

STRIKE CONFERENCE FAILS CONVICTS STAGE PITCHED BATTLE

INJURE ONE MORTALLY AND DEFY POSSE

Prisoners Who Escaped from South Dakota Penitentiary Steal Automobile

SHERIFF IS WOUNDED

Another Officer of Law Not Expected to Recover from His Injuries

Kadoka, S. D., Aug. 25.—The four escaped convicts speeded through here this morning at 7 o'clock in the automobile stolen after the battle with Jones county officers...

Sioux Falls, S. D., Aug. 25.—The four convicts who escaped from the penitentiary here August 17, staged a pitched battle with a posse near Stanford, S. D., about 4 a. m. today...

The men were pursued from Murdo, S. D., by a hastily organized posse when it was learned they had recrossed the Missouri river into South Dakota and were heading toward the Bad Lands...

WEATHER REPORT For twenty-four hours ending at noon today: Temperature at 7 a. m. 49, at noon 75, Highest yesterday 73, Lowest yesterday 58, Lowest last night 47, Precipitation .04, Highest wind velocity 28.

Weather Forecasts For Bismarck and vicinity: Fair tonight and Saturday, somewhat warmer.

For North Dakota: Fair tonight and Saturday, somewhat warmer Saturday and west portion tonight.

General Weather Conditions Light showers occurred in North Dakota and Minnesota and heavy showers occurred in the Great Lakes region...

Table with 3 columns: Location, High, Low. Includes cities like America, Bismarck, Bottineau, Devils Lake, Dickinson, Dunn Center, Fessenden, Grand Forks, Jamestown, Larimore, Lisbon, Minot, Napoleon, Pembina, Williston, Moorhead.

\$150,000-- That's What Broadway's Bright Lights Cost This Man in Five Months to Gain Fame as --SPENDER



"DIAMOND MARTY" KLINE

BY BOB DORMAN. New York, Aug. 25.—What does it cost to see Broadway? A thousand dollars a night, says Broadway's most spectacular spender. He is "Diamond Marty" Kline, otherwise John Martin Kline, theatrical "angel" and real estate broker.

"Broadway is still alive—if you know this spot," says Kline. "A spender has an exciting time. I like to watch the way they go after my money, the different schemes and tricks they use. Why, I've bought dozens of champagne and had them stolen right under my nose and taken back to the kitchen and sold to me over again."

Parasites Flourish. "Parasites, men and women, flourish in Broadway's night life. Many a man in fashionable rig hasn't the price of his next morning's breakfast. And many a girl, dressed in the latest mode from Paris, is wondering where the landlady's rent is coming from."

IRRIGATION FARM URGED

State Engineer Has Plan for Practical Demonstration

A demonstration irrigation project built with funds appropriated by the state legislature is urged by W. H. Robinson, state engineer, as the first practical step necessary in the proposed development of small irrigation projects in the western part of the state.

NEW BANK IS INCORPORATED

The Security State bank of Williston has been incorporated with capital stock of \$40,000. Incorporators are E. H. Weil, W. B. Overton and Frank E. Fisk.

TOWN ROCKED BY EXPLOSION IN ROUNDHOUSE

Chicago & Alton Property Wrecked; Town Put in Darkness and Confusion

AIMED AT RAIL HOTEL?

U. S. Marshals Are Patrolling the Railroad Yards Where Explosion Took Place

(By the Associated Press) Rood House, Ill., Aug. 25.—An explosion, believed to have been caused by a bomb, wrecked a portion of the Chicago and Alton roundhouse here early this morning. Houses for blocks around were shaken. The town was in darkness and much confusion was caused by hundreds of people who hastily gathered about the roundhouse. No one was reported injured. Officials of the road are investigating the cause of the explosion.

SOUTH DAKOTA TO HAVE STATE CEMENT PLANT

Will Invest \$1,300,000 to Develop Industry in Black Hills Section

(By the Associated Press) Chicago, Aug. 25.—The South Dakota cement commission has awarded the general contract for construction of the state-owned cement mill to be located at Rapid City, to J. C. Buckbee and Company, Chicago engineers, it was announced here today. The plant will cost \$1,300,000 and work is expected to begin as soon as conditions permit, it was stated.

F. O. Hellstrom Has Own Case Stricken

Grand Forks, Aug. 25.—F. O. Hellstrom has had his own case contesting the nomination of J. F. T. O'Connor in the Democratic primaries dismissed according to formal notice received by Mr. O'Connor's attorney today.

TUCKER LEAVES WITH AGENTS

(By the Associated Press) Fargo, N. D., Aug. 25.—George Tucker, field agent for the federal employment service who has been in North Dakota several weeks in connection with the harvest left last night for his headquarters in Kansas City together with four other special field representatives who had been working in North Dakota and Montana. The Federal offices at Minot, Grand Forks and other points will remain open for a time.

NATIONAL ARMY TROOPS ADVANCE

(By the Associated Press) Belfast, Aug. 25.—National army troops today captured the towns of Kinsale of Unna Way, the last two positions held by Irish irregulars in County Cork, according to advices received here.

HAIL STORM CAUSES LOSS

A hailstorm of unusual severity caused much damage about 10 miles southeast of Hazleton Tuesday night, according to reports reaching here. One farmer reported 200 acres of wheat completely ruined, and said that the hail was so severe that it caused welts upon the head of his daughter who was caught in the storm. The storm covered a considerable area.

FEDERAL COURT JUDGES ISSUE COMPANY ORDER

New Rates to Be Effective Until Determination by Railroad Commission

COMPANY PUTS UP BOND

Required to Give \$25,000 to Protect Consumers in Event of Reversal

A 35 per cent increase in water rates in Bismarck, pending final determination and fixing of new rates by the state railroad commission in the water case before it, was ordered by three federal judges in federal court at St. Paul last evening. The decision followed a hearing on the petition of the Bismarck Water Supply company for the increase, the opposition to it by attorneys for the city of Bismarck and the answer of the railroad commission.

The water company was required to furnish a bond of \$25,000, pending final determination of the matter. The same procedure was followed in this case that was followed in Minot electric rate case recently when the case was taken into federal court and an increase in rates ordered.

The water company's contention, that present rates are confiscatory and that there has been such delay by the railroad commission in determining the matter that the court ought to order the temporary increase pending the railroad commission's decision.

The city intervened, H. F. O'Hara, city attorney, and S. J. Hunt, employed as expert by the city in the recent case, presented the city's opposition to the company's plea.

The railroad commission set out the progress of the case before it, and denied undue delay in its actions.

Another Step in Litigation. The decision is another step in the protracted litigation between the city of Bismarck and the Bismarck Water Supply company.

The controversy between the city and the water company began in June, 1919, with the filing of a petition with the Railroad Commission, complaining against the water company as to service, adequacy and rates. In December, 1919, and January, 1920, a protracted hearing was held before the commission, which resulted in an order, on October 2, 1920, by the commission granting the water company an increase of about 60 per cent in its rates. From that order the city of Bismarck took an appeal, which has never been tried. The validity of that order, however, was attacked in a certiorari proceeding in the supreme court of this state and the court held the commission was without authority to increase the rates, solely on the ground that there was neither notice nor hearing of the proceedings for an increase in the rates before the board, the matter being a proceeding in which a decrease of rates was sought.

Consumers' Petition. In December 22, 1921, R. P. Logan and other consumers filed a new petition with the railroad commission, alleging that the rates were excessive and the service inadequate, and praying for a reduction in rates. On February 24, 1922, the water company filed a counter petition alleging that the rates were inadequate and confiscatory, and asking for an increase. The two petitions were heard together on May 1st, 2nd, 3rd and 4th, 1922. By stipulation the testimony which was used in the hearing was offered by both sides. At the close of the hearing the attorneys for the water company moved for a temporary increase pending the final decision on the merits. On May 25, 1922, the board denied the motion for temporary relief, stating: "This commission is of the opinion that in order to justify an emergency increase it must be conclusively shown that the operating expense of the utility exceeds its operating revenue." The water company thereafter applied to the federal court for temporary relief, with the result above stated.

Additional Litigation. Additional litigation between the city of Bismarck and the Bismarck Water Supply company consists of an action commenced by the city in September, 1920, in the district court of Burleigh county to annul the franchise of the company, which action has been removed to the federal court and is still pending; an action by the city of Bismarck against the water company commenced at the same time in the state court to acquire the property through eminent domain. This last suit was removed to the federal court and there a demurrer to the complaint was sustained and the action dismissed.

A man's hand contains 25,000 pores.

REAL ESTATE IN BIG BOOM; LOT ADVANCES \$5,000 IN 5 MINUTES

Prominent Bismarck Citizens in Competition to Choice Downtown Building Lot.—E. G. Patterson and E. A. Hughes Bid for Broadway Property

Real estate boomed in Bismarck today. A price increase of \$1,000 per minute for five minutes was registered on one piece of downtown property.

The deal was not then closed—one party declared belief that the price would go still higher when the sale was halted for a legal decision. All the spirited efforts to purchase was for the 75-foot lot fronting on Broadway, and resting on Second street, being property of the Robert H. Treacy estate on which excavation and foundation for a three-story building had been started sometime ago by E. A. Hughes.

Bidders in Court. The climax came in the court of County Judge I. C. Davies at the courthouse. The bidders for the property were E. A. Hughes and E. G. Patterson. William Langer appeared as attorney for Patterson and George Register appeared for the heirs.

The rub seemed to be in this situation, according to the proceedings as outlined in court: August Johnson of Washburn, administrator for the Treacy estate, agreed to sell the property to E. A. Hughes for \$10,000, subject to court approval. Mr. Hughes began excavation for a new building, Mr. Johnson began publishing notices in the newspapers as required by law.

The law provides that where the administrator of an estate makes a sale it must be confirmed by the court. The confirmation date was at 10 a. m. today.

The law also provides that if anyone desires to purchase the property and they bid as much as had been offered to the administrator and 10 per cent more the probable judge must either accept the subsequent offer or cancel the administrator's action and hold a new sale.

At a few seconds of 10 o'clock, E. G. Patterson, who had stated "I am always willing to bid on improved property," submitted a bid to the county judge. Spectators didn't know how much the bid was, but it proved to be \$11,100, which was equal to the amount the administrator had agreed to sell the property for and \$100 more than 10 per cent additional, which would require the judge to accept the bid or call for a new sale.

Mr. Hughes followed with a bid, in writing. The county judge announced the result of the bidding. The original sale price was \$10,000; Mr. Patterson's bid was \$11,100 and that of Mr. Hughes was \$15,000. The sale price had increased \$5,000 in about five minutes.

Judge Ponders. Judge Davies pondered. Here was a new situation. There are few precedents for such a case, lawyers said. Representatives talked the matter over. Mr. Register, appearing for the heirs, expressed gratification over the increased offers, and was inclined to favor the highest bid offered for them.

Acceptance of the \$15,000 bid was protested by Attorney Langer, for Mr. Patterson, however, the attorney maintaining that under the law the judge must readvertise the property for sale and give anyone a chance to bid who wants to bid. He declared his client would bid more than \$15,000, under certain conditions.

Work was stopped on the new building on the site sometime ago. Judge Davies took the matter under consideration and was to decide this afternoon.

NEW AVIATION RECORD MADE

Berlin, Aug. 25.—A new record for sustained flight in a motorless airplane was set yesterday by Herr Hentzen, student flyer of the Hanover Technical School, when he remained in the air more than three hours. Hentzen's machine landed 350 meters above the starting point.

Hentzen is the flyer who startled the world of aviation last Saturday by remaining in the air two hours and ten seconds, breaking all records by a considerable margin.

HARDING ASKS NEW PARLEYS

President Would Have Anthracite Men Meet Again

(By the Associated Press) Washington, Aug. 25.—Negotiations between anthracite and United mine workers officials to end the suspension of mining operations are expected by officials close to President Harding to be resumed within a week as the result of overtures made on behalf of the administration.

President Harding, it was said, in an official quarter conversant with the anthracite situation, holds that the negotiations which were suspended early this week through failure of the operators and union officials to reach an agreement particularly upon the question of arbitration should be resumed at once.

Announcement came from those close to John L. Lewis, head of the United mine workers, that he would have probably no statement to make today upon the possibility of the resumption of a conference between union representatives and those of the anthracite operators in the immediate future.

Reports were current, however, that Mr. Lewis had been in communication with Washington today and that there would be a conference between himself, Governor Spruiell and Samuel Gompers, President of the American Federation of Labor, expected here from Canada, should the later arrive today. There was nothing official to these reports.

STORM WRECKS BUILDINGS

Fairmont, Minn., Aug. 25.—Several buildings were wrecked and crop damage to corn, estimated at 25 per cent resulted from the second severe storm within two weeks which struck Martin county last night shortly before 6 p. m.

Airplane engines are being installed in automobiles.

BOMBINGS IN STRIKE AREA ON INCREASE

As Executives Confer Reports of Disorder Become More General

TRAINS ARE STONED

Officials Investigate Attempt to Dynamite Bridge Near Spanish Lake, Md.

PARLEYS FAIL

(By the Associated Press) New York, Aug. 25.—From official sources it was learned that the break-up came when labor men rejected a proposal advanced by executives as representing a big concession. At labor headquarters where it was said the unions were prepared for a fight to the finish, telegrams were being dispatched all over the country, calling upon strikers to renew the struggle with redoubled vigor.

Chicago, Aug. 25.—The railroad strike approached the end of its eighth week today with an increase in the number of bombings reported. While rail heads and union leaders at their conferences in New York were wrestling with proposals for bringing the strike to a whole or a partial settlement, new outrages occurred.

Bombings followed a night of rail greasing and the cutting of air hoses at Rood House, Illinois, a division point on the Chicago and Alton. Two explosions occurred near the C and Alton roundhouse and another bomb burst in a hotel where railroad workers were quartered. The bombings occurred as the town was thrown into darkness.

Passengers on one of the Alton's fast trains which pulled out of Rood House during the disturbance said many shots were fired.

An Illinois Central suburban train running between New Orleans and the company's shops at Harahan was stoned by a crowd which dispersed before police arrived. A passenger on the train was injured when he was struck on the head by a rock hurled through a coach window.

Officials of the Chicago, Burlington and Quincy railroad and county authorities were investigating an attempt to dynamite a railroad bridge near Spanish Lake, Mo., seventeen miles from St. Louis. Although the explosion was said to have been terrific, little damage was reported.

Earlier disorders at Jacksonville, la., were followed by the dynamiting of the home of J. A. Williams, foreman of the Seaboard Air-Line railroad shops and a member of the city council. The front of the house was damaged but Williams and his wife, who were in the rear of the building, escaped injury.

Proposals were made to the United States marshal by striking shop men at Shawnee, Okla., to replace federal and company guards at railroad shops with strikers. Union leaders said that if they were permitted to take over the situation they would afford protection to all workers which the railroads might import. Marshal McDonald replied that the proposal was impracticable. Chairmen of the striking shopcrafts said they feared further trouble at Shawnee under existing conditions.

Following reports from a national guard officer, Governor McCray of Indiana asked federal authorities to interfere in strike disorders at Garrett, Indiana, where workers threatened, their homes painted yellow and where bombs were discovered.

Peace Effort Fails. Attempts to end the rail shopmen's strike by separate settlements with individual roads failed today, and conferences were broken off.

Daniel Willard, head of the Baltimore and Ohio, head of the committee of executives, who Wednesday decided to continue negotiations with the mediating brotherhood chiefs to see if separate settlements were possible, and other rail heads are preparing to leave town.

In announcing the breaking of negotiations, David Williams, head of the Eastern strike committee said, "Nothing else could have happened. If they will quit fussing around we'll beat these fellows."

One of the brotherhood leaders after the conference said that the effort to bring about a settlement but that negotiations had blown up. He indicated there was no likelihood of present that they would be resumed.

CLUB HOUSE DESTROYED

Birmingham, Ala., Aug. 25.—Flare-ups of disorder in the Birmingham district today included the destruction by fire of a new club house on the target range of the National Guard in North Birmingham. The house had been soaked with gasoline.

(Continued on Page 3)

PRAISES WORK CARRINGTON DOCTORS DID

Dr. F. R. Smyth Writes Congressman Young Telling of Physicians' Record

A letter which Dr. F. R. Smyth of Bismarck, wrote to Congressman George M. Young, complimenting the city of Carrington on its good war record and printed in the Foster County Independent, reads as follows:

Reading the article about the bill pending in Congress to give Carrington a German field piece, reprinted in the Fargo Forum, F. R. Smyth of Bismarck, in charge of the Medical Council of defense during the war, took occasion, when visiting Congressman Geo. M. Young recently, to laud Carrington and its fine war record.

Mr. Young in sending the letter on to the Independent said, "Doctor Smyth made no suggestion that the enclosed be printed, but you may find it of sufficient interest to do so."

The enclosed clipping reminded me of a record that the city of Carrington made during the war and which I think of itself would entitle the city to special recognition.

The writer was chairman of the executive committee of the medical council of defense during the war and it was part of his duty to have a classified list of all the practicing physicians in the state. Each physician was graded as to his fitness and willingness to serve in the medical corps of the army or navy. There were five physicians in Carrington at that time and all offered their services. Four were accepted and received commissions in the medical corps. The fifth, one of the oldest, in years of practice, and most respected physicians in the state was past the age for active service but did more than his share in taking charge of the work of the men who were called out.

"This is the best record for medical service during the war of any city of its size or larger in the state and probably in the United States."

REPARATIONS CONFAB ENDED

(By the Associated Press) Paris, Aug. 25.—The negotiations in Berlin between the reparations mission and German government officials came to an end at noon today without having produced any compromise on the German reparations question acceptable to both the British and French representatives, according to advices reaching French official circles this afternoon.