Unions Rest Hopes on Harding Alone

d from Page One

still astride the fence. These organithrough having more than threepower through having more than three-fearths of the country's rail employes in their membership, have voted for a grike, but have deferred final action as mordering a walkout. Their final meetbegan today and it was expected a few days would find a definite

seision from them.

The Western Managers' Association robably will not follow the example of probably will not follow the example of the eastern roads and advertise for men to replace strikers, Samuel M. Feiton, president of the Chicago and Great Western, said today. "We have re-Western, said today. "We have re-

that we don't need to advertise," Mr.
Felton said.
The Western managers met this afternoon to complete their plan of action in event of a strike, and also to decide when the roads shall post the notice of the ten per cent wage cut which they will ask of the Railroad Labor Board. outhwestern managers met at St. Louis today.

Washington, Oct. 21.—(By A. P.)—A new phase of the railroad strike situation faced the Government today with the news that the conference in Chicago between the Railroad Labor Board and the five brotherhood leaders had been erminated without having resulted in any definite plan for averting the nan-wide tie-up scheduled to star October 30.

The optimistic atmosphere which has pervaded discussion of the situation was not entirely dissipated, however, by the overnight setback. The general on expressed was that the situation was far from hopeless.

tion was tar from nopeless.

Speculation today was directed chiefly upon the question of whether the Railroad Labor Board would be called upon to make further effort toward a comromise, or whether President Harding Senate leaders agreed finally today to

roceed with pending railroad legisla-on despite the strike situation, but ed that no action would come be ore October 30. The Senate Interstate Commerce

ommittee will meet tomorrow to con-ider amendments to the carriers' \$500, sider smendments to the carriers scool, 000,000 debt funding bill, with a view to having it ready for Senate discussion after disposal of the tax and antibeer measures. It is not scheduled to get before the Senate, however, until

prospect.

The committee will open hearings next Monday on a bill by Senator Capper for repeal of the so-called rate marantee of the Esch-Cummins law marantee of the Esch-Cummins law marantee. urged by the American Farm Bureau ration. The bill also would repeat revisions giving the Interstate Commerce Commission jurisdiction ove State rates. Representatives of agri ultural and commissioners' organizaons are to be heard on Monday. Senators said there was no probabil

ty that anti-strike legislation would b ed until all negotiations to avert a strike had been concluded. Should a strike cusue, however, it was said that some sort of anti-strike bill probably would crop up.

ORDERS FOR STRIKE ARRIVE IN NEW YORK

New York, Oct. 21.—(By A. P.)— Official strike orders from officers of the Big Four railroad brotherhoods and Switchmen's Union of North merica were being communicated to-ay to railway employes in the New ork district. The orders, received late ist night, were promptly passed along own the line, local union officials said, order to forestall possible injunction dings by the Government.

purred by the failure of the Labor loard to bring forth any hope of settle-sent, began polls to ascertain as nearly le what proportion of their intended to obey the walksed figures given out by local

ficials of the unions involved placed a minimum number of men in the etropolitan district affected by the tike order at 20,000. The district cluded an area with a radius of tenty-tive miles, centering in the prough of Manhattan. The allied rail-bad shop crafts of the district oad shop crafts of the district, which re not yet affected, claim a memberip of between 125,000 and 150,000. The railroads continued yesterday to eceive applications for employment, cording to official announcements, as ell as offers of volunteer service from ommuters and college men. The Dela-rare, Lackawanna and Western Raild announced it would reinsure on d announced it would reinsure on llar terms any loyal employes who labor organization insurance by usal to obey the strike order.

I. R. STRIKE TO BEGIN IN TEXAS TOMORROW

San Antonia, Tex., Oct. 21.—(By A Approximately 600 members of Brotherhood of Railroad Trainmen by the International and Northern Railroad today comded final arrangements for a strike duled to begin at noon tomorrow, week in advance of the date set the general walkout of railroad

The brotherhood officials went to ng of members carrying official from W. G. Lee, grand president d from W. G. Lee, grand president the organization, directing that the ke take place in accordance with vote of the men, who had favored lober 22 as the date. R. D. Frame, of San Antonio, sys-a chairman of the brotherhood, an-

ed the causes of the strike are same as those put forward in consame as those put forward in con-dion with the general walkout order. he strike is expected to bring out switchmen and automatically tie up switch yards of the road. Members other unions employed by the road I not go out until October 30, it was

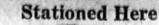
Houston, Tex., Oct. 21.—(By A. P.)
Thornwell Fay, executive officer of
the International and Great Northern, eclared today that trains would be op-rated irrespective of the strike "if the ssary protection is given.

RAIL MEN REFUSE TO POSTPONE STRIKE

Cleveland, Oct. 21.- (By A. P.)on his return from Chicago, where brotherhood railroad leaders were trainmen's organization, announced that the strike situation was ably unchanged.

railroad brotherhood executives the board had a full and comprediscussion of the general situafrom the viewpoint of each side,"
Lee said. "A proposal to postpone
te action at 6 A. M. on October
made by the board members, was
hatically declined by the chief extives, no provision for such action
ting been made."
Warren S. Stone grand chief of the

ren S. Stone, grand chief of the rhood of Locomotive Engineers, W. S. Carter, president of the who returned with Mr. Lec, deerhood of Firemen and Engine-





Harris & Ewing. MISS HENRIETTA ADDITON Formerly of Washington, D. C., who has recently been transferred to Philadelphia as the field representative of the United States Interdepartmental Social Hygiene Board

than to say that the situation was un-

changed.

L. E. Sheppard, head of the Order of Railway Conductors, remained in Chicago last night, and is expected to reach Cleveland tonight. T. C. Cashen.

It was testified that case whiskey president of the Switchmen's Union, the remaining member of the "Big Five" railroad transportation chiefs, is expected to arrive here Monday and make his permanent headquarters in this city.

Mr. Lee has called his Executive Committee members in session here next Monday. The Advisory Board of the engineers and Executive Committee of

Navy Ousts Fliers Because They Fail

summarily discharged from the service. The result is a shortage of mayy flying men. Anacota and Dahlgren, the two flying fields nearest Washington, will be virtually without a flying personnel

Aviation Should Be Separate Until flying is made a career in itself. it is hard to see how an effective air service can be built up. The future of the Annapolis graduate lies not in the air but on the sea or in the bureaus at Washington. If he is assigned to air luty he takes it up temporarily, as comething dangerous and unremunerative, to be got through with so that advancement may be sought in other ines. A similar thing is true regard-

ing the army.
In the war and up till now it has been necessary for the navy to depend upon reserve officers largely for its flyng corps, but under present conditions flying opens no opportunity. A man may be the best airman in the world but unless he can operate a ship there is no way for him to become part of the permanent establishment and get in line for promotion.

In the army, aviation has lost in the

failure to put General Mitchell, a real flying man, in charge of the branch. Flying remains something to be ad-ministered and controlled by the West Point graduate, whose real interests and ambitions lie elsewhere.

Airplanes' Importance Shown The recent bombing tests of airplane against battleship show that the flier may be the main defense of the country against attack by a hostile fleet. there is no such thing specifically as a flier. He is an army or navy officer temporarily assigned to flying. Friends of aviation contend with much force that the development of flying in this country is checked by this system.

In the proposed re-examination the rejected men it is urged that: First. At least 50 per cent of the examination shall consist of aeronautics.

Second. That half the board of examiners shall be aviation officers.
Third. That sufficient time be allowed for preparation for the exam-

But the real future of the air service depends upon its being made a separate branch of the defense, perhaps as is being proposed in the reorganization of the Government as one of division of a single department of national defense, of which the two other divisions of equal rank with it shall be the army and the navy.

Rum Ring Methods

Continued from Page One

prohibition office and holder of his power of attorney for the signing of withdrawal permits, and Benner, who was chief permit clerk in the same office, were arrested on a warrant charging them with "conspiracy to cheat and defraud the United States Government." Singer was named in the same ment." Singer was named in the same warrant with them as a co-conspira-

Until late yesterday, when the war-rants were issued for the arrest of Slater and Benner, it had been planned to put them on the witness stand to tes-tify against Singer and possibly others of the five original defendants. United States Attorney Coles changed this plan when he realized that to use them as when he realized that to use them as witnesses probably would make it imcossible to try them for the same of

Were Sought By Deputies Slater and Benner could not be found when a deputy United States marshal was sent for them. They walked into the United States Marshal's office shortly after 10 o'clock today, unaccompanied, and announced that they wanted

The men were nattily dressed, wear The men were nattily dressed, wearing autumn-weight topcoats, and smiling. The warrant was read to them, and for the time being they were shut up in the little room adjoining the United States Marshal's cellroom. They were not locked up in cells.

They had lost some of their air of confidence when they were taken to the crowded Grand Jury room a half hour crowded Grand Jury room a half hour

crowded Grand Jury room a half hour

The hearing of the five original desession yesterday with the Railroad but it was almost 11 when the names for Board, W. G. Lee, president of of the defendants were read by the Those of Slater and Benner were read along with those of the others, and they answered "Here" from their

Big Crowd Is on Hand Rarely had such a huge crowd gathered for an arraignment. The Grand Jury room was selected for the hearing

Shave, Bathe and Shampoo with one Soap.—Cuticura

because of its large seating capacity. It was so crowded that not another man could get in.

A long table was arranged down the middle of the room for the commissioner, the defendants and their coun-

sel. The place was so densely crowded that it was impossible for all the de-fendants to get seats.

The five were accompanied by their counsel, some of them having three attorneys at their clows. Singer, the only one of the defendants against whom there were two counts, stood behind the Commissioner. Near him was his counsel, former Assistant United States Attorney Robert A. Sterrett. Charles A. McAvoy, who preceded Mr. Coles as United States Attorney, represented Mc.

The defendants stood where they could find room in the crowded assemblage. All were there, as their answers of "Here" to their names read by the clerk testified. But they were

The hearing was opened with the testimony of Samuel Perry, a custom house inspector, who described a raid some weeks ago on Bookbinder's cafe. where a quantity of Sherwood and Stewart whisky was seized. The witness said that tags on the whisky, showing it had been withdrawn on a permit issued in the name of Max A. Gold, 1689 Park avenue, New York, gave a clue which finally resulted in the arrest of the defendants.

Tell of Another Raid

Assistant U. S. Attorney T. Henry Walnut, who handled the case for the Government, put a succession of Government agents on the stand in an

It was testified that case whiskey seized auso bore the address of Gold. Among the agents who testified were Harry McNamara, and Andrew A. Quigley, who took part in the raid, and William D. Smith, a member of the 'flying squadron. The agents declared that a large part

of the goods seized had been withdrawn from the Stewart and Sherwood dis-tilleries. Harry Fitzpatrick, a Fed-eral agent working out of Washington. produced a copy of the original permi made in the name of Gold, and testified that Gold had received a "B" permi from formert State Director Harte, New York, and indicated by his testi-mony that Max Gold was a mythical person. However, the witness admitted he never had called at the Park avenue

Try to Find "Burns"

Frank L. Wight, vice president of the Sherwood Distilling Company, was he ncalled and produced records shown gthat hundreds of cases of whisky d been withdrawn from the Sherwood stillery on the Gold permit, and that Maurice Burns, giving an address of 305 Denckla Building, Philadelphia, which is the office of Sam Singer, had called at the Sherwood distillery in company with Singer and produced power of attorney signed by Max A Gold, authorizing Burns to withdray 500 cases of whisky.

Mr. Wight also produced the record and a letter which was an authorization for Burns to withdraw 300 cases. At this point Mr. Walnut asked Singer to stand up. He came forward from his place in the crowd, and Mr. Wight was asked if that was "Burns." The witness said that it was not Burns. but that he recognized Singer as the

John J. Boyce, the Government's star and balk the investigation. witness who drove the motortruck on which the whisky was carried, was identified as the man who had received long enough to seek a ruling from Judge the whisky for Max Gold's account

Edward H. Brown, manager of the Stewart Distillery, was the next wit-Stewart Distillery, was the next witnes. His memory was bad, and repeated attempts on Mr. Walnut's part
to stimulate it failed. He identified
Boyce, but said he did not remember
any other truck drivers who received
shipments for the L. C. W. Drug Company, of this city. He admitted he had
size of the latest that he know the signed an affidavit that he knew the Judge Witmer continued, person to whom the whisky was deliv-Brown brought were offered in evidence, this court, so far as I know, there one being a permit to withdraw 7500 gallons of whisky August 3, 1921. The permit holder was the L. C. W. Drug Company, 1730 Sansonm stret. The permit was signed "William C. Mc-Connell," with a small letter "S" iniwith a small letter "S" ini As I tialed in the corner, a dash through it

giving the letter the appearance of a tify Singer or Blumberg. Mr. Walnut said: "Please don't beat about the bush -come on, now, if you know these nen, say so. Tell us the truth." Ben-

Told in U. S. Court men, say so. Tell us the truth." Benhoff looked directly at Singer and said
"I never saw him in my life before." Frank Alessandro, of 1813 South Eighth street, and Harry C. Frank, of the L. C. W. Company, were asked to stand up, and Benhoff was asked if he had seen either man before. He said he had not.

It is understood that Alessandro and the L. C. W. Company, charged off in the records with large amounts of whisky, have declared that they never received the amounts specified. The crime of conspiracy charged

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22d and Chestnut Estimates and Menus Furnished Rum-Smuggling Ship Sold by Government

The rum-smuggling schooner Thomaston was sold yesterday by the Government to Charles T. Hop-per, of Atlantic City, for \$3250. The sale was made following libels filed in the United States District Court

by customs officials, The vessel has been tied up at the Independent Piers since its seizure some six weeks ago for violating customs laws by smuggling in cargo of booze.

against Singer, Slater and Benner is described as follows in the affidavit: "The three defendants did agree that they would issue and cause to be issued by the clerk testified. But they were so hedged in by the tight-pressing and other intoxicating liquors which are crowd of witnesses and spectators that it was almost impossible to single them out.

The hearing was opened with the persons lawfully entitled to said withdrawals of the liquor for use for non-drawals of the liquor for use

beverage purposes.
"The three defendants would, never-theless, cause the said permits so issued theless, cause the said permits so issued to be delivered to Samuel Singer, although they would well know that the said Samuel Singer would intend to use the same for the withdrawal of the liquor specified therein, and would intend to dispose of said liquor so withdrawn for beverage purposes.

"And in order to effect the object of the said conspiracy, the said H. W. Benner did on August 2, 1921, place his initials upon a certain application."

his initials upon a certain application of withdrawal identified as follows, namely, Serial No. Form 1410 A, No. of Permit, 41603, purporting to be signed by the L. C. W. Drug Company.

"The said Albert L. Slater did on August 8 cause to be written and signed the said letter addressed to the Stewart Distilling Company, Baltimore, that this permit of withdrawal was au-

"The said Benner did on August 2 place his initials upon a certain appli-cation of withdrawal purporting to be signed by the Frisbin Manufacturing ompany, Dixon City, Pa. "The said Slater did, on August 8

ause to be written and signed the said etter addressed to the Frisbin Manuacturing Company, advising the said ompany that this permit of withdrawal The affidavit was made by Frank J

ernal Revenue.

Benner, in the affidavit, is described by "chief clerk of the permit division" for the Proand Slater as "secretary for the Pro-hibition Director" and Samuel Singer as one "engaged in business in Phila-delphia, to wit, the withdrawal of whisky and other intoxicating liquors rom warehouses and distilleries for the prose of disposing of the same for

MUST PRODUCE RUM TO CONVICT SELLERS

Scranton, Pa., Oct. 21.—United tates District Judge Witmer told a Federal Grand Jury here yesterday it is hard to convict liquor rellers unless a sample of the rum is produced i

man who accompanied him.

Sam Blumberg, another of the defendants, and Singer's partner, was then asked to stand up and Wight asked the same question, to which again he the same question, to which again he a negative answer.

Sevinance who accompanied him.

Who investigated prohibition violations in the Mount Carmel district. Because of the scope of the inquiry, detectives took but two samples, fearing such action would alarm the rumsellers.

The jury asked what evid of indictment. A juror asked if the evidence of

person to whom the whisky was delivered. This is a provision of the Volstead act. Various records which Mr. many cases, an analysis being made. In

tion if the jury believes the testimony of persons who purchased the liquor. say, it is difficult to convict from evidence unless the corroborative or circumstantial facts are strong enough. The whole question hinges on whether dollar mark.

Arthur H. Benhoff, connected with the Stewart Distillery, testified he delivered the whisky, but could not identify the whole question hinges on whether the evidence as brought before you is strong enough to satisfy you. It is not absolutely necessary to have the sample

produced. investigation were engaged by a citi-zens' committee of Mount Carmel.

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beverage purposes, contrary to the pro-visions of the National Prohibition Act."

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was admissable for returning a true bill

detective would hold in court.

"There may, however, be a convic-The private detectives who made the

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