

RANDALL AND M'MULLEN REMAIN IN DOUBT

Government Will Guard Property

Move Taken Following Appeals of Rail Officials to Avert Acts of Violence.

Deputies Are Called For

Judge Woodrough yesterday afternoon empowered United States Marshal Cronin to issue a call to 100 special United States marshal deputies to be sworn in immediately for special service in connection with the rail strike.

The marshal immediately called for applicants to report at his office on the third floor of the Federal building, Sixteenth and Dodge streets, at once.

This is the first time in 28 years that such action has been taken here. In 1894, one section of Casey's army took over a train at Sidney, Neb. Francis E. White, now grand secretary of Nebraska Masons, who was United States marshal here then, acting under orders from Washington, appointed 100 special deputies. These were sent by special train to Sidney, where they rounded up all the Coxy recruits and turned them over to the authorities of Fort Sidney.

Fulham, First Volunteer. A. H. Fulham, 1312 South Thirty-second street, was the first volunteer who applied to Dennis Cronin, United States marshal, to be sworn in as a deputy for strike guard duty. Fulham served as a deputy marshal in Texas and Oklahoma.

An indication of the gravity of the situation was given when Byron Clark, counsel for the Burlington railroad, stated his corporation already has 800 private guards in its employ for protection of its property.

Decide Not to Wait. "Federal officers have decided," said U. S. Marshal Cronin, "not to wait until injunction orders are violated, but to prevent violations by adequate protection and efforts to preserve peace."

The government will pay the deputies. The amounts have not yet been decided.

A telegram from Attorney General Daugherty received yesterday afternoon instructs how these deputies are to be chosen; instructions state they cannot be persons employed or connected in any way with railroads or labor unions.

Daugherty asks for information as to how many revolvers will be needed to arm the special deputies here. These deputies will be strictly federal officers, it concludes.

The gravity of the rail strike situation in Omaha and Nebraska became apparent yesterday when a secret conference was started at 2 in the private office of Federal Judge J. W. Woodrough between federal authorities and representatives of the railroads.

Appeal for Deputies. The meeting was necessitated by the instant appeal of railroad officials to United States Marshal Dennis Cronin to swear in several hundred extra deputies to keep the peace at their shops, principally out in the state.

The Northwestern railroad called for 115.

The Missouri Pacific asked for 88. The other railroads centering in Omaha asked for smaller numbers, but the total will run into the hundreds.

Until yesterday it has been the stand of Marshal Cronin that it is the duty of the state authorities to keep the (Turn to Page Two, Column One.)

Injunction Served on Pierre Strikers

Pierre, S. D., July 20.—John Berry, deputy United States marshal, arrived in Pierre this morning and immediately served, upon the striking railroad men the temporary restraining order issued by Federal Judge Elliott Monday.

"It is entirely useless and unnecessary," declared Frank Donahue, chairman of the local strikers, in commenting on the order. "The men here have made no trouble and will not. We ask justice, but do not intend violence."

Mr. Donahue announced he would go to Sioux Falls, July 27, to appear before the court in compliance with the order.

Woman Is Nominee for State Legislature

Madison, Neb., July 20.—(Special.)—Mrs. Jean Whitney, Norfolk business woman, is the republican nominee in the Forty-ninth Nebraska district for state representative, polling a heavy vote in the primaries. Much interest is manifested in this race because her democratic opponent, Herman Gerecke, is making a strong fight for the office. Gerecke was Norfolk's first mayor.

Mrs. Whitney is committee woman for the republicans in the Third district and also executive committee member on the republican state committee.

Milwaukee Men Who Return May Keep Seniority

Strikers May Take Rank Behind Those Who Stayed on Job, President Announces.

Striking Chicago, Milwaukee & St. Paul railway employees may return to work without sacrificing their seniority rights to any extent, according to H. E. Byram, president of that road, who issued a statement yesterday.

Although unwilling to "go back" on employees who remained at work, President Byram says that no new men have been hired and that the strikers may return and take rank behind those now at work.

Eugene Duval, general agent, said in connection with the president's statement that no shophmen have been hired by the Chicago, Milwaukee & St. Paul in Council Bluffs.

President Byram's statement follows: "Officers and employees:

"There are no negotiations now in progress for settlement of the strike. The conference conducted last week in which I participated indicated that the men were willing to accept all the decisions of the labor board and call off the strike, provided that the railroads would agree to:

- First—Discontinue shop contracting.
Second—Establish a national board of adjustment.
Third—Dismiss all suits and injunctions against the organization.
Fourth—Restore striking employees to their former seniority.
No New Men Hired.
"The Chicago, Milwaukee & St. Paul railway is willing to agree to all these conditions except the last. The splendid work done by the employees who have remained at work reveals the highest type of loyalty and devotion to duty, which is greatly appreciated by the company, and we are not willing to go back on these loyal employees, but we are willing to have the employees now out of service return to work under the provisions of my letter of July 4, 1922, which provides that they shall take rank behind the men now at work.

"At this time the question of seniority is not a large one because but few men have been hired, and I earnestly urge that the men consider the situation carefully and return to work without losing any more pay, so that we can resume getting out equipment in repairs for the fall business. We do not want to employ new men, but cannot wait much longer."

Stranger Robs Motorist Who Picked Him Up on Road

Sturgis, S. D., July 20.—(Special Telegram.)—J. Egan of Moberg was held up yesterday about 24 miles north of Sturgis by a stranger and robbed of watch and about \$55 in cash. The bandit also took Egan's Dodge car and left him afoot. Egan picked up the stranger near Faith and was asked to continue journey to Sturgis. Egan notified authorities here.

Man Kills Himself When Farm Raided for Moonshine

Sturgis, S. D., July 20.—Halver Oren committed suicide yesterday during a liquor raid on the John L. Peterson farm, 14 miles northeast of Sturgis. Egan, who was 35 years old and single, shot himself through the head with a small caliber revolver after watching officers search the Peterson farm buildings and uncover a quantity of moonshine liquor.

Plans to Ration Fuel Supply

Government Taking Steps to Assure Fuel to Essential Transportation Lines of Nation.

Winter Famine Certain

Washington, July 20.—(By A. P.)—Development of plans for stretching out the nation's coal supply, now dwindling under continued impact of the mine and railroad strikes, was the immediate concern of federal officials acting in the industrial situation district for state representative, polling a heavy vote in the primaries. Much interest is manifested in this race because her democratic opponent, Herman Gerecke, is making a strong fight for the office. Gerecke was Norfolk's first mayor.

Mrs. Whitney is committee woman for the republicans in the Third district and also executive committee member on the republican state committee.

Milwaukee Men Who Return May Keep Seniority

Strikers May Take Rank Behind Those Who Stayed on Job, President Announces.

Striking Chicago, Milwaukee & St. Paul railway employees may return to work without sacrificing their seniority rights to any extent, according to H. E. Byram, president of that road, who issued a statement yesterday.

Although unwilling to "go back" on employees who remained at work, President Byram says that no new men have been hired and that the strikers may return and take rank behind those now at work.

Eugene Duval, general agent, said in connection with the president's statement that no shophmen have been hired by the Chicago, Milwaukee & St. Paul in Council Bluffs.

President Byram's statement follows: "Officers and employees:

"There are no negotiations now in progress for settlement of the strike. The conference conducted last week in which I participated indicated that the men were willing to accept all the decisions of the labor board and call off the strike, provided that the railroads would agree to:

- First—Discontinue shop contracting.
Second—Establish a national board of adjustment.
Third—Dismiss all suits and injunctions against the organization.
Fourth—Restore striking employees to their former seniority.
No New Men Hired.
"The Chicago, Milwaukee & St. Paul railway is willing to agree to all these conditions except the last. The splendid work done by the employees who have remained at work reveals the highest type of loyalty and devotion to duty, which is greatly appreciated by the company, and we are not willing to go back on these loyal employees, but we are willing to have the employees now out of service return to work under the provisions of my letter of July 4, 1922, which provides that they shall take rank behind the men now at work.

"At this time the question of seniority is not a large one because but few men have been hired, and I earnestly urge that the men consider the situation carefully and return to work without losing any more pay, so that we can resume getting out equipment in repairs for the fall business. We do not want to employ new men, but cannot wait much longer."

Stranger Robs Motorist Who Picked Him Up on Road

Sturgis, S. D., July 20.—(Special Telegram.)—J. Egan of Moberg was held up yesterday about 24 miles north of Sturgis by a stranger and robbed of watch and about \$55 in cash. The bandit also took Egan's Dodge car and left him afoot. Egan picked up the stranger near Faith and was asked to continue journey to Sturgis. Egan notified authorities here.

Man Kills Himself When Farm Raided for Moonshine

Sturgis, S. D., July 20.—Halver Oren committed suicide yesterday during a liquor raid on the John L. Peterson farm, 14 miles northeast of Sturgis. Egan, who was 35 years old and single, shot himself through the head with a small caliber revolver after watching officers search the Peterson farm buildings and uncover a quantity of moonshine liquor.

Great Western Seeks Military Guard

Sioux City, Ia., July 20.—The first call for militia in Iowa has been made as the result of strike disturbances.

The Chicago Great Western railroad has appealed to Governor Kendall for soldiers to guard its property in Owelwe.

It is alleged that strikers or strike sympathizers made an attack on the Owelwe roundhouse last night and that a Chicago passenger train was stoned yesterday.

Pinch from Rail Shopmen's Strike Is Felt in West

Jewell Predicts Railroads Will Capitulate and Settle Strike Within Two Weeks.

Chicago, July 20.—B. M. Jewell, president of the six-federated shopcraft unions, predicted today that the railroads will capitulate and settle the strike within two weeks.

"The strike is becoming more effective daily," he said, "and the roads will yield as soon as we bring them to their knees."

The point executives' statements on the seniority question were characterized by Mr. Jewell as camouflage designed to cover up the real issue—the national adjustment board.

"The railroads know they cannot justify their fight against the national adjustment board before the public," Mr. Jewell said. "The board would take working rules disputes off the hands of the railroad labor board, except in cases of appeal, and leave the board free to devote practically all its time to wage questions."

Test of Strength. Chicago, July 20.—With immediate prospects for peace in the railway strike gone, strikers and railroads today settled to a test of strength.

The settlement of Chairman Hooper of the railroad labor board that the board no longer was engaged in peace negotiations left the situation open to direct negotiations between strike leaders and railroad chiefs, or attempts from other quarters.

Union officials remained firm in their demand that full seniority rights be restored to the 300,000 shophmen now on strike, being the rock on which peace efforts must be won.

Rail heads were equally firm in their insistence that seniority rights of men now at work be recognized. There was no indication from either side of a weakening of the determination to carry the fight to the end.

Fuel Shortage Felt. Fuel shortage was being felt by the railroads, supplies at several roads being exhausted, according to officials. Curtailment of train operations, due to shortage of coal and equipment, has gradually increased until 247 trains have been canceled or are being operated with reduced respects from railroad centers in the west.

The southwestern lines have apparently been hardest hit. Strike leaders declare that the strike is being felt by the iron and steel industry in direct negotiations between strike leaders and railroad chiefs, or attempts from other quarters.

At Kansas City a general chairman of the maintenance of way men of the maintenance of way men of the F. Grabel said that members of that union southwest would strike of their own accord unless a speedy settlement is reached.

To Join Strikers. Representatives of the Brotherhood of Railway Clerks declared that 95 per cent of the 3,000 clerks employed by the Chesapeake & Ohio railway would join the ranks of the strikers today.

Reduction in Iowa. Des Moines, Ia., July 20.—The first reduction in service on the Chicago & Northwestern road in Iowa resulting from the coal and shophmen's strike will take place tomorrow, when four local passenger trains, two operating between Des Moines and Clinton and two between Cedar Rapids and Clinton, will be withdrawn.

Freight service, it was announced, had already been heavily reduced through the state.

State Authorities Take Hand in Strike Troubles

Lincoln, July 20.—(Special.)—State authorities here today began taking a hand in strike troubles. Burlington officials notified Governor McKelvie that too much liquor was being distributed among the strikers at Perry, near South Sioux City. State Sheriff Hyers and three deputies left for Perry this morning.

Missouri Pacific officials reported rioting at Falls City. Maj. H. C. Stein of the adjutant general's department departed for Falls City at noon to investigate and report back whether state troops were necessary.

History Repeating Itself



The country was with Roosevelt when he forced a settlement of the anthracite strike regardless of the merits of either side.



The country will be with Harding if he forces a settlement of the present coal strike regardless of the merits of either side.

Superstructure of New State House to Cost \$2,296,763

Commission Accepts Bids \$298,638 Lower Than June Offer—One General Contractor to Be Let.

Lincoln, Neb., July 20.—(Special Telegram.)—Superstructure of Nebraska's new state house will cost \$2,296,763, the lowest total of bids presented to the state capital commission today. This is \$298,638 lower than the bids offered June 14, when the commission refused to award contracts.

After a day spent by the commission in considering bids, Governor McKelvie, chairman, announced that a general contract for all work would be let to one company.

"The name of the general contractor and subcontractors will be made public probably tomorrow, providing everything else moves smoothly," the governor said today.

There were several who bid to handle the entire job, specifying the names of subcontractors and the amount for which subcontractors offered to do the work. There also were numerous independent contractors who offered to do various parts of the work, which is divided into 26 parts or trades.

In many instances independent contractors bid lower estimates than the subcontractors did to those offering to take the entire job under a general contract.

"Our plan is to pick the lowest bid for each trade and get a general contractor to sign a contract agreeing to substitute the low bidders for their subcontractors who bid higher on certain trades than the independent contractors did," the governor said.

The governor stated it had been decided to use No. 1 Bedford limestone for the exterior. The commission was busy tonight preparing a contract which provided that the general contractor to be selected tomorrow should agree to employ lowest bidders on the various trades.

George E. Johnson, state engineer, who has been ill at his home for two weeks was taken to the state house and placed on a couch where he remained and took an active part in poring over bids throughout the day.

The general contractor will be obliged to give a bond for the entire job.

Chemical Concern Head Facing Federal Charge

Norfolk, Neb., July 20.—(Special Telegram.)—Charles E. Schmitz of Omaha, Henry Sautter, Gustave Brandes and Liddy Berg are made defendants in a suit filed by Assistant District Attorney Keyser, who charges them with conspiring to violate the national prohibition law by transporting 15 gallons of alcohol.

The defendants paid a fine at Tarkam when arrested by state officials. The government asks \$5,000 bonds each for their appearance in federal court. The three men were arrested here by Deputy Marshal Davis Thursday afternoon.

Smitz was formerly proprietor of the Hickell Manufacturing company of Omaha and came into newspaper office last year, when U. S. Rohrer, federal prohibition enforcement director, threatened to revoke his alcohol permit.

He now operates a company engaged in manufacturing toilet waters and barbers' supplies, at Norfolk.

Strikers Enter Protest Against Extra Police

Grand Island, Neb., July 20.—(Special Telegram.)—Striking workmen appeared before the city council last night protesting against the placing of extra policemen in the vicinity of the shops, which was done Tuesday, after a conference between the city and county officials and Union Pacific representatives.

Mayor Ellisberry, elected as the candidate supported by the labor group, after giving the men a full hearing, informed them that under all of the conditions it would be unwise to remove the extra officers, and that they would remain on duty as long as it was deemed necessary to keep order.

The city administration is working in complete harmony with the county. There has been no disturbance since the special officers have been placed at strategic points about the shops.

Fullerton Candidate Chosen by Big Majority

Fullerton, Neb., July 20.—(Special Telegram.)—C. P. Donnelly was nominated state representative from this district by a large majority over his opponent, John Podrazo, Donnelly carried all but two precincts in the county.

Fred Kremer, democratic nominee for sheriff, received 465 votes, majority of 253; Charles E. Peterson received 384 votes, majority of 19, over A. E. Pepper, republican. Peterson is the present sheriff. His opponent for the election, Fred Kremer, is an ex-service man.

Circuit Court Upholds Ruling of Labor Board

Decision of Federal Judge Reversed in Test Case Brought by Pennsylvania Road.

Chicago, July 20.—(By A. P.)—The circuit court of appeals reversed the decision of the federal court in the test case of the Pennsylvania railroad against the United States Railroad Labor board. The carrier had sought an injunction to restrain the board from issuing an order directing it for failure to observe decisions of the board and had been upheld by the lower court.

The Pennsylvania's controversy with the labor board dates back to the so-called abrogation of the national agreement when the labor board ordered the roads and their employees to negotiate new rules. In preparing to make new rules the officials of the road were authorized to send out ballots for a vote on who should represent them in the negotiations.

The Pennsylvania insisted that only employees of the road were eligible to represent the men and ballots were sent out containing the names of individuals. The six federations, however, sent out ballots containing the names of the unions and votes were returned authorizing the union officials to negotiate the new agreements. Because these officials were not employees of the road, the Pennsylvania refused to recognize their authority and the case was referred to the labor board.

The board ordered new ballots sent out containing the names of both individuals and unions. The Pennsylvania road failed to follow instructions of the board and was cited before it. When it appeared the board was about to condemn the road for violation of the board's order, the Pennsylvania secured an injunction restraining the board from issuing the order.

The decision by the federal court of appeals reverses the action of the lower court and upholds the labor board.

Lightning Burns House

Sturgis, S. D., July 20.—(Special Telegram.)—During a severe electrical storm this morning lightning struck John Beardsley's residence, burning it to the ground.

The Weather

Forecast. Friday fair; not much change in temperature.

Hourly Temperature table with columns for time and temperature.

Official Count Will Be Needed

McMullen Leads Randall by 183 Votes in All But 55 Precincts on Unofficial Returns.

Treasurer Race Is Close

The official canvass of Tuesday's primary vote will be needed to determine whether Charles H. Randall or Adam McMullen is the republican nominee for governor.

With all but 55 of the 1,913 precincts of the state tabulated on unofficial returns, McMullen led Randall by 183 votes.

The figures were: McMullen, 47,468; Randall, 47,285; Byrum, 12,216; Sterling, 9,033.

Treasurer Contests Close

Late returns continued to indicate the nomination of C. D. Robinson for state treasurer on the republican ticket in a close race against W. M. Stebbins.

Doubt still existed as to whether Harry B. Fleharty of Omaha or Kenneth McDonald of Bridgeport had won the democratic nomination for attorney general. Fleharty was a bare 400 votes ahead on returns from 1,653 precincts.

Similarly the republican nominee for attorney general remained in doubt. Correction of an error of 1,700 votes in the Lancaster tabulation cut this number from Judge Dorsey's total and put O. S. Spillman of Norfolk slightly in the lead. Spillman not only profited by this change, but showed a slow but steady gain on late returns from all over the state.

Attorney General

(1527 precincts): Spillman 26,923; Dorsey 26,761; Thompson 20,428; Porter 17,202.

Treasurer

(1,505 Precincts.) Robinson 22,945; Stebbins 21,808; Hutchinson 18,418; Myers 15,613; Bee 9,235.

By the same calculation, if precincts missing voted as did other precincts in the same counties, Randall would wipe out McMullen's lead by slightly less than 100 votes to the good on the complete unofficial count. This calculation is based on the supposition that the missing precincts voted as did others in the same counties, which may not be true. It is, however, the only guess that can be made.

Closest Contest

The republican gubernatorial race, the closest election contest in Nebraska since the Dahlgren-Shallenberger campaign of 1910, continued to be a thriller throughout the day. At one time a tabulation of over 90,000 votes put Randall in the lead by one vote, later McMullen again went into the lead.

A number of the missing precincts will not be tabulated until after the official count. In these instances, election officials sealed up the ballots without retaining a copy of the vote and the figures cannot be known until the canvassing board opens the ballot boxes.

Official Canvass

The official canvass begins today. It will be completed in most of the state counties by Saturday night. In Douglas and Lancaster counties it will take a week or longer. Possible changes on the official count and the inclusion of several hundred votes of absentees, sent in by mail, may change the result. The late McMullen equally possible.

The fifty-five missing precincts were in the following counties: Antelope, 6; Blaine, 5; Chase, 4; Cherry, 8; Dakota, 5; Frontier, 1; Knox, 4; Howard, 2; Lincoln, 10; McPherson, 5; Mitchell, 4; Red Willow, 1; Sherman, 2; Sioux, 1.

Most of these precincts were favorable to Randall on the returns sent in. He carried the bulk of Dakota county by an average of 40 votes to the precinct. If this ratio were maintained in the five missing precincts, Randall would pick up 200 votes in this county alone.

One Woman Nominated. E. Ruth Pyrtle of Lincoln is the only woman nominated for state office after a contest. She ran second on the nonpolitical ballot for state superintendent of public instruction, State Superintendent John M. Matzen being first. These two will run against each other in the November election.