

"Big Five" Chiefs Expecting Legal Battle at Meeting

Brotherhoods Attempt to Secure Services of Walker Hines, Former Rail Administrator, But He Declines.

By The Associated Press.
Cleveland, O., Oct. 25.—That the "Big Five" railroad transportation organizations are expecting a legal battle when they appear before the railroad labor board tomorrow in Chicago was indicated today when they sought to retain Walker D. Hines, former director general of railroads, to handle any legal phases. Mr. Hines told the brotherhood executives that he "was not in a position" to represent them, and returned to New York.

Mr. Hines' statement follows: "My trip to Cleveland was in compliance with a request of the chiefs of the transportation brotherhoods for a conference. The purpose of the conference was to ascertain whether I could act as counsel for the brotherhoods in the questions arising in connection with the strike order. I explained to them that I was not in a position to do this."

Stone's Action Questioned.

Unless the labor board has changed its attitude concerning the necessity of general chairmen of the five labor organizations appearing at the Chicago meeting, it is anticipated that one of the first legal squabbles to be decided will be on the action of W. W. Stone, president of the Brotherhood of Locomotive Engineers, in notifying his general chairmen they need not answer the board's citation. Mr. Stone announced tonight that only himself and six grand officers, in whom the authority of the organization is vested, will attend the conference.

Other Chiefs Silent.

Other brotherhood chiefs would not indicate whether their general chairmen would be present, except W. C. Lee, president of the Brotherhood of Railroad Trainmen, who has ordered the approximately 200 general chairmen and grand officers of his organization to be present and with whom he will confer in Chicago tomorrow. It is understood that the other chiefs and their officers will confer separately preliminary to the meeting.

In a statement today, W. S. Carter, president of the Brotherhood of Locomotive Firemen and Engineers, said, "The men are determined to peacefully leave the service of the railroads until a satisfactory adjustment has been reached." Mr. Carter also stated that, "If press reports are to be taken at their face, the whole power of the administration is going to be used to defeat the strike of the employees," adding: "Not one word comes through the press that any influence is being used on the railroad corporations."

Prosecution to Follow Tieup of Railroads

(Continued from Page One.)
Legal measures also will be adopted to prevent interference with transportation. If the railway labor board fails to avert the strike, President Harding will issue a proclamation declaring the purpose of the government to maintain transportation and giving warning of the consequences of prosecution which will be incurred by strikers in defying the government.

Daugherty Emphatic.

"The trains will run," emphatically asserted Mr. Daugherty, following the conclusion of the conference. Charles F. Cline, the United States district attorney at Chicago, left hurriedly for home this afternoon, "under sealed orders," as he expressed it. Mr. Cline carried with him the instructions of the attorney general to be communicated to other district attorneys in the west who will assemble at a conference within the next few days at Kansas City or St. Louis. This conference will make a study of the grounds for legal action, after which the United States attorneys will return to their districts prepared to institute concurrent prosecution of the strike leaders at the signal from Washington.

While the attorney general is confident there will be no complete suspension of transportation in the event of a strike he recognizes that there will be a slowing down of food and fuel shipments. With this situation in mind he uttered an appeal to households to refrain from a buying orgy or hoarding which would incite profiteering by retailers and send prices skyward.

Hoover Gets Reports.

To Secretary of Commerce Hoover, who is organizing government agencies to keep the necessities of life moving, Mr. Daugherty sent detailed reports on the food and fuel situation in every section of the country. These reports indicate that there are supplies of food and fuel in most communities sufficient to last two weeks even if transportation facilities were completely suspended.

Mr. Daugherty declined to discuss his plans for proceeding against the strike leaders. "It is sufficient to say at this time," he said, "that we are getting ready to act effectively if it should become necessary for the government to preserve transportation."

Easy to Find Men.

Asked who would be the defendants in any proceedings instituted by the government Mr. Daugherty observed that the strike card contained the names of several hundred

and the places at which they would be found. "It is one of the functions of government to preserve transportation," said the attorney general, "and that we are going to do to the utmost of our ability if it should become necessary. In performing that function of government I am confident we shall have the practically unanimous approval of the country. Our reports indicate that the people, including the great majority of the laboring people, have no patience with this strike."

Harding Is Advised.

"That question is in the province of the labor board," he said. "The president is well advised and has the matter well in hand. The Department of Justice, which is not yet involved, is merely preparing to act judiciously within the law with sufficient care and positiveness to obviate any misunderstanding. These transportation facilities must function."

"The president will announce his purpose to preserve transportation if that step should become necessary, so that the department and the people will have ample notice and any persons persisting in defying the government will have to take the consequences. It will be the duty of the department to follow the instructions of the president, seeing to it that these facilities are kept in operation, that property is protected and any violence or other use of force restrained."

Takes Shot at Stone.

Regarding Warren Stone's corroboration of reports that he, as president of the Brotherhood of Locomotive Engineers, had advised local chairmen in his organization not to respond to the citation of the rail-

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By HENRY WALES.
Chicago Tribune Cable, Copyright, 1921.
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The calling of the defendant to the witness chair came as an almost complete surprise. A special recess of 10 minutes was asked for by the attorneys for the defense for the purpose of a conference. The witness previously asked for was being sought by the bailiffs. At the close of the recess announcement was made that this particular witness was not required. "Call your next witness," directed the court. At a word from counsel Mrs. Southard got up and walked to the witness stand.

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