," said Mr. Kelly, "who made a formal call upon President Roosevelt in April, 1908, to ask his good offices in behalf of labor legislation, which was much desired and most of which we have since secured under President Taft. Mr. Roosevelt told us it was a matter with which he had nothing to do, and that if we wanted legislation we must go to congress.

"The interview showed utter lack of sympathy with us. Other facts in the record of Mr. Roosevelt are well known to organized labor. Of course, Mr. Wilson's utterances put him out of the running with the workingman."

Mr. Kelly says he has made a special study of President Taft's decisions while on the bench and asserts the president has done more than any other one man to place the rights of labor on a firm basis.

"It was the decision given by Judge Taft in the Cincinnati, New Orleans and Texas Pacific case," said Mr. Kelly, "which afforded Judge Adams a foundation for dissolving the injunction temporarily granted the Wabash railroad in St. Louis at the time of labor troubles in that city some years ago."

PENNSYLVANIA TO END ELECTOR MIXUP

Harrisburg, Pa., Sept. 20.—The republican state committee met here today for the purpose of cleaning up the electoral mix-up in Pennsylvania, involving Taft and Roosevelt electors.

If an agreement entered into last week by the Roosevelt and Taft supporters is carried out all the Roosevelt men on the republican electoral ticket will withdraw and go on the Washington party ticket by which name the progressive party in Pennsylvania is known. The vacancies on the republican ticket will then be filled with Taft men to be selected by the republican state committee.

OFFICER SHOT SPILLING BOOZE

Bartlesville, Okla., Sept. 20.—Lee Bowman, state enforcement officer, was shot and killed at Caney, Kan., early today while destroying liquor he had seized when an attempt was made to bring it into Oklahoma. Two spectators were wounded.

The shots were fired from ambush. A posse is searching for two men said to have owned the liquor. They are believed to have fled into the Osage mountains.

$70,000 TAKEN FROM EXPRESS TRAIN IN SOUTH

Money Was Sent for Payment of Louisville & Nashville Employes; Part of Chicago Loot Found.

Pensacola, Fla., Sept. 20.—Seventy thousand dollars was stolen from express packages sent from Pensacola banks on the Louisville and Nashville train to Flomaton for the payment of employes on the Louisville and Nashville railroad in that district, it was learned today.

The robbery it is reported here, took place last Wednesday and railroad detectives believe the money was stolen somewhere between Pensacola and Flomaton. Efforts were made to keep secret the fact of the theft while officers investigated.

Special Agents Investigate.

New Orleans, La., Sept. 20.—Special agents of the Southern Express Co. and detectives left New Orleans yesterday for Pensacola, it was admitted today, to investigate the robbery of express shipments of money between Pensacola and Flomaton. Officials here refuse to divulge the amount stolen.

Part of Loot Found.

Chicago, Sept. 20.—Part of the $272,000 loot robbers got from the Bank of Montreal at New Westminster, B. C., and which was hidden here, has been recovered by Chicago police according to an admission by Chief Schuettler today.

It was intimated that the amount would run into the thousands, in Canadian bills of large denomination.

It is believed the money was hidden by the two thieves who escaped after they had beaten a policeman into unconsciousness when he attempted to arrest them single handed. The robbers, Chief Schuettler believes, are still in Chicago.

Lake Park Bank Robbed.

Lake Park, Sept. 20.—Robbers blew open the vault in the state bank here early this morning, secured $3,000 in cash and escaped. It is believed the cracksmen escaped in an automobile.

OIL COMPANIES NOW COMPETITORS

Secretary of Standard Oil Testifies Former Close Relationship Has Been Discontinued.

New York, Sept. 20.—Interlocking directorates, consultations, confidential plans and exchange of views among the Standard Oil Co., of New Jersey and its former subsidiaries comprising the oil trust which the federal supreme court ordered dissolved, has been abolished utterly, according to testimony Richard C. Veit, secretary of the Standard Oil Co., of New York, today in the Standard Oil-Waters-Pierce hearing.

Since the dissolution, Mr. Veit added, both New York and New Jersey companies have begun the construction of fleets of oil schooners to compete for trade. Six vessels were already under construction by the New York company. He said the New Jersey company was building a fleet in Germany.

AMBASSADOR FROM AUSTRIA NAMED

Vienna, Sept. 20.—Konstantin Theodor Dumba, at present minister to Sweden, was today nominated to succeed Baron Hengelmuller von Hengervar as ambassador of Austria Hungary at Washington.

Herr Dumba is a wealthy and popular diplomat. He inherited the property of his uncle, a Vienna banker and philanthropist, who was a great art patron.

Baron Hengelmuller has represented Austria-Hungary at Washington for eighteen years and was dean of the diplomatic corps there.

SAYS BREWERS ARE MAINSTAY

Boston, Mass., Sept. 20.—"Brewers are the mainstay of national and practical temperance," said President Jacob Ruppert of New York in his opening address at the 52nd annual convention of the United Brewers association, which began here today. President Ruppert sketched briefly the commercial changes of the 38 years since the first Boston convention, stating that between 1870 and 1910 while the population had increased 300 per cent, the consumption of beer increased 700 per cent.

The labor question as referred to in the annual report of the trustees, who said: "Experience emphasizes the need of a national brewery trade agreement and a national brewery arbitration board which would jointly represent employers and employes."

Winnipeg Gets Municipal Meeting.

Buffalo, N. Y., Sept. 20.—Winnipeg, Man., was selected as the next convention city by the League of American Municipalities and John P. Ryder of Omaha was elected president at the closing session of the league's sixteenth annual convention here today.

Bible Venders Instead Of Bank Robbers Trailed By The Agency Bloodhounds

The Agency bloodhounds evidently confused the odor of sanctity with that of criminality. The trip taken by auto yesterday afternoon by Sheriff W. E. Knox and Countyy Steward Ed Lowenberg to head off the supposed bank robbers trailed by Cowger and Rodebaugh's bloodhounds from Osceola eastward, proved unavailing in catching criminals, but two religious workers who were vending bibles, tracts and other religious articles were apprehended. The two men were met by the county officials about six and a half miles southwest of the city and taken into custody for a few minutes by the officers. Their appearance belied the criminal in the men, but Sheriff Knox, to make sure that they were not imposters or the suspected robbers in disguise, made a search of their persons which was not resisted, and found that their story was corroborated by both appearance and the things in their possession. One of the men gave the officers a tract treating on the second coming of the Messiah and endeavored to tell the officials how to reach eternal bliss when the mortal coil is shuffled off. The men in detailing their trip and the route covered before meeting up with the officers, said that they had been in Osceola and came through Albia. They are doing a missionary work or religious canvassing through the country districts, stopping at the farm houses en route. The officers concluded that the dogs had confused the odor of criminality, and returned home, arriving late

State Capital
State Historical Society

SPRECKLES IN WILSON'S CAMP

ADVISES GOVERNOR OF SUPPORT OF "NATIONAL PROGRESSIVE REPUBLICAN LEAGUE."

Columbus, O., Sept. 20.—Coincident with the opening of the democratic campaign in Ohio today, Gov. Woodrow Wilson gave his hearty approval to the formation in New York of the Wilson National Progressive Republican league. The governor and Rudolph Spreckles, now in New York in charge of the movement exchanged the telegrams made public today.

Mr. Spreckles, wiring under date of Sept. 19, said:

"Eastern headquarters of the Wilson National Progressive Republican league were today opened in the Metropolitan building New York. Our league was founded by progressive republicans, who hope to save the progressive movement that was started some years ago years ago in the republican party but which is now being betrayed by the organization of Col. Roosevelt's third term party.

"Under these conditions you alone deserve the support of true progressives who place principles above partisanship. Our membership is wholly republican but we feel justified in voting and working for your election, since the candidate of the republican party does not represent the progressive majority in that party and Roosevent's candidacy is hopeless and only serves to divide our progressive forces."

To which Gov. Wilson replied:

"Your telegram telling me of the formation of the Wilson National Progressive Republican league gave me the deepest gratification and encouragement. The action you and your associates are taking seems to me truly patriotic. The progressive forces of the nation ought not to be divided. No mere attachment to a party name should now separate men whose purposes and convictions are united for a common object. The formation of the league seems to me one of the most reasurring indications of the temper of thoughtful men. May I not convey to you my congratulations on your own part in the movement?"

Invading President Taft's home state Gov. Woodrow Wilson today will open the Ohio democratic campaign with five speeches, assisted by Congressman James G. Cox, candidate for governor and Senator Gore of Oklahoma. Every minute of Gov. Wilson's stay in Columbus from the time he arrived from Detroit at 8:15 until his departure tomorrow will be engaged in making speeches, conferring with lieutenants, organizing workers and giving a reception to the public.

NICARAGUA TOWN FALLS TO REBELS

San Juan del Sur, Nicaragua, Sept. 20—Nicaraguan revolutionists yesterday attacked and captured the town of San Jorge, on Lake Nicaragua, five miles east of Rivas. While the rebel gunboats bombarded San Jorge another force of insurgents furiously attacked Rivas, cutting telegraph wires to San Juan del Sur and gradually forcing the government troops to fall back on the town of Cuarte.

When the rebel attack slackened the government forces captured a fire gun and used it with such deadly effect that the rebels were obliged to retire.

The fight lasted five hours and both sides suffered many casualities.

VANDERBILT CUP RACES POSTPONED

Wauwatosa, Race Track, Wis., Sept. 20.—After waiting until nearly 2 o'clock for fair weather the Pabst and Wisconsin trophy races were postponed until Tuesday because of the wet condition of the course. It was announced, however, that the Vanderbilt race would be run tomorrow and the grand prix on Monday.

ROSEWATER IS ATTACKED BY T.R.

FORMER MEMBER OF NATIONAL COMMITTEE ASSAILED IN NEBRASKA SPEECHES.

Hastings, Neb., Sept. 20.—Assailing the republican leaders in general and Victor Rosewater of Omaha, former republican national committeeman, in particular, Col. Roosevelt opened his campaign in Nebraska today.

"We have grown to look for leadership to Nebraska," said Col. Roosevelt in his speech here. "I think we are going to do our part in the east. We are waking up in the east.

"In this district or in any other district the only way in which the republican party can show itself true to Abraham Lincoln is to support the progressive party.

"Penrose, Barnes and your own Victor Rosewater were engaged at the Chicago convention in scuttling the republican ship. They cared not a bit for the principles of the party. All they wanted was to accept the power for their own purpose and if they could not keep it without ruining the party they were glad to ruin the party.

"The bosses know that Mr. Taft is a dead cock in the pit and they are turning to Mr. Wilson. I will admit that the bosses don't like me. What's more I will make them not like me some more before I am through.

"We progressives intend to see that in our party every promise made by a public man is kept."

Renews Attack on Rosewater.

Fairmont, Neb., Sept. 20.—Gov. Aldrich and Representative Geo. Norris boarded Col. Roosevelt's train to accompany him on the run to Lincoln.

At Sutton the colonel renewed his attack on Mr. Rosewater.

"If we are fit to rule our lives," he said, "we want to cast our own votes and not have Victor Rosewater cast them for us. I came out here in the primaries, and fought fair and square. We carried Nebraska and Victor Rosewater cast the vote of Nebraska against us. In the Chicago convention, Mr. Rosewater allowed the ninety contested delegates to vote on each other's right to seats.

"How long would you have criminals left in a penitentiary if you allowed them to vote on each other's rights to go free? The criminals in the penitentiary are no worse offenders than Mr. Rosewater and his allies for the theft of a nomination is worse than the theft of a purse."

The public schools was closed at Harvard when Col. Roosevelt went through and the principal led his flock to the station. Col. Roosevelt spoke to them briefly.

HOUNDS SEARCH FOR MINE INCENDIARIES

Dogs Strike Two Trails in West Virginia Mountains; Military Forces Increased.

Charleston, W. V., Sept. 20.—Scores of soldiers with bloodhounds are searching the mountains at the head of Carbon creek today for the men who last midnight tried to fire the tipple of the South Carbon Coal Co., and the residence of Charles Cable, superintendent of the mine.

Bloodhounds were brought up from the military headquarters at Pratt and early today they struck two trails which are being followed over the densely wooded mountains. These attempts at incendarism are the most daring since the strike was inaugurated, following as they do on the heels of the destruction by fire of the tipple of the Carbon Coal Co., nearby, earlier in the week.

The military forces were reinforced this morning by a company of infantry bringing the total number of soldiers in that immediate section to 250.

Private Charles Campbell, Company E, of Parkersburg, who was mistaken last night for an intruder by a sentry at Cherokee, W. Va., and shot, was somewhat improved today and his recovery is expected.

UTAH MINERS, OUT ON STRIKE, QUIET TODAY

Not a Shot Fired Between Strikers and Deputies, Although Greek Workmen Engage in Angry Talk.

Bingham, Utah, Sept. 20—Not a shot was heard in Bingham last night. The 5,000 miners on strike for higher wages, impressed seemingly by the address delivered to them yesterday by Gov. Spry and others, remained quiet. But early this morning they began to assemble at the railroad station and in a little while 300 of them, chiefly Greeks, were discussing the report that the Utah Copper Co., purposed to put them to work at the steam shovel pits today.

The Greeks asserted today their advices from Salt Lake were that L. G. Skliris, an employment agent, had been engaged by the Utah Copper Co., to forward strikebreakers. The report was the more irritating as Skliris has been made one of the issues of the strike by the Greek element, which asserts that he dictates the employment of his countrymen by the mining companies, levies a toll on their wages and procures the discharge of those who do not patronize his place of business. Gov. Spry has been told by many Greek strikers that they would be willing to waive the wage demands if Skliris was removed from camp.

The alleged influence of the labor agent is denied by Assistant Manager Gemmel of the Utah Copper Co.

A "dinky" engine guarded by twenty-one deputy sheriffs moved from the foot of the mountain to the top level of the Utah Copper Co.'s property this morning. The strikers did nothing. Men are leaving camp at the rate of 100 to 150 on every train.

Sixty-two hundred men now compose the army of mine workers made idle by the strike in the mines here Wednesday morning and present indications are that this number will be greatly increased unless a settlement of difficulties is brought about within the next few days. The situation today was practically the same as when the strike was called, and there appears to be little prospect of an agreement between miners and operators soon.

May Call Out More Miners.

Salt Lake City, Utah, Sept. 20.—Charles H. Moyer, president of the Western Federation of Miners announced today that the federation may call out the union men employed at the Nevada Consolidated properties at Ely, Nev., the Ray Consolidated at Kelton, Ariz., and the Chino at Santa Rita, N. M., which are controlled by the Utah Copper interests.

"We are contemplating such a move," President Moyer said, "and have a man on the way to Ely to take up the matter there. D. C. Jackling, manager of the Utah Copper Co.'s properties, refused to recognize the union in Utah and we see no reason why union men in other states should work for him. The men have some pride and are unwilling to work where they are not wanted. In fact the miners at the Nevada Consolidated at Ely, Nev., are ready to go out at a moment's notice."

The Nevada Consolidated mine employs about 3,500 men. At the Chino, Santa Rita, N. M., 500 men are employed and the Ray Consolidated has several hundred. The Nevada Consolidated and Chino, like the Utah Copper mine of Bingham, are worked with steam shovels at the surface and most of the labor is unskilled.

SUPERIOR QUIET AFTER NIGHT RIOT

Street Cars Run by Strike Breakers and Guarded by Police Today; No Rioting in Duluth.

Superior, Wis., Sept. 20.—Manned by strike breakers and guarded by police, street cars are again running here today after the outbreaks of last night, when a mob of 5,000 men and boys stormed street cars and car barns, doing thousands of dollars worth of damage and injurying many persons.

Broken glass strewn along the city's main thoroughfare and bricks, stones and other missiles easily mark the principal points of the disorder, but otherwise the city is in its normal state this morning.

No Disorder in Duluth.

Duluth, Minn., Sept. 20.—While disorder and riot reigned in Superior, Wis., last night striking car men in Duluth devoted their time in posting pickets at the car barns of the Duluth street railway company, but no violence was attempted on this side of the bay. That the winning of the street car strike by the men is only a question of time, and that they are gaining in strength every day is the contention of the striking carmen. None of the old employes went back to work during the last twenty-four hours, it was declared.