

STRIKE BEGINS IN COLORADO TO-DAY

ESTIMATES SHOW THAT 7,000 TO 9,000 MEN GO OUT OF A FIELD EMPLOYING AS HIGH AS 15,000 MEN.—TIE UP IS NOT AS YET COMPLETE.

OPERATORS' AND UNION STORIES CONFLICTING

Denver, Colo., Sept. 23.—The coal miners' strike in Colorado, called by the United Mine Workers of America, to secure recognition of the union, wage and other concessions, became effective at 8 o'clock this morning.

Of the 10,000 to 15,000 men usually employed in Las Animas, Huerfano, Fremont, El Paso, Boulder and Routt counties, figures based on incomplete reports based the number of idle at between 7000 and 9000. How many of these previously had left the various camps could not be determined.

Apparently the fight centered in the Trinidad district, comprising Las Animas and Huerfano counties, where most of the mines are operated by the Colorado Fuel & Iron company, the Victor American Fuel company and the Rocky Mountain Fuel company.

In Fremont county where about 1000 men usually are employed, it was said that 1000 are idle. In this county two small mines employing about 300 men continued in operation. From Routt county reports were that 400 of the 600 miners were on strike.

The chief points at issue are: Recognition of the union, check weightman chosen by the miners, wage scale based on tonnage rates, eight hour day for all classes of labor, pay for dead work and abolition of the guard system.

J. F. Welborn, president of the Colorado Fuel and Iron company, today expressed gratification over the situation, stating that his reports showed 50 per cent of the miners at work, with no defections in his company's properties in the Gunnison and Crested Butte districts.

D. W. Brown, president of the Rocky Mountain Fuel company, denied the report that 200 men had gone on strike at Louisville in northern Colorado. Late reports today indicate that the strike situation here is more serious than at first supposed and that it may also lead to the partial paralysis at least of mining operations in the Cripple Creek district, which secures most of its fuel from this point.

able in securing strike breakers than was anticipated it is said. It has developed that the men secured at Pueblo yesterday refused to work when they were interviewed by local organizers upon their arrival at Pikeview.

Little Effect in Boulder. Boulder, Colo., Sept. 23.—The strike called by the United Mine Workers of America today had little effect on mine operations in Boulder county according to reports received here early today. It is estimated that approximately 1,200 men are employed regularly in this county.

About 200 men, mostly at Louisville, did not go to work this morning, according to reports received up to 10 o'clock by J. H. Williams, general manager of the Rocky Mountain Fuel company. The mines at Louisville were pletely struck this morning by union men.

Fremont County Idle. Canon City, Colo., Sept. 23.—With the exception of two mines, the Royal George and the Nonce No. 5, both employing a small number of men, the mines in Fremont county are idle this morning due to the strike called by the United Mine Workers of America. At 9 o'clock partial reports received from the coal camps indicated that 98 per cent of approximately 1,100 men employed in Fremont county had quit work.

Eighty Per Cent Out. Trinidad, Colo., Sept. 23.—Eighty per cent or more of the miners of Las Animas and Huerfano counties struck this morning. The union leaders declare by tonight that the tie-up will be complete. The operators declare that every mine in the two counties but three will be working within a few days. Starkville, in this county, and Ideal and Picot in Huerfano county, are closed. No disturbances have occurred.

Not a Complete Tie-Up. Trinidad, Colo., Sept. 23.—Later reports from the coal mines of Las Animas show that the number of men who are working and who have failed to regard the strike order, is increasing. Ninety men are at work at Primero, seventy at Sopris, and 125 at Morley, and for the operators the situation has assumed a more hopeful aspect.

The accommodations for shelter provided by the organization have been adequate at several places in the county. Scores of women and children who walked out of the camps, were caught in a drenching rain and reached the nearest camp of the strikers suffering somewhat from exposure. A steady stream of striking miners has been pouring into this city to find habitations until the crisis is over.

This morning Sheriff J. S. Grisham and District Attorney J. J. Hendrick held a consultation to consider the matter of ordering the closing of all saloons. In view of the quiet that prevails here and the absence of all disorders, the order was not given. The exodus of miners from the camps has been going on peacefully and no attempt has been made to restrain them.

Steel Plant May Close. Pueblo, Colo., Sept. 23.—There is a possibility that the Minnequa Steel plant of the Colorado Fuel and Iron company will be compelled to shut down in a week or two if the coal mine strike becomes serious. Since strike talk began, the force has been reduced. Five hundred men were laid off more than a week ago, and in anticipation of the strike order being obeyed, 1,000 more were laid off Saturday night.

Denver, Sept. 23.—Ethelbert Stewart federal mediator sent to Colorado by the department of labor in an effort to effect a settlement, arrived in Denver last night. This afternoon he was in conference with Governor Ammons. Before calling on the governor, he visited the headquarters of the United Mine Workers here. He declined to discuss his mission or the result of his observation of Colorado mine conditions.

NEW YORK REPUBLICANS TO NAME CANDIDATES. New York, N. Y., Sept. 23.—The nomination of candidates for chief justice and associate justice of the court of appeals was the formal task before the Republican state convention that assembled here today, but the party leaders planned to make the gathering one of wider importance than this duty signified.

It became known today that Republicans opposed to the leadership of William Barnes, Jr., had held an overnight meeting to urge the selection of Senator Elihu Root as permanent chairman and Job E. Hedges as chairman of the resolutions committee.

SULZER GIVES THAW WEEPS AS UP OFFICE OF GOVERNOR LAWYERS PLEAD

ANNOUNCES THROUGH HIS COUNSEL THAT HE WILL NOT EXERCISE FUNCTIONS OF EXECUTIVE UNTIL TRIAL TERMINATES.—DISMISSAL OF IMPEACHMENT REFUSED.

HERRICK FOR SULZER SPRINGS NEW ARGUMENT

Albany, N. Y., Sept. 23.—D. Cady Herrick, counsel for Governor Sulzer, announced at the outset of today's session of the high court of impeachment that the governor would cease henceforth to exercise the functions of the executive office, until the termination of the trial.

Nearly all the members of the court were in their seats when it convened. "The court having overruled the motion of the respondent," said Judge Cullen, "to dismiss the articles of impeachment on the ground that the assembly had no right to prefer the charges at any extraordinary session, it now becomes incumbent on the respondent to make answer to the charges."

Judge Herrick, chief counsel for Governor Sulzer, then announced that in view of the fact that the court had refused to dismiss the proceedings, the governor renounced his claim to the right to exercise the functions of governor pending the termination of the trial.

Judge Herrick had the floor throughout the morning session. After a long address in support of his motion for dismissal of three articles of the impeachment, dealing with Sulzer's statement of campaign expenses and alleged speculations in Wall street, he summed up his argument as follows: "The failure of the governor to file a complete and accurate statement of campaign contributions did not constitute any offense recognizable by our laws.

"The election law does not require a statement of contributions made to a candidate. "The failure of a candidate to file the statement required by this act is not an offense, but subjects him to a peremptory demand by a court to perform this duty. William Sulzer never received such a demand. "The statute recognizes a candidate's right to be given notice of errors in his statement and his right to an opportunity to correct them on the spot. It cannot call him to account until it has first accorded him the rights.

"The penal code does not require a candidate to file a statement of contributions made to him, and there are no other statutes on this subject. "Incorrect statements of facts, inserted in an affidavit, but not material thereto, do not constitute perjury. "Perjury cannot be based on an oath which was neither required nor authorized by law. "As the election law does not require the statement to be verified and as neither the election law nor the penal code require the candidate to insert contributions made to him, there is no ground for the charge of perjury nor for the charge of neglect of duty."

These points were advanced in a supplemental brief which came as a surprise to members of the high court to whom copies of Judge Herrick's original brief had been distributed. Messengers were sent scurrying to obtain law books and the members seemed to take a greater interest in the new contentions than they had evinced during any of the other legal preliminaries. Informal whispered conversations were held. Governor William Sulzer must go to trial. This was decided by the high court of impeachment last night when, by a vote of 51 to 1, its members overruled the motion of the governor's counsel to dismiss the proceedings on the ground that he was unconstitutionally impeached by the assembly because that body was in extra session when the impeachment was brought.

Senator Gottfried H. Wende, of Buffalo, Democrat, an ardent supporter of the governor, cast the solitary "nay" while seven members of the court were absent. The governor's defeat was the second that has marked the battle waged by his attorneys to annihilate, as far as possible the impeachment proceedings. Last week the court thwarted their attempt to prevent four senators from sitting as members. Their remaining ammunition consists of arguments to prove that certain of the offenses charged against the governor are not impeachable. These arguments will be heard tomorrow. Tonight's vote was taken in secret session. Presiding Judge Cullen announced that he did not feel inclined to use the power granted him under the rules to be the first to express an opinion. "My brethren," he said, "you will readily appreciate that the point which has been discussed goes to the very foundation of this proceeding. It decided in one way the proceeding must necessarily stop. You have the power to clear the court for private consultation under the rules."

This was done on motion of Judge (Continued on page five).

THAW'S MOTHER AND BROTHER WITH HIM

HEARING TODAY BEFORE GOVERNOR OF NEW HAMPSHIRE IN EXTRAORDINARY PROCEEDINGS.—THAW HAS ABLE COUNSEL WHO ARGUE THAT PETITION IS INSUFFICIENT.

THAW'S MOTHER AND BROTHER WITH HIM

Concord, N. H., Sept. 23.—Harry Kendall Thaw wept today as his counsel pleaded with Governor Folger not to surrender him to New York authorities who were determined to return the fugitive to the Matteawan asylum.

Seated only a few feet from William Travers Jerome, Thaw followed the arguments closely and when his eyes were not blinded by his handkerchief they were fixed intently on the faces of the special deputy attorney general of New York as though he were the man to be convinced. At Thaw's side sat his mother and brother. Jerome opened the extradition arguments by merely saying that the duty of the governor to grant the extradition was plain.

William C. Chase of Concord, former judge of the supreme court, and William A. Stone, of Pittsburgh, former governor of Pennsylvania, argued for Thaw. They occupied an hour and a half after which an adjournment until 2 o'clock was taken. This afternoon was given to Jerome to reply. Judge Chase and Governor Stone argued the petition for extradition was insufficient in form and unsupported by the necessary evidence and that the state of New York having through its courts, declared Thaw insane, could not now request from New Hampshire his extradition for a crime which by its nature only a sane man could commit. This alleged crime was conspiracy to escape from Matteawan.

Mr. Jerome declared this afternoon that the Duchess county grand jury had indicted Thaw. He said that an indictment was found and signed, but it had not been made public at his request, in order that he might present to the jury evidence against "the instigator of this plot, a man of more importance than any one yet mentioned in this proceeding."

Governor Stone asked for time to file supplementary briefs and was granted until Monday. The hearing was then declared at an end. Any attempt to postpone the hearing will be vigorously opposed by the Thaw lawyers, one of their number said. "Previously," he said, "counsel for Thaw have been fighting for delay. That time is now past. We are moving forward to Thaw's freedom and we shall ask the governor to decide the matter without delay."

Governor Folger saw the fugitive yesterday for the first time. At noon and again last evening, their glances crossed as they looked about the hotel dining room. Each manifested interest in the other, but there was no introduction. After consultation with his mother and brother, Thaw gave out a statement in which he denied a report that he was to become a citizen of Manchester. "No one in Manchester wants me," he said. "What our friends in New Hampshire want is the defeat of this dishonest attempt to extradite me to New York. Every one knows that this charge is only subterfuge to be dropped as soon as I should reach New York. The grand jury in Duchess county knows it is a fraud and already has refused to indict. The grand jury won't indict, the requisition is too flimsy, and my mother and I hope at last to go home in peace."

"While anyone would be proud to be a citizen of New Hampshire, I feel that as I am not one, my place is in Pennsylvania, where I belong, and where my mother, who has undergone so much strain, lives. My desire is to see her again in peace and comfort, such as we enjoyed before we became the target for the attacks of a few rich and influential gentlemen in New York. We hope people in New Hampshire will help us on our way home."

No Report On Thaw Case. Poughkeepsie, N. Y., Sept. 23.—The Duchess county grand jury, that has been considering the conspiracy charge against Harry Thaw, adjourned yesterday for two weeks without having found an indictment against him. The only information District Attorney Conger would give out was that the grand jury had not reported on the Thaw case. The matter was presented to the grand jury several days ago. Last Friday, when a partial report was made on other indictments, it was persistently reported that a vote had been taken on the Thaw case and that there was lacking sufficient votes to indict.

For quick results, a little "WANT."

VILLA RUNNING THINGS WITH A HIGH HAND

AMERICAN REFUGEE FROM SANTA ROSALIA TELLS OF BANDIT'S MANNER OF TREATING AMERICANS.—LOOTS THE TOWN AND AMERICANS AND MEXICANS FLEE.

MEXICAN WOMEN ARE ALL PUT IN JAIL

El Paso, Texas, Sept. 23.—Dr. C. E. Schakelford, an American citizen, arrived here today from Santa Rosalia, Chihuahua, Mexico, a refugee from Pancho Villa, the rebel leader, who gave him 24 hours to get out or be killed. Dr. Schakelford is a native of Frankfort, Ky., and has been living in Santa Rosalia for six years. He says when Villa and his rebel band entered the town on the 15th, Villa sent for him, told him he was tired of "you American filibusterers," being in Mexico, and declared that he would shoot them all if they did not get out.

"Villa took all my books and accounts, and told me he would collect my money," said he. "He also said my house and furnishings were forfeited to the rebels and placed two guards over me to see that I did not depart with any money or property. I left at one o'clock the morning of the 16th. I had to walk out, carrying a suit case, which is all I escaped with. I hired an old mule at a ranch and reached the Texas line at Presidio Sunday night. My family was forced to flee from Santa Rosalia in May last. They are now in Chihuahua. All the Mexican men of prominence of Santa Rosalia have had to flee from the rebels and when I left there last Tuesday morning, Villa had thrown all the prominent Mexican women of the town into jail, for what purpose I do not know and had searched every home for money. There is not \$500 left in the town. Villa told me he was going to kill the American officials of the Conchos Dam company near Santa Rosalia. He has promoted to a captain the lieutenant who killed Burton, the New Jersey man, some time ago."

Train Dynamited. Laredo, Tex., Sept. 23.—Fifty persons were killed when rebels dynamited a passenger train on the Mexican railway, sixty miles south of Saltillo, Mexico, on Friday afternoon, according to official reports to Mexican federal headquarters in Nuevo Laredo today. The train was then looted and the surviving passengers robbed, it is said. Forty federal soldiers and ten second class passengers comprised the official death list. The number of injured was not given. W. W. Mervain, of San Francisco, the only American on the train, is said to have escaped injury, but was robbed.

Two dynamite mines were set off by electricity, it is said. The first class coach was only derailed, but the baggage, express and two second class coaches were blown to pieces. 54,000 Cartridges Seized. El Paso, Texas, Sept. 23.—United States government agents last night seized 54,000 rifle cartridges belonging to the Mexican federalists, as they were being removed from a store house to the international boundary. Ignacio Lopez, a Mexican government agent, and Joe Ravel, an American citizen, who were transferring the ammunition were arrested on a charge of violation of the neutrality law. United States government agents stated today that the ammunition was destined for the federal troops at Juarez.

American Soldier Arrested. El Paso, Tex., Sept. 23.—James J. Kenney, of Waterbury, Ct., a discharged sergeant from the Fifty United States Cavalry, enroute home from Fort Huachuca, Arizona, was arrested because he appeared in that city in uniform. He was later paroled by the Juarez military to the custody of American Consul T. D. Edwards. Because of military interference with officials of the Mexican Central railroad, the officials in Juarez protested to Mexico City and orders were received today that the military would no longer have jurisdiction over the train movements except for troops. The complaint was made as a result railroad officials say, of the military designating favorite firms to receive cars for goods, when other applications should have had prior claim. There is a shortage of cars.

Durango Deserted. Mexico City, Mex., Sept. 23.—Twenty-five American refugees from Durango, arrived here today, having traveled overland to Zacatecas, where they boarded a train for the capital. Out of the normal American population in Durango, of 3000, less than 25, all men, remain. Most other foreigners also have left Durango according to the refugees, who say that the rebels rob Mexicans and foreigners indiscriminately. Some ranches were looted so often that nothing portable remains.

35 Are Dead. San Luis Potosi, Mex., Sept. 23.—The number of killed in the dynamite

ing of a train on the Mexican National Railway Sunday was officially fixed today at 35. The dead include civilians and soldiers.

Favors Constitutionalists. Matamoros, Mex., Sept. 23.—An opinion of Secretary Bryan to United States consul Johnson here that persons in de facto authority under the principles of international law may collect taxes is interpreted here as acknowledging the right of constitutionalists who are in charge of the city to levy and collect taxes in Matamoros. Sells Jewels for Ammunition. El Paso, Tex., Sept. 23.—Jose Diaz Lopez was arrested here today by United States officials charged with defrauding the United States customs. A diamond ring valued at \$800 and a diamond set bracelet valued at \$1,200 were in his possession. The man said the jewelry had been seized by Sonora rebels and that he had been sent here to sell them and turn the money into ammunition for the rebel cause.

TARIFF BILL READY TO BE SIGNED SATURDAY

Washington, D. C., Sept. 23.—That the tariff bill will be ready for President Wilson's signature by Saturday night was predicted today by Senator Simmons. The conference committee made such progress that all members were optimistic.

No concerted fight against the conference report that will delay its final approval is expected in either house. While Senator Pomeroy protested strongly against the action of the conference in dropping out the \$1.10 tax on fruit brandies used to fortify wines, domestic traders do not expect his fight to delay or defeat action of the conference report. The Clarke cotton future tax will be taken up tomorrow. While a general plan has been under consideration among southern senators and representatives for a modification of the Clarke amendment, Senator Simmons today said there had been no agreement on a compromise.

Further consideration was given today to the plan to supplement the tariff bill with a special congressional resolution assuring foreign nations that existing trade relations will be continued four months, while President Wilson and Secretary Bryan undertake to negotiate new trade treaties. Witnesses Tell of Mr. Bixby's Good Character. Los Angeles, Calif., Sept. 23.—When the trial of Geo. H. Bixby, the Long Beach millionaire, charged with having contributed to the delinquency of two girls, was resumed today the defense continued presenting character witnesses. Dr. J. W. Calvin, an ice millionaire, of Azusa, Calif., formerly a fellow member with Bixby of the Los Angeles county highway commission; Dr. Rebecca Lee Dorsey of Los Angeles, one of Bixby's family physicians; and Charles E. Mitchell, a Masonic instructor and former employe of the Bixby family, were called to testify as to Bixby's good reputation.

Dr. Day said he knew Bixby but was largely interested in philanthropic work. Judge B. F. Bledsoe allowed the defense to call ten character witnesses in all. Later, it was announced, Oscar Lawler, one of Bixby's attorneys would take the stand and endeavor to impeach Cleo Helen Parker, the defendant's chief accuser in the present trial. It was said Lawler would testify concerning statements the girl was said to have made during a call at his office.

SUFFRAGETTES START A BIG \$400,000 BLAZE. Liverpool, Eng., Sept. 23.—Militant suffragettes set fire early today to Seafield house at Seaforth, four miles northwest of Liverpool, causing \$400,000 damage. The members of the " arson squad" left a quantity of suffrage literature strewn about the lawns. The building was formerly used as a convent and was undergoing reconstruction at a cost of \$120,000. It was to be turned into a hospital for imbeciles. The entire property is valued at nearly \$1,000,000.

POSTOFFICE AND STORE AT TRES PIEDRAS BURNED. According to a letter received here today the postoffice and store of E. B. Seward at Tres Piedras, were destroyed by fire. No estimate is placed on the loss. Considerable mail was destroyed it is said. Mr. Seward announces that he will rebuild immediately and restock with all new goods.

INTER OCEAN IS BEING BURNED. Chicago, Ill., Sept. 23.—Fire broke out in the paper and ink store room of the Chicago Inter-Ocean late today. The flames spread rapidly, necessitating a call for extra engines. Many employees of the paper which occupies the entire building on West Monroe street near Dearborn street, fled from the smoke-filled structure.

JURY BRINGS IN VERDICT OF "GUILTY"

AFTER NINE HOURS' DELIBERATION TWELVE MEN DECIDE THAT JOSE P. LUCERO, REPRESENTATIVE FROM LUMBERTON, RIO ARRIBA CO., SOLICITED A BRIBE.

NOTICE IS GIVEN OF MOTION FOR NEW TRIAL

This is the verdict of the twelve men who sat on the jury in the case of the State of New Mexico vs. Jose P. Lucero, of Lumberton, Rio Arriba county, charged with the solicitation of a bribe on March 18, 1912, which charge was investigated last year by the state legislature.

The verdict was rendered at 2 o'clock this morning after the jurors had been out nine hours. Immediately on hearing the verdict, Attorney E. P. Davies, representing the defendant, gave notice of a motion for a new trial and motion in arrest of judgment. The penalty, as prescribed by the constitution of the state of New Mexico, for solicitation of a bribe by a legislator is a fine of \$1,000 or one to five years in the state penitentiary. When the verdict was announced there were present in the court room Judge E. C. Abbott, the trial judge; District Attorney Alexander Read, County Clerk Ortiz, Deputy Sheriff Baca, and a few others.

Showing the strain of nine hours' deliberation on their faces, the jurors filed into the court room. When the verdict was announced by the foreman the defendant maintained the same placid expression on his face that has been seen there during the three days of his trial. Mr. Lucero has been out on bail, and his attorney this morning called on Judge Abbott to make arrangement to have it continued.

News Spreads. The news of the conviction of the first of the four legislators charged with soliciting a bribe before the session of the new state, spread over the city before breakfast and was traveling to every town in New Mexico a few hours afterward. Long distance telephone calls and telegraphic messages followed in short order, showing the importance attached to the case. The cases against Luis R. Montoya, Julian Trujillo and Manuel Cordova, who are charged with the same offense as Lucero, will not be taken up at this term of court, because the county has not a sufficient number of jurors to provide three juries, one in each case, as is required by law.

Alexander Read, district attorney, in his address to the jury, which was not finished as the New Mexican went to press yesterday, said: "The executive committee of the Republican party and the leaders of the Republican party, are charged by the attorney for the defense of using the party whip. It is unjust to say the least to make such a charge. The executive committee of the Republican party, if anything, did the best it could have done to catch these defendants who were on the market, as no doubt they were."

The defendant and his colleagues claimed that they were entrapped; yes, they were entrapped, while they were stealing the sacred rights of the people of the state of New Mexico, and to entrup them would amount to nothing more than procuring evidence to sustain a conviction. Such methods are not within the rule against encouraging crime, but to the end that those willing to become offenders may be punished, and detective work has served for years and years to detect and discover crimes that otherwise could never have been discovered. The defendant, and his associates, by their actions have injured the reputation of the native people of the state of New Mexico, and it is up to you today to redeem that feature, not to turn these men loose and by so doing tell them that they have done right.

The people outside of New Mexico are watching you with a keen eye to see what you will do with this case, people outside of our state before coming to New Mexico will inquire two things, have you good schools in New Mexico? and last of all, do you enforce the laws of the state, because upon the enforcement of the law depends the happiness of the people. I have known the defendant for twenty-five years. He has been a neighbor of mine as far as I can remember. He belongs to the same political faith as I, but, gentlemen, I have to cast away my friendship for him. I have to forget that he has been my political friend, and think of only one thing, and that is to do my duty to the best of my ability as I have, under my oath, promised my God to do, without regard to friend or foe. Yes, they were entrapped, the defendant and his associates were entrapped, while they were stealing the sacred rights of the people of the

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