

DAUGHERTY WANTS MORE DRASTIC WRIT

Wilkinson Indicates He Will Order Permanent Injunction To-morrow.

BARS 'STRIKING BACK'

Attorney-General Says It Is Government Duty to Compel Transportation.

Special Dispatch to THE NEW YORK HERALD. CHICAGO, Sept. 21.—After intimating earlier in the day that he would uphold the drastic temporary injunction obtained by Attorney-General Daugherty on the grounds that the striking railroad shogmen were engaged in a gigantic conspiracy to wreck interstate commerce, Judge Wilkinson, in the United States Court, late to-day announced that he would hand down his decision on Saturday.

In continuing the hearing the Judge indicated that so far the Government had presented the better case. Judge Wilkinson also said that he wished further to examine into the allegation of the defense "as to how far they challenged the evidence," and added that the Government's appeared to be the "controlling" argument.

Meaning the Judge concluded he would enter an order continuing the restraining feature of the temporary injunction until Saturday. The Government writ in reality expired to-night and the effect of continuing the restraining order regarded the same as making the injunction permanent.

New Defendants Named.
The court made the announcement from the bench after Attorney-General Daugherty gave the concluding arguments in the Government's case. The Attorney-General presented a new draft of the injunction which the Government desires the court to issue.

Virtually the only difference between it and the temporary restraining order the Government attorney said, is the list of persons named. The only modification of the original restraining order made in the Attorney-General's new draft was a paragraph stating there is no restraint on the use of union funds for lawful purposes. Other provisions checking the activities of union leaders in promoting the strike were made even more drastic in the proposed new order.

Mr. Daugherty's closing argument for the injunction repudiated the charge that the restraint interfered with the right of free speech and said that "the freedom of speech was not interfered with unless it was speech that incites mobs to violence and results in the commission of crimes and offenses which the Government is bound to prevent."

"This order," he continued, "does not question the right of a man or any number of men to strike, but it restrains them from 'striking back' unlawfully. On the other hand, it will afford protection to every man and woman equally who come within its operation, in each and every lawful right."

"It is the duty of the Government to compel the railroads to furnish transportation. If the railroads are themselves at any time or for any reason not able to do so because of interferences it is the obligation of the Government to step in and prevent any and all interferences."

The Government Choice.
"The Government can do four things: "First—As in this case it did, call upon all persons responsible for the interference to disist and to cease to interfere. That failing, the Government must decide promptly whether it will resort, as it did in this case, to the civil proceeding for an injunction to restrain those who persisted in the interference. "Second—It can step aside, inviting every criminal act destructive of human rights, of property, of life and of transportation, and let those who bear the torch and hold in their hand the dagger proceed to the commission of such crimes against property, persons, liberty and Government, and when all has been accomplished prosecute and punish those who are guilty."

"Third—It could, as was within the power of the Executive, call upon the military power, and in the performance of its legal rights now down and hills how many? Nobody knows how many American people. "Fourth—It could adopt a policy of innocuous complacency and acquiescence and let anarchy reign and the mob rule."

'HEARST GOT A WALLOP' BUT CONNERS HAS HOPES
Manager Is Sure Candidate Will Enter Convention.

William R. Hearst conferred for several hours yesterday with William J. Conners, manager of his boom for the Democratic gubernatorial nomination. They discussed their plans in the light of the blow the Hearst cause got in the primaries. Later Mr. Conners said:

"Mr. Hearst's name will go before the Syracuse convention. I never knew him to get cold feet. I can't say if the publisher will go to Syracuse in person, but he'll be there if I want him there."

Mr. Conners admitted they had received a severe wallop, especially in Erie and Albany counties, but "explained":

"The general got a hard poke in the jaw, but the army is still here, and (by way of an afterthought) it has not surrendered. We won in Steuben, in Saratoga and in Monroe."

"Mr. Hearst was nominated without Erie county in 1906 and he will be nominated without it in 1922."

Mr. Conners refused to consider the possibility of a compromise candidate, regarding the contest as a finish fight between Hearst and Smith, with Mayor Hyman out of the question.

Mr. Conners is counting on the 134 votes of Kings, of which John H. McCooey is leader, and the forty votes of Queens, which will be controlled by Maurice E. Connolly, Borough President. But the delegates from the Third district in Kings, the leader of which is James Kane, and of the Twelfth, of which Timothy E. Griffin is leader, are for Smith.

There is a dispute about the Westchester delegation of twenty-five. The Hearst people say Michael E. Walsh will cast it all for Hearst. The Smith friends say Walsh can control no more than the five delegates from Tonkera, and that Oscar Leroy Warren, Smith advocate and the county chairman, would swing the remainder for the former Governor.

Open for the season September 18th.

PIRIE MACDONALD Photographer of Men.

576 FIFTH AV. COR. 47th St.

Dirks, Guns, Shells, Keys Found in Suspect's Trunk

ROLAND BOONE of 240 West Seventeenth street is locked up in Police Headquarters charged with violating the Sullivan law. In a trunk in Boone's apartment were found three daggers, an automatic pistol, an old fashioned Colt revolver, a blackjack, a dynamite cap, two small boxes of loaded cartridges and a ring with forty or more keys.

At Police Headquarters Boone admitted that he served twelve years in a Maryland prison for highway robbery. He said he is a railroad man. He asserts that the dynamite cap was such as is used on railroads by brakemen, and that the firearms and ammunition were left him by his father, head of a detective agency in Baltimore.

MAC NIDER SAYS BONUS FIGHT IS ONLY BEGUN

Assures Congress Service Men Will Not Forget.

WASHINGTON, Sept. 21.—Announcing that the fight of the American Legion for adjusted compensation had "only begun," Hanford MacNider, national commander of that organization, stated to-night that "reputation of those who have defended the nation is not for the good of any country."

"Those men now in Congress," he said, "who fighting for their honest pay, are fighting for what those they represent would wish, can be assured that the service men and women—and we represent a whole generation—will not forget. We are to prove that the people's will must be carried out. And we shall continue to fight to that objective."

WASHINGTON, Sept. 21.—An agreement has been virtually reached between coal operators and Government officials for stabilization of anthracite prices the coming fall and winter, Secretary of Commerce Hoover said to-day.

Anthracite prices will be adjusted on a basis of those in effect last April, before the mine strike began. This contemplates a price of about \$3.59 a ton at the mine, for stove sizes, most in demand by consumers. Announcement of the result of anthracite price conference, which have been in progress for two weeks, may be made to-morrow.

Secretary Hoover said that the tentative agreement has removed fears of a run-away market.

"Consumers should be able to buy anthracite coal for about the same price as was charged last winter," Mr. Hoover said. "While there has been a special tax imposed by the State of Pennsylvania since the strike began last April, this will be wholly offset by reduced freight rates. The consumer should figure on the mine price and additional charges for transportation and for the dealers' charge."

President Harding to-morrow will announce appointment of a Federal Fuel Commission, created by the Cummins bill. The new commissioner first will seek to set up machinery throughout the country for voluntary cooperation with the Government in obtaining adequate distribution of coal to localities where needs are most pressing. Henry B. Spencer, who has served as volunteer

Federal Fuel Distributor, has declined appointment.

Mr. Hoover said the present coal distribution program aims to direct anthracite produced by the mines into places where there are emergency demands from day to day. He believed this to be the most helpful way of dealing with the situation at present. Virtually no anthracite is being shipped south or west of Pennsylvania except to a few large cities such as Washington and Baltimore.

It will be a case of consumers getting only sufficient coal for their current needs from the present transportation uncertainty, officials declared.

The railroads are employing all of the equipment at their command to meet coal necessities. A new high mark since settlement of the anthracite strike for the number of cars loaded with anthracite was made on Tuesday, the total for that day being 6,725 cars, or an increase of 548 cars over the preceding day and 276 cars in excess of the average loading anthracite in September, 1921. Loadings of bituminous amounted to 29,456 cars on Tuesday, a decrease of 7,834 cars below the preceding day.

NAMED ENVOY TO ALBANIA.
Ulysses Grant-Smith of Pennsylvania Designated.

WASHINGTON, Sept. 21.—Ulysses Grant-Smith of Pennsylvania, until recently American Commissioner and Charge d'Affaires of the American Legation in Hungary, was nominated to-day by President Harding to be Minister to the newly recognized Government of Albania.

He has been in the diplomatic service since 1903, serving successively in Turkey, England, Chile, Belgium, Austria-Hungary, Denmark and Hungary.

OPERATORS AGREE TO 1921 COAL PRICE

Government and Anthracite Producers Virtually Fix Stabilization Plan.

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—bones and all

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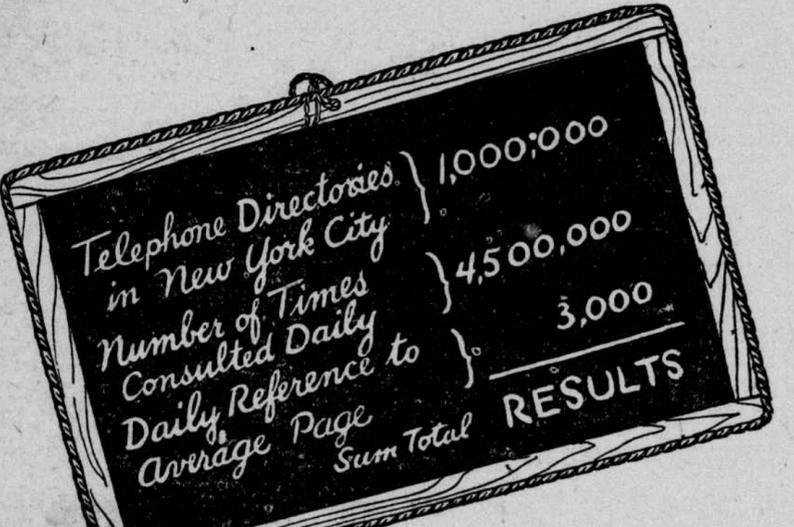
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The Evening World

To-Day, Friday, September 22d

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Send in your list of vacant apartments for publication in The Tribune's Apartment House Guide. Give in each case number of rooms, yearly rental, street number and renting agent. Corrections will be made weekly. Forms close Wednesday. Blanks for listing will be furnished on application.