

TODAY'S NEWS TODAY—You get it in the HERALD. Fifty cents a month or 15 cents a week delivered at your door; fifty cents by mail.

The Evening Herald

THEY'VE FOUND a skeleton in California 3 feet high. There are also some small men nowadays.

TRIBUNE-CITIZEN. Vol. 26, No. 58.

ALBUQUERQUE, NEW MEXICO, WEDNESDAY, FEBRUARY 11, 1914.

EVENING HERALD. VOL. 26, NO. 290.

MINE WORKER WITNESS TO KEEP HIS SECRETS

John R. Lawson, Who Tells Story of Alleged Colorado Peonage Not Forced to Give Away Hand to Operators.

RECOGNITION OF UNION AN ESSENTIAL

Only Possible Basis for Settlement Between Workman and Employer, Declares Union Official to Probers.

LAWSON AFFIDAVITS TO PROVE PEONAGE

Violation of Postal Laws Alleged in Withholding of Letters Addressed to Mother Jones.

By Leased Wire to Evening Herald.] Denver, Colo., Feb. 11.—John R. Lawson, Colorado member of the international executive board of the United Mine Workers of America, today asked the house investigation committee to excuse him from revealing all the details of the district convention at which the Colorado coal strike was called.

"You gentlemen must remember," said Lawson, "that this strike is not over and we do not care to reveal anything that might give away our hand to the operators."

The labor leader was allowed to invent as he saw fit, and was not forced for union secrets.

He said that the convention was held September 16, 1913, and consisted of about 200 delegates elected by members of the local unions, and at the vote to strike was unanimous.

Asked by Chairman Foster for his reasons for insisting upon recognition, the labor leader said: "Without union recognition, there is no basis for settlement between workman and employer. The union prevents strikes without it. A few men may strike without justification. Then, unorganized workers cannot obtain redress for unjust change of working conditions. If they make complaint, they are discharged."

Lawson then told of the alleged limitation of strike breakers. He declared that there had been less chance in the northern than in the southern Colorado fields, although the troops had not been sent to the west in the northern territory.

The witness was questioned regarding the district convention at which the strike was called.

"The operators have been considerably puzzled how the delegates from the camps got to that convention," he replied. "Since 1902, when over 6,000 of our men were discharged in southern Colorado for being in the union, we have become a secret union. We kept our membership secret and the operators never heard out how the delegates were elected."

"Do you object to telling us, now at these men are all on strike?" "Only that this strike is not over and we do not care to give away our hand."

The witness said, however, that Jones had been organized secretly, and that all the members were allowed to vote for delegates. He said the convention was composed of 200 delegates and that the vote was unanimous.

The witness then told of the efforts to secure a conference between operators and miners. He said that the operators had refused to enter a room in any office of the United Mine Workers of America.

"In that case," asked Representative Evans, "don't you think some of us may come to this investigation, as we have got you all in the same boat?"

"Well, it will do no harm," replied Lawson, "to have you all here."

son how many men had been killed in the strike. He mentioned that Gerald Lippert was killed in August preceding the strike and enumerated the strikers who, he said, had been killed in the fights during the strike.

Reverting to the meeting of editors, Lawson said he had an invitation to attend but was stopped at the door and not permitted to enter.

The cross-examination was begun by Fred Herrington of counsel for the mine operators. The witness was questioned regarding union activity in various parts of the state. He was then asked about conditions in the Fremont mine in Fremont county.

"The large companies never entered into a contract with the union in Fremont county, did they?" "Not to my knowledge."

"Do you believe the union organization in Fremont county existed with or without the knowledge of the company officers?" "I presume they knew something about it."

"Do you know the superintendents of any of the Fremont county mines?" "I know some of them."

"Do you know of Superintendent Dave Griffiths ever sending anybody 'down the canyon' because they belonged to the union?" "I can't give any specific instance of this action."

"Isn't it a fact that the superintendents of those mines have lived in harmony with the men until this year?" "Yes, for the most part."

In his direct examination Lawson testified that the men in the Fremont mine had been dissuaded from striking by the officers of the United Mine Workers, and that on that occasion the controversy was over a system of screening put into effect by the coal company.

Mr. Herrington tried to get the witness to admit that payment on the mine run basis was unfair to the more efficient workmen. Lawson, however, insisted that the relative amount of lump and sack coal brought out by any individual miner was dependent rather on the mine management and the character of the workings than upon the efficiency of the miner.

At 12:15 the committee took luncheon recess until 2 o'clock. It was announced that a night session would be held. It was not considered probable that the investigators would go to Trinidad before tomorrow night.

LAWSON TELLS ABOUT ARRIVAL OF MILITIA

Denver, Colo., Feb. 11.—At the opening of this morning's session of the strike investigation it was announced that Edward P. Costigan had been added to the list of attorneys for the miners. John R. Lawson was called to the stand to resume his testimony. The Colorado member of the executive board of the United Mine Workers of America told of the arrival of the militia in the strike zone.

"Almost immediately after the arrival of the troops at Trinidad, detachments were stationed at various points in Las Animas and Huerfano counties," he said. "When the troops arrived, the leaders of our organization informed the men on strike that they were satisfied that the militia was going to enforce the laws, not take part in the labor controversy."

The witness then told of having informed Adjutant General John Chase that the Baldwin-Felts detectives employed by the operators were importing arms. He said the general ordered a captain to capture the guns. The guns were taken from an express office by the troops.

"Later," he resumed, "General Chase admitted that this particular shipment of arms, taken from the express office, was distributed to guards."

"Before we go any farther," said Representative Byrnes, "tell us, Mr. Lawson, whether or not you have any proof that peonage has existed in the strike zone."

"We have the affidavits of four Mexicans who were brought from El Paso. The guards took their shoes away to keep them from walking out of the camp. When the mine officials found that the men were determined to strike they gave the shoes back to them."

"We have other cases of peonage, but I think it will be better for us to present the witness before you rather than for me to simply tell of them." The witness then told of alleged importation of strikebreakers in violation, he said, of Governor Ammons' original order.

Undertaker's Aid Caught Burying Own Victim

Slayer of Pecos Sheriff Nabbed While Digging Grave; Third Mexican Murder Nearly Causes Lynching in Texas Town.

(By Leased Wire to Evening Herald.) Pecos, Tex., Feb. 11.—Arrested while he was digging the grave for City Marshal T. Y. Moreland, whom he is supposed to have killed, Fernando Trujillo was yesterday rushed to jail to prevent a threatened lynching. Moreland and several deputy sheriffs were called to Santa Rosa, the Mexican settlement, late Sunday night to quell a disturbance. Two Mexicans opened fire on the officers as they approached, and Moreland fell dead instantly.

The Mexicans fled. The officers failed to capture them, but found clues which led them to suspect Trujillo, who is employed by a local undertaker. He reported for work Monday, and while digging Moreland's grave yesterday was arrested. This is the third murder here by Mexicans in thirty days and feeling runs high.

Trujillo was taken to the jail here. He is being held before Sheriff A. Sargent, inspector of jails, and David H. Howard, inspector of boilers for the Philadelphia district.

Captain Berry was represented by John F. Lewis, a Philadelphia admiralty lawyer. Albert Lee Thurman, secretary of the department of commerce of Washington, was also present.

In opening the case the local board of inspectors announced that "every phase" of the collision would be investigated, not only to establish responsibility, but also with the view of obtaining the enactment of congressional legislation to guard against a recurrence of the same.

Captain Berry was called and he pleaded not guilty to the charges against him. Among the charges are that he did not reduce speed during the fog and did not take timely action to avoid the collision.

The dead included: E. J. COMEAUX, 26 years old, son of Captain R. J. Comeaux and clerk of the boat; W. E. HARRIS, river pilot. The three others drowned were a negro woman passenger and two negro members of the crew. None of the bodies has been recovered.

Those who succeeded in swimming ashore from the burning vessel were brought to this city today. Captain Comeaux was badly burned. He was taken to his home where he is in a serious condition.

To Investigate Pipe Line Plan.

Washington, Feb. 11.—Secretary Lane today suggested to the senate an appropriation of \$5,000 for investigation into the practicability of a government oil pipe line from the Mid-Continent field of Oklahoma to the Gulf of Mexico to supply fuel oil for the navy.

Captain Johnson told the story of the collision and of notifying the quartermaster to get all the passengers on deck.

EARTHQUAKE EXCITES PEOPLE OF HAVANA

(By Leased Wire to Evening Herald.) Havana, Feb. 11.—A strong earthquake felt at 2 o'clock this morning at Santiago created great excitement among the population. No reports of damage were received.

Real Sensation in Bond vs. Gore

Blind Oklahoma Senator Has 6 Attorneys to Defend Himself Against \$50,000 Damage Action of Woman.

(By Leased Wire to Evening Herald.) Oklahoma City, Okla., Feb. 11.—Testimony of a sensational nature is expected in the hearing of the \$50,000 damage suit against United States Senator Thomas P. Gore, led by Mrs. Minnie Bond, which opened in the district court here today.

Senator Gore was surrounded by a corps of six attorneys headed by Mrs. Bond's charges are based on an alleged attack on her by the senator in a Washington hotel, some months ago. Mr. Gore denies all the allegations and claims that the charges have been created by his political enemies.

Nine jurors, subject to preliminary challenge, have been selected at the trial of Senator Thomas P. Gore in the \$50,000 slander suit filed against him by Mrs. Minnie Bond, which opened here today in the district court.

CAPTAIN OF SHIP WHICH RAMMED MONROE ON TRIAL

Nantucket's Chief Charged With Negligence at Time of Collision Which Sank Liner and Sacrificed 41 Lives.

DEFENDANT ENTERS NOT GUILTY PLEA

(By Leased Wire to Evening Herald.) Philadelphia, Feb. 11.—The trial of Osmyn Berry, captain of the Merchant and Miners steamship Nantucket, charged with negligence in the collision with the Old Dominion liner Monroe on January 31, began today before the United States local inspectors of steam vessels.

Forty-one persons lost their lives in the collision, which occurred off the coast of Virginia. The trial is being held before Bedford A. Sargent, inspector of jails, and David H. Howard, inspector of boilers for the Philadelphia district.

Captain Berry was represented by John F. Lewis, a Philadelphia admiralty lawyer. Albert Lee Thurman, secretary of the department of commerce of Washington, was also present.

In opening the case the local board of inspectors announced that "every phase" of the collision would be investigated, not only to establish responsibility, but also with the view of obtaining the enactment of congressional legislation to guard against a recurrence of the same.

Captain Berry was called and he pleaded not guilty to the charges against him. Among the charges are that he did not reduce speed during the fog and did not take timely action to avoid the collision.

The dead included: E. J. COMEAUX, 26 years old, son of Captain R. J. Comeaux and clerk of the boat; W. E. HARRIS, river pilot. The three others drowned were a negro woman passenger and two negro members of the crew. None of the bodies has been recovered.

Those who succeeded in swimming ashore from the burning vessel were brought to this city today. Captain Comeaux was badly burned. He was taken to his home where he is in a serious condition.

To Investigate Pipe Line Plan.

Washington, Feb. 11.—Secretary Lane today suggested to the senate an appropriation of \$5,000 for investigation into the practicability of a government oil pipe line from the Mid-Continent field of Oklahoma to the Gulf of Mexico to supply fuel oil for the navy.

Captain Johnson told the story of the collision and of notifying the quartermaster to get all the passengers on deck.

EARTHQUAKE EXCITES PEOPLE OF HAVANA

(By Leased Wire to Evening Herald.) Havana, Feb. 11.—A strong earthquake felt at 2 o'clock this morning at Santiago created great excitement among the population. No reports of damage were received.

Real Sensation in Bond vs. Gore

Blind Oklahoma Senator Has 6 Attorneys to Defend Himself Against \$50,000 Damage Action of Woman.

(By Leased Wire to Evening Herald.) Oklahoma City, Okla., Feb. 11.—Testimony of a sensational nature is expected in the hearing of the \$50,000 damage suit against United States Senator Thomas P. Gore, led by Mrs. Minnie Bond, which opened in the district court here today.

Senator Gore was surrounded by a corps of six attorneys headed by Mrs. Bond's charges are based on an alleged attack on her by the senator in a Washington hotel, some months ago. Mr. Gore denies all the allegations and claims that the charges have been created by his political enemies.

Nine jurors, subject to preliminary challenge, have been selected at the trial of Senator Thomas P. Gore in the \$50,000 slander suit filed against him by Mrs. Minnie Bond, which opened here today in the district court.

GOVERNMENT SUIT WOULD DIVORCE TWO PACIFIC RAILROADS

Attorney General Brings Action to Wrest Control of Central from Hands of the Southern.

ASKS CANCELLATION OF 99 YEAR LEASE

(By Leased Wire to Evening Herald.) Salt Lake, Utah, Feb. 11.—Attorney General McReynolds filed a Sherman law suit here today to break the southern Pacific's control over the Central Pacific railway and its subsidiary Pacific coast state lines.

Cancellation of the Southern Pacific's 99-year lease and a perpetual injunction were asked.

In addition to the railroads other defendants named are the Union Trust company of New York (trustee for the southern Pacific under a mortgage and holder of the stock of the Central Pacific); William Spruille, Julius Kruttschnitt, Robert Gotel, Cornelius N. Bliss, Walter P. Bliss, Henry W. DeForest, J. Horace Harding, Charles W. Harkness, Henry E. Huntington, James N. Jarvis, Ogden men, and L. F. Loree.

The petition, which bears the names of Attorney General McReynolds and J. W. Orr, special assistant in the case, alleges that the roads are operated under the same management, that there is discrimination by them in favor of each other, against other and competitive roads, and that these conditions are in restraint of trade.

It charges also that alleged combination in violation of the so-called Pacific road laws, which were designed by congress to secure a continuous, connected line from the Missouri river to the Pacific coast with equal advantages to all other railroads. It was declared further that the Southern Pacific and the Central Pacific are competitive lines.

It was pointed out that the lines of the Central Pacific form a natural through connection at Ogden for the Union Pacific and that a restoration of competitive conditions would give the Union Pacific a through route for transcontinental traffic and for traffic to the orient by steamship connections at San Francisco. The decree sought, the petition avers, would restore competition to portions of California, Arizona, New Mexico, Texas and Louisiana.

"Through its control of the Central Pacific railway company," says the petition, "the Southern Pacific company prevents joint traffic or profitable arrangements between the former and the Union Pacific. The Southern Pacific so adjusts its freight rates and passenger fares on traffic originating in the Central Pacific territory, north of San Francisco so as to discriminate in transportation eastward over the Central and Union Pacific railroads and other eastern connections thereby preventing competition and denying equal advantages and facilities as to rates, time and transportation."

The petition further declares that in operation the management favors its "Sunset route," its joint rail and water service between the eastern seaboard and the Pacific coast, allowing as little business as possible to go through the Ogden gateway and over the Central Pacific.

CASE CONSIDERED FOR SEVERAL MONTHS

Washington, Feb. 11.—The government's case against the southern Pacific had been under consideration for several months. Attorney General McReynolds is understood to have brought the suit, not only to break up a combination which he contends is in restraint of trade, but also in the hope its successful prosecution will be followed by acquisition of the Central Pacific road by the Union Pacific, giving the latter a through line of its own from the Missouri river to San Francisco.

Mr. Yoakum, who was former chairman of the board of directors of the Frisco, in his motion asks the federal district court, without jurisdiction, and that the facts set forth are insufficient as a basis of action. Other reasons are also given.

The petition relates that he comes "by protestation, not confessing or acknowledging all or any of the matters or things in the bill of complaint to be true in such manner and form as the same are therein set forth."

Yen present or former directors of the Frisco were named in the receiver's suit, filed January 22, as liable to the railroad for a loss of \$14,498,000 sustained as the result of the purchase of the St. Louis, Brownsville & Mexico railroad from a syndicate of which Frisco directors had been promoters.

YOAKUM ASKS DISMISSAL OF FRISCO RECEIVER'S SUIT

St. Louis, Feb. 11.—The dismissal of the suit of the receivers of the St. Louis and San Francisco to recover \$14,498,000 from former officers and directors of the road was asked by B. F. Yoakum of New York, master of the suit applies to him, in a petition filed in the federal district court here today.

Two hours later, James Campbell, Thomas H. West and A. S. Greig, all of St. Louis, and defendants, filed similar motions.

Omaha Attorney Indicted. Lincoln, Neb., Feb. 11.—Thomas H. Matters, a prominent attorney of Omaha, Neb., was today indicted by the special federal grand jury in two indictments, comprising in all 23 counts, for his relations with the First National bank of Sutton, Neb., recently closed.

The first indictment charged that Matters aided President Laebbin of the bank, who has been indicted, in issuing and putting forth certificates of deposit of any money and without the authority of the directors.

The second indictment charges that Matters devised a scheme to defraud the bank. Approximately \$50,000 is involved.

Pigmy Skeleton 3 Feet High Found on Coast

(By Leased Wire to Evening Herald.) Los Angeles, Feb. 11.—The skeleton of what appears to have been a prehistoric pigmy, less than three feet in height, is on its way today from the asphalt beds of LaBrea to the Smithsonian Institution in Washington. If the genuineness of this find is verified there, the LaBrea skeleton will take place in the history of anthropology as the first remains of an antediluvian man found on the North American continent.

Indications are that the skeleton belongs to the Pleistocene period, roughly placed at 200,000 years ago. First, was found the skull last Friday and since then the remainder of the bones, said to be in an excellent state of preservation, have been scraped from their casing of asphalt with the most minut, and painstaking care.

Nearly by the trunk, still erect, of a tree, the summit of which was overlaid by twenty feet of asphalt. Close to the tree trunk were the bones of a mammoth bear, of a species already classified as belonging to the Pleistocene period.

Scientists of the University of California have contended that North America and Asia were at one time joined and that, geographically speaking, the backbone of the continent is the Alaskan isthmus. Across this neck of land, they believe, came the colonists, the little two-toed progenitor of the domestic horse. They find at LaBrea, if it proves what it seems, will strengthen their contention that there was once an interchange of life between the two continents.

REMAINS OF GENTLEMAN 200,000 YEARS OLD FIRST ANTEDILUVIAN SPECIMEN FOUND ON AMERICAN CONTINENT.

(By Leased Wire to Evening Herald.) Los Angeles, Feb. 11.—The skeleton of what appears to have been a prehistoric pigmy, less than three feet in height, is on its way today from the asphalt beds of LaBrea to the Smithsonian Institution in Washington. If the genuineness of this find is verified there, the LaBrea skeleton will take place in the history of anthropology as the first remains of an antediluvian man found on the North American continent.

Indications are that the skeleton belongs to the Pleistocene period, roughly placed at 200,000 years ago. First, was found the skull last Friday and since then the remainder of the bones, said to be in an excellent state of preservation, have been scraped from their casing of asphalt with the most minut, and painstaking care.

Nearly by the trunk, still erect, of a tree, the summit of which was overlaid by twenty feet of asphalt. Close to the tree trunk were the bones of a mammoth bear, of a species already classified as belonging to the Pleistocene period.

Scientists of the University of California have contended that North America and Asia were at one time joined and that, geographically speaking, the backbone of the continent is the Alaskan isthmus. Across this neck of land, they believe, came the colonists, the little two-toed progenitor of the domestic horse. They find at LaBrea, if it proves what it seems, will strengthen their contention that there was once an interchange of life between the two continents.

DEATH KNELL OF LOBBYING HAS SOUNDED

New Deal for American Business Started by National Chamber of Commerce Says Speaker at Meeting.

(By Leased Wire to Evening Herald.) Washington, Feb. 11.—More than 500 delegates, representing every state in the union, were gathered at the opening of the convention of the Chamber of Commerce of the United States today, when President Harry A. Wheeler of Chicago in his address pictured the vast foundation on which the organization is based. The chamber now comprises 50 per cent of the business organizations of the country, he said, built on a membership of over a quarter of a million. The voice of American business had found expression that could not be denied, Mr. Wheeler declared, and the death knell of lobbying in Washington had been sounded.

"When American business wishes to speak," he said, "it can go to congress or to the executive and say, 'This is the opinion of American business on this particular subject.' This is a new day when our methods are being reorganized and the organized forces of labor and of agriculture and of commerce meet here in Washington, not for war, but for peace; that the opinion of each may have its place in framing the laws on which all shall live."

President Wheeler pointed out that one of six referendum votes taken by the Chamber of Commerce had found its way to the statute books in part, at least, in the new currency law.

INDIAN SCHOOL HEAD ORDERED SUSPENDED

(By Leased Wire to Evening Herald.) Santa Fe, N. M., Feb. 11.—Following investigation by Inspector G. B. Tucker of the interior department, Capt. H. F. Cogswell of the Santa Fe U. S. Indian school has been ordered suspended, on a charge of insubordination. A full investigation is to be made.

AGED BRIGADIER GENERAL DIES

Washington, Feb. 11.—Brigadier General Wirt Davis, United States army, retired, died here today after a three years' illness. He was 74 years old.

CASTILLO AND FOLLOWERS EXECUTED

Fierce Bandit and Six of His Men Captured and Put to Death, Report Received by General Villa.

REBEL CHIEFTAIN HOPES IT'S TRUE

(By Leased Wire to Evening Herald.) El Paso, Tex., Feb. 11.—Maximo Castillo and six of his followers were captured and executed Monday near Chocolate Pass, about 45 miles north-east of Pearson, Chihuahua, according to telegrams received Wednesday morning by General Villa, in Juarez.

The messages were sent from Casas Grandes, he said, by constitutionalist officials. A detachment of rebel cavalry under Major Juan Samaniego surrounded Castillo's band near the pass, it is reported, and captured seven of them, including Castillo. Three outlaws escaped and are in hiding in the vicinity of the pass.

General Villa said today that he hoped the report was true, but would not make an official statement until he had heard from Major Samaniego directly.

"There is no chance for Castillo's band to escape, even if this message is not confirmed," he said. "The whole western part of Chihuahua is being 'dragged' for him and he is bound to be captured. The penalty for his crimes is death, and I think if he is not dead already, he will be executed as soon as captured."

MINISTER OF FINANCE DE LA LAMA RETURNS

Paris, Feb. 11.—Adolfo de la Llama, Mexican minister of finance, sailed today from Chihuahua for New York on board the Kronprinzessin Cecilie. Before leaving he said: "I am returning to Mexico to devote myself to Provisional President Huerta's administration. I have a plan to meet all the Mexican national obligations and I am convinced that the plan will accomplish its purpose. I probably will return to Mexico City by way of Cuba and Vera Cruz."

HEARST IN FIGHT WITH ASSOCIATED PRESS

(By Leased Wire to Evening Herald.) New York, Feb. 11.—On application of William H. Hearst, Justice Leonard A. Gieriech of the New York state supreme court, has issued an injunction restraining the Associated Press from new news in the San Francisco Examiner or in any way disciplining or punishing Mr. Hearst because of his refusal to comply with the defendant's decision to change the title of a certain edition of the Examiner. The writ is returnable on February 13 for argument.

Mr. Hearst some time since began the issuance of an edition of the Examiner designed for circulation in the adjacent city of Oakland, and the title of this special edition was so arranged as to make it appear it was the Oakland Examiner. The words "Edition of San Francisco," which were interposed between "Oakland" and "Examiner" in the title line being in small type.

The member of the Associated Press representing the Oakland Tribune complained that this was a violation of the by laws of the association under which the right of Mr. Hearst was limited to the publication of Associated Press news in the San Francisco Examiner. Mr. Hearst's attention was called to the matter with a request that the misleading heading be discontinued. As this request was not complied with, Mr. Hearst was cited by the board of directors in December last to make answer to a charge of violating the by laws of the association. The matter was continued until the meeting of the board of directors today, and prior to the meeting of the board this injunction was issued.

NEBRASKA MOOSES REFUSE TO CONSIDER BURYING HATCHET

(By Leased Wire to Evening Herald.) Lincoln, Neb., Feb. 11.—Amalgamation with the Republican party is not to be considered by Nebraska Progressives, who met here today, it was decided, after brief talks by Medill McCormick, national Progressive committee man from Illinois, former Senator Beveridge and W. E. Casmus of Illinois, national organizer for the party.

Plans for complete state organization were outlined by F. P. Corrick, chairman of the Nebraska state central committee, who declared that party leaders in every county and precinct would be appointed.

AGED BRIGADIER GENERAL DIES

Washington, Feb. 11.—Brigadier General Wirt Davis, United States army, retired, died here today after a three years' illness. He was 74 years old.