

Night Final
United States Government Pitted Against Mine Workers

STATE TROOPS MOBILIZING

1,200 Colorado Guardsmen Ready in Event of Outbreaks. OTHER AGENCIES EVOKED

Denver, Col., Oct. 30.—Twelve companies, the entire Colorado national guard—were mobilizing today and will be in camp before midnight tonight prepared to move at once to any part of the state where outbreaks may occur as a result of the threatened strike of soft coal miners. The Colorado guards, about 1,200 men and was ordered mobilized by Gov. Shoup after numerous requests for troops had been received from all mining camps.

The governor declared that no violence would be permitted if the strike order goes into effect. He will confer today with heads of the American Legion in an effort to secure the assistance of former service men in case of serious riots.

Every Law and Resource Called. Washington, Oct. 30.—The United States government today is pitted against the United Mine Workers of America.

Every law and resource of the nation will be in a state of mobilization today to save the country from the disastrous results of a strike of the bituminous coal miners.

Atty. Gen. Palmer has announced that the food and fuel control act will be put into effect. This law provides not only for a government control of fuel, but for government operation of mines.

The senate was expected to act on a resolution introduced by Senator Thomas, which would give the executive branch of the government the support of the legislative branch in any program that may be adopted and authorizing the use of military force.

The illegality of this strike can and will be established without in any way impairing the general right to strike," declared Atty.-Gen. Palmer.

Enable Seizure of Coal. Powers of seizure of coal, formerly placed in the hands of the fuel administration, are likely to be given to the railroad administration.

The most optimistic hope the government has in staying a fuel famine is buried deep in the statement by Atty.-Gen. Palmer, wherein he declared: "I am hearing from many sources that large numbers of miners themselves do not wish to quit work, and will not do so if assured of the protection of the government of which they properly feel themselves a part."

Stop All Export of Coal. It was reported today that the Pennsylvania railroad company has ordered the stoppage of all export coal from the mines and is restoring the shipments and the lines to handle other commodities. It was also reported that the Pennsylvania railroad has ordered the seizure of all coal cars from mines on their lines to be used by the railroad company for fuel and to provide for ships and public utilities.

Embargo at Pittsburgh. Pittsburgh, Oct. 30.—An embargo on coal deliveries, more stringent than any during the war, was put into effect by the Pennsylvania railroad here today. The order prohibits the delivery of bituminous coal to practically every kind of industry except those recognized as national necessities. Coal cannot even be delivered to connecting railroads.

Indiana Troops Not Called. Indianapolis, Ind., Oct. 30.—No state troops have been ordered to the Indiana coal fields and the necessity of

NEED NOT REVIVE FUEL CONTROL

Garfield Advises Cabinet Railroad Administration Has Authority Over Coal.

Washington, Oct. 30.—Revival of the fuel administration to deal with conditions growing out of the coal strike is not necessary, Dr. Harry A. Garfield advised the president's cabinet today, holding that the wartime powers of that body now are vested in the railroad administration, which will have full authority to distribute coal to essential industries.

Members of the cabinet said if Dr. Garfield's suggestion was adopted it would obviate the necessity of asking congress for money to reorganize the fuel administration. He said that the railroad administration could allocate coal in accordance with the preferential list in effect during the coal shortage.

While revival of the fuel administration has been urged by government officials to prevent hoarding and profiteering, the department of justice announced it had power to handle that situation under the food control act.

Miners' executives today heard with interest news of federal action to prevent the tie-up of the mines, and there was considerable speculation over the possibility of court action, but this was held improbable as every man would have to be served with injunction proceedings.

What appeared more probable was that the mines would be taken over bodily by the government for temporary administration and operation.

Lull in Alabama. Birmingham, Ala., Oct. 30.—The lull before the storm was apparent in the Alabama district today, with the operators making preparations to resist the strike and the miners holding meetings throughout the district to fuse their strength.

90,000 Strong in Illinois. About 250 unions are represented in Illinois at the rate of approximately \$5,000,000 tons a year will cease in Illinois, third largest bituminous coal-producing state in the Union.

Reports reaching the capital from various parts of the state indicate that the price of coal, particularly smaller consumers and individuals, to obtain coal before the shutdown have reached almost panic proportions in some localities.

Alabama. No statement was to be had from the operators or miners, other than the reiterated of the miners that practically all miners in the district have not yet voted on the strike question, and that they would not walk out until a referendum had been taken.

President J. R. Kennermer, of the Alabama district, United Mine Workers and Secretary J. L. Cleo, are expected to return today from the Indianapolis meeting. Meanwhile, although little is being said, increased activity is noted among the military. Adj.-Gen. Hartley A. Moon, on leave from the army hospital in New Jersey, where he is being treated for wounds received in France, was in Birmingham yesterday conferring with national guard leaders.

Secretary Lane announced as the cabinet met, that he would not hesitate to curtail the consumption of coal in industries 50 per cent, in order that the coal on hand could be available from unutilized mines.

The curtailment list used by the war industries board during the war would be taken as the basis for the industries to be supplied, Mr. Lane said; plants engaged in manufacturing munitions might be cut off altogether.

The current supply of coal from nonunion mines is sufficient to meet domestic demands and supply the needs of railroads and public utilities.

There will be a sufficient production of coal for domestic purposes and for the railroads, Secretary Lane said, "but we may have some difficulty in providing for the public utilities." Secretary Lane declared that the government officials now see their way clear to produce 100,000,000 tons of coal for current use during the winter.

There is a two months' supply of coal for New England stored in Boston, and a winter's supply for the northwest stored in Duluth, Secretary Lane said.

Secretary Lane declared that there are 600,000 coal miners and but 400,000 of them will be affected by the strike.

"The president will be asked today to make an order cancelling the suspension of restrictions to the price of coal, which will have the effect of restoring the maximum prices. Upon the making of that order the fuel administrator will take such action as may be necessary to protect consumers as to price and distribution of fuel."

FAINT RAYS OF HOPE FILTERING

Miners Receptive of Overtures from Operators, Who in Session.

Indianapolis, Ind., Oct. 30.—With the faint rays of hope that an agreement has been reached, attention today shifted to Washington, where government officials are formulating a program to deal with the strike, and to Cleveland, where bituminous operators of the central competitive district are meeting today. From these two places the news today came that an agreement might be reached to forestall a tie-up of mines at midnight tomorrow.

For two hours the conference late yesterday quibbled over the one word solution of the coal controversy which was reached to forestall a tie-up of mines at midnight tomorrow.

After nearly four hours debate, the senate today adopted a resolution assuring the administration of the support of congress in maintaining order during the "present industrial emergency."

Senator LaFollette, republican, Wisconsin, offered, but later withdrew, an amendment proposing assurance to the coal miners of their lawful rights.

As finally adopted after innumerable changes, interlineations and deletions, with criticism of the coal miners' strike, the senate resolution, which will be reported to the house but not President Wilson's approval, provides:

"That we hereby give the national administration and all other authorities the assurance of our constant and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency and in vindicating the majesty and power of the government in enforcing obedience to and respect for the laws of the United States, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and to the observance of the public peace."

One preamble retained of the many in the original Thomas resolution recites that protection of life and property is the government's paramount duty. Declaring he was "tired of seeing a hundred and ten million people get down on their hands and knees and crawl in and out of the mine," Senator Myers declared he was in hearty accord with the intent of the administration to use force if necessary to vindicate the law.

Mr. Brewster also stated that so far as is known, the attempts to take advantage of the present situation to boost the price of coal have been few.

When the statement from Washington relative to the government officials was received, the miners' operators regarding the announcement last night by Mr. Brewster that no attempt would be made to run the mines without miners and that the strike is unionized, if the miners obey the strike order, we will have no miners to operate our mines."

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SENATE PLEDGES ITS SUPPORT

Adopts Thomas Resolution Calling on Administration to Sustain Law and Order.

Text of the Resolution

Respectfully Fail to Check Consideration—Measure Amended.

Washington, Oct. 30.—Unanimous consent was given by the senate today for the immediate consideration of the resolution of Senator Thomas, Democrat, Colorado, proposing that congress declare its support of the administration in maintaining law and order during the threatened coal strike.

Senator LaFollette, republican, Wisconsin, proposed to amend the Thomas resolution by adding a clause by which congress would "assure the coal miners that they will be like manner be supported in all lawful means to protect their rights."

A motion by Senator Fall, republican, of New Mexico, to table the Thomas resolution and all amendments was defeated 67 to 6. The latter were Senators Fall, Parnis, France, McNary, Nelson and Norris.

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INSISTS ALL MINERS ARE BEHIND PROPOSED STRIKE

Indians, Oct. 30.—That the miners are behind the proposed strike, Matthew Hanna, assistant secretary of the American Coal and Coke Association, declared today.

"There is 'absolutely no need' of sending troops to the mining regions, Lewis declared, adding: "The men don't want protection."

The executive board went into session shortly before 11 o'clock, and it was said a statement might be forthcoming after noon.

Probe of Circumstances of Jenkins Case Ordered

Embassy at Mexico City, to Make Report.

Washington, Oct. 30.—A thorough investigation of the circumstances of the kidnapping of William O. Jenkins, American consular agent, has been ordered by the state department, Assistant Secretary of State Phillips announced today.

Matthew Hanna, of American Embassy at Mexico City, to Make Report.

Washington, Oct. 30.—The committee on public information, headed by George Creel, sent the government about \$6,000,000 on the face of its chaotic reports, according to official reports now before congress, which say that the kidnapping of Jenkins would up for six months because of the confusion.

Chairman Creel and other officers of the committee are charged with gross negligence in handling the government's funds in a report by E. K. Ellsworth, of the Council of National Defense, appointed to liquidate the committee's affairs.

The committee issued hundreds of checks for individual expenses far in excess of the \$1,000 maximum limit fixed by congress, the report says. They ranged, it adds, from \$100 to \$500,000 and were issued to between 400 and 500 persons, who admitted that the checks were being final accounting to the government extremely difficult.

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Borah Upholds Miners in Demand for Higher Wages

Washington, Oct. 30.—"The bituminous mine workers are right in their demands for higher wages," Senator Borah declared today in a speech in the senate this afternoon.

"The miners are entitled to living wages," he said.

He opposed the joint resolution providing that congress give the national administration and all others in authority assurance of its "constant, continuous and unqualified support in the use of such constitutional and lawful means as may be necessary to meet the present industrial emergency and in vindicating the majesty and power of the government in enforcing obedience to and respect for the laws of the United States, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and to the observance of the public peace."

French Labor Extremists Would Call Strike Nov. 7

Paris, Oct. 30.—(A. P.)—The absence from Paris of Leon Jouhaux, president of the General Federation of Labor, who is on his way to the United States to attend the international labor conference at Washington, has caused the extremists in the federation of labor to make an attempt to organize a general strike for Nov. 7.

Keen opposition to M. Jouhaux and the other four delegates to the Washington conference developed before the extremists opposed the voyage, claiming French labor should not collaborate with certain classes attending the conference, which they consider harmful to the French workingmen's interests.

Many Arrests Soon for Violation of Food Act

Washington, Oct. 30.—Many new arrests in a number of states for violations of the food and fuel control law are expected soon by the department of justice.

Gen. Palmer made it clear today that the government's preoccupation with the coal strike had not allowed up the campaign to reduce living costs. Since the criminal amendments to the food and fuel control law have been adopted, the department of justice has been preparing to prosecute cases on evidence previously obtained. As a result, it was said, indictments might be expected soon throughout the country of persons guilty of flagrant hoarding and profiteering.

HUSBAND MAY BE PROSECUTED

Tom Gardenhire May Face Charge Complicity in Father's Death.

INQUEST WEDNESDAY

Turning from his own flesh and blood, joining with his wife and assuring her that she was justifiable in the sight of God in killing his own father, Tom Gardenhire may be prosecuted by his own brother for alleged complicity in the death of T. S. Gardenhire, Sr.

Two of the brothers consulted W. J. Counts, attorney for the family, in regard to the prosecution of young Gardenhire. After talking with them, Mr. Counts advised them to wait until their father had been buried before they took any steps.

In the course of their conversation with Attorney Counts the brothers, it was stated, told of Gardenhire's trip from Rome last week to see his father. He went to the factory where his father was at work, and, according to the information furnished Counts, told his father he had come to kill him if he did not answer one question.

The father asked him what the question was, and Gardenhire is said to have then asked if he had wronged the young man's wife. The attorney was informed that the father thereupon made insinuations against the character of the son's wife, but denied that he had been intimate with her.

Additional information coming to Attorney Counts this afternoon, it is stated, was that Tom Gardenhire, police officer of Mrs. Rachel Marshall, police matron, Wednesday that his wife left a note on the table at their home in Rome asking him not to worry, as she would be at right.

Gardenhire was shocked to think that his own father had betrayed him, he said. He felt that his wife had done right to end his father's life.

The preliminary hearing of the Gardenhire is set for Friday's session of police court.

Coroner's Verdict Murder.

A jury empaneled by Coroner Jack O'Donohue returned a verdict Wednesday afternoon that the killing of Tom Gardenhire, Sr., was premeditated. The inquest was held at Wann's establishment on Mitchell avenue and only three witnesses were examined. They were J. S. Downs, who heard shots fired, and Patrolmen Orville Bass and Frank Burns, the officers who arrested Mrs. Gardenhire on the spot.

Mrs. Gardenhire, who was charged with the shooting, but on the stand, hand firmly admits that she fired five shots at Gardenhire after going to his home and talking to him. She does not deny that she carried a weapon in a sack of bananas and that she fired the first shot at close range.

Neither does she deny that she came here for the special purpose of killing her father-in-law. She says she will tell the whole story to the court and jury.

Funeral services over the body of Tom Gardenhire, Sr., will be held at the residence of L. R. Gardenhire, 2611 Avenue M, East Lake, Thursday afternoon at 2:30 o'clock. Rev. J. N. Bull officiating. Interment will be in the place of interment.

Mrs. Gardenhire said Thursday that two days after she removed to the country with her father-in-law, she told her a young woman by the name of Belle Jenkins brought suit for damages. She was several weeks ago and she took the girl to her home and saw the girl was cared for until she recovered.

Belle Jenkins brought suit for damages, according to Mrs. Gardenhire's account of what Gardenhire told her, and one day when the girl and Gardenhire were walking on the sidewalk, the young girl he struck her with brass knuckles and when she saw she was dead he got some tools from his pocket, dug a grave, buried her and then took \$1,600 from her pocketbook.

Mrs. Gardenhire said she told her two stories about the crime and admitted after he had told the first one that she had not told the truth.

The records of the circuit court show that a young woman by the name of Belle Jenkins brought suit against the railway and light company for alleged injuries received in an accident. Mrs. Gardenhire said she thought the girl was injured by the railway and light company and she was represented by Attorney Ray and Altshoff. The case was compromised for \$100 and the young woman's part was \$72. After \$28 had been levied on it is understood that she had only \$40 left.

No one who was questioned remembered anything about the girl disappearing. Attorney Ray was not clear about the facts in the case.

Mrs. Gardenhire said she thought Gardenhire's reason for telling her the story of the Jenkins girl was that she thought it might happen to her if she refused his advances.

Attorney T. Pope Shepherd has been retained to represent the accused woman and her husband.

Later, Attorney John W. Ray, when told of Mrs. Gardenhire's statement that Gardenhire claimed he took care of the girl, said:

(Continued on Page Five)

150,000 Hard-Coal Miners May Strike in Sympathy

Washington, Oct. 30.—A strike of 150,000 anthracite coal miners, in sympathy with the bituminous miners, may be expected if the government undertakes the prosecution of the officials of the United Mine Workers or attempts to compel the operation of the mines through use of the army, declared Edgar Wallace, a Washington representative of the United Mine Workers, today.

POLICE CONTINUE DRIVE

Cleveland, O., Oct. 30.—Continuing their drive against radicals, police last night raided a West Fourth street house and arrested ten alleged "red" Communists and Bolsheviks. A large quantity of literature was found. The ten, however, are not believed connected with the terrorist movement and have been released, seven here and one in New York.

Woman Who Killed Her Father-in-Law

Tom Gardenhire May Face Charge Complicity in Father's Death.

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HOPE OF RESCUE IS ABANDONED

Fire Breaks Out in Rear of Rescuers—They Are Compelled to Fight for Lives.

TWENTY MINERS MISSING

Amsterdam, O., Oct. 30.—All hopes of rescuing the twenty miners entombed in mine No. 2, of the Youghiogheny and Ohio company here, was abandoned today when shortly before 8 o'clock officials in relays of workers ordered all of the rescue workers out of the mine.