

# ROY GARDNER CAUGHT ROBBING TRAIN

## MAIL CLERK SITS DOWN ON BANDIT

After \$150,000 Loot—Heavy-weight Refuses to Obey Command, Knocks Fugitive Down—Arrested at Phoenix, Ariz., and Admits Identity—Negro Clerk Expected—Silent On Escape From Penitentiary—Had Auto.

PHOENIX, Nov. 16.—Roy Gardner, who escaped from the federal penitentiary at McNeil Island, Washington, where he was serving a sentence for Pacific Coast mail robberies, was captured here last night by Herman Inderlied when he attempted to rob the mail car on an Atchison, Topeka and Santa Fe railway train. Inderlied was the mail clerk in charge of the car.

When the local police photographer was taking Gardner's pictures this morning he noticed a likeness between the man and pictures of Gardner, a description of Gardner which was broadcasted when he escaped from the penitentiary was secured and found to fit the prisoner exactly, even to the finger prints. The prisoner then admitted he was Gardner.

PHOENIX, Ariz., Nov. 16.—The bandit captured here last night at the Santa Fe station following an attempt to rob a mail car was identified by finger prints today as Roy Gardner, who recently escaped from the federal penitentiary at McNeil Island.

According to the police, Gardner admitted his identity. Police officers also attempted to identify the prisoner as Gardner by a wound in the leg which he was reported to have received from the gun of a guard when he escaped from McNeil Island. The police were unable to find the wound and the prisoner maintained that none of the shots fired by the guards struck him.

Police this morning said that while there was nothing of unusual value in the mail on board the car attached last night, a local bank planned to ship \$15,000 from here today, and they believe the would-be robber had been "tipped off" to the scheme but got the wrong train.

The mail car attacked last night was on Atchison, Topeka and Santa Fe train No. 170. The robber boarded the car ten minutes before the train was to leave for Los Angeles and it is the theory of local officers that he intended to ride to a nearby station where they believe he had accomplices waiting for him.

Herman Inderlied, of Phoenix, clerk in charge of the car, said he was not looking when the would-be robber got into the car and that the first he knew of the other's presence was when he felt a gun pressed against his body and turned around to find a masked man holding a revolver against him. Inderlied, who is six feet two inches tall and weighs about 215 pounds, struck his assailant, took his gun away from him, and then sat on him while he waited for officers to respond to his calls. The bandit was taken to the city jail where he said he was "R. P. Nelson of Chicago."

Inderlied went out with his car last night. While Inderlied was holding his prisoner, the latter said: "Well, you've earned your \$5000 tonight," referring to a standing reward offered to mail clerks for the capture of mail bandits.

Another Santa Fe train was standing on a track at the local station just a few feet from No. 170 and a Southern Pacific train with two marine guards in the mail car was at the Southern Pacific station a quarter of a block away when Inderlied was attacked.

Inderlied, who returned to Phoenix today, was called to the police station to identify the prisoner formally as his assailant. As he approached the prisoner the latter held out his hand, and said:

"You haven't got any hard feelings, have you?"

"I've got a wife and child at home," Inderlied replied.

"So have I," responded Gardner, "and if you had had a gun last night"

## Bandit Warns Sheriff He Will Escape if Opportunity Arises

PHOENIX, Ariz., Nov. 16.—Roy Gardner, who on September 5, last, escaped from McNeil Island penitentiary, Washington, where he was serving a sentence for Pacific coast mail robberies, today after his capture last night by a mail clerk here, told Sheriff John Montgomery and newspapermen the story of his escape and his life since then. Previously he had refused to talk about this period of his life. Just before noon Gardner was turned over to the federal officers by the police and he was immediately removed from the city jail to the county jail where almost his first words to Sheriff John Montgomery were a warning that he intended to escape if he got an opportunity. He was to be arraigned this afternoon.

## LADY JUROR IN FAT'S CASE PUT THROUGH QUIZ

Mrs. Edith Unsworth Admits She Wanted to Be On Jury—Interest Lax and Many Empty Seats in Court Room at Jury Selecting.

SAN FRANCISCO, Nov. 16.—When the manslaughter case of Roscoe C. (Fatty) Arbuckle was called today, Assistant District Attorney Milton T. Wilson asked that the examination of Mrs. Edith Unsworth, a prospective juror, be postponed, "as we have authority that she expressed an opinion and wanted to get on the jury."

The re-examination was allowed. Mrs. Unsworth admitted that she told a friend in response to a question that she would "like to be on the jury" but denied expressing any opinion in regard to Arbuckle's guilt or innocence.

After being asked a few questions, Mrs. Unsworth remained in the box pending the examination of another juror.

Peter Hansen, retired liquor dealer, was the next takerman to be examined. Interest in the hearing was ever more lax than yesterday. One fourth of the seats in the court room were unoccupied when the court convened.

Hansen's examination was completed at 11 a. m., filling the box with prospective jurors. The prosecution examined Sidney A. Goldtree, using five of its five peremptory challenges. Victor S. Persons, civil engineer, called in Goldtree's place regarding Arbuckle's guilt or innocence.

C. A. Ballentine was then called and accepted as a tentative juror, again filling the box with prospective jurors.

J. C. Medley was excused by the first of the ten peremptory challenges allowed the defense.

Isaac O. Upham, stationer and prominent club man, was called in Medley's place.

The prosecution asked that Upham be excused because of a possible financial interest he admitted he might have in the Arbuckle films. The defense objected and the judge reserved his decision until after the noon recess.

STRIKEBREAKERS GO TO WORK GUARDED

OTTUMWA, Iowa, Nov. 16.—Passing between rows of Iowa guardsmen with bayonets fixed, more than 100 workmen who are employed at the John Morrell Packing company filed through the gates at 6 and 7 o'clock this morning to join their 200 comrades who entered yesterday amid a fusillade of stones and bricks and spent the night inside the plant. A large crowd of strike sympathizers assembled on streets near the plant, but the presence of troops calmed any prospects for a repetition of yesterday's disturbances.

## CAPTOR TO GET \$7000 FOR DARING

\$5000 for Capture of Mail Bandit and \$2000 From Special Bounty—History of Crimes of Picturesque Criminal—Escaped Sept. 5 in Reckless Break.

SAN FRANCISCO, Nov. 16.—The bandit captured at Phoenix, Ariz., last night is Roy Gardner according to telegrams received today by railway mail service officials and postoffice inspectors from Phoenix.

F. J. Michelson, postmaster at Phoenix, telegraphed that the bandit was Gardner and a similar telegram was received from F. R. Moon, chief clerk of the railway mail service at Los Angeles, who is in Phoenix.

Edward C. McGeath, superintendent of railway mail service in the west declared that the mail clerk, Herman Inderlied, would receive the reward of \$5,000 offered for the capture of any person who attempted to rob the mails and perhaps also \$2,000 which was a special reward offered for the capture of Gardner.

It was reported here that Gardner probably would not be tried in Arizona but would be returned to McNeil Island prison where he was serving a sentence of 50 years.

SAN FRANCISCO, Nov. 16.—Roy Gardner escaped from McNeil Island, Wash., penitentiary, September 5, 1921, by cutting his way through a barbed wire fence during a prison baseball game and running through the fields to cover amid a rain of shots from the guards. A cordon was thrown around the island and watch kept for weeks, but Gardner was never found. Prison officials later said they thought he reached the mainland the night after the guard was withdrawn.

He committed two mail robberies in California and escaped from his guards twice while being taken to McNeil Island.

The first robbery was of a mail wagon in San Diego in April, 1920, his loot being \$85,000, all of which was recovered. En route to the penitentiary he overpowered his guard near Portland and escaped from the train June 7, 1920.

On May 11, 1921, he appeared at Napa, Cal., in an attempt to visit his wife, evaded a posse and held up a Southern Pacific train near Newcastle, Cal., six days later, obtaining a mail pouch containing \$175,000 in securities. On May 23 he was captured while playing cards at Roseville.

Pleading guilty in the federal court at San Francisco, he was sentenced to 50 years at McNeil Island but on June 11 he turned the tables on his two guards at Castle Rock, Wash., binding them with his own handcuffs and Oregon boot and jumping through the car window with Norris Pylon, a counterfeiter, also being taken to prison.

Policeman Louis Sonny captured him on June 16 at Centralia, Wash., where he had taken a room at a hotel after eluding a posse at Castle Rock.

## DANE SOVEREIGNTY GREENLAND DENIED

CHRISTIANIA, Nov. 16.—The Norwegian government has informed Denmark that it cannot recognize the extension of Danish sovereignty to the whole of Greenland, which was announced last May. Norway contends that the Danish action prejudices the rights of Norwegians to the whaling, sealing and fishing which they have, until now, carried on unchallenged in Greenland waters.

PARIS, Nov. 16.—(By Associated Press.) The council of the League of Nations met here this afternoon to consider the first accusation of covenant breaking since the league came into force. The case was that of Jugo-Slavia, whose troops have been charged by the British government with invading the territory of another league member—Albania.

## MARTIAL LAW IN COLORADO AFTER COAL WAGES CUT

Gov. Shoup Declares Huernano County Unable to Cope With Situation—30 Per Cent Reduction Ordered to Meet Competition.

DENVER, Colo., Nov. 16.—Governor Shoup today issued a proclamation declaring martial law in Huernano county effective at midnight to night. The governor announced Sheriff Harry Capps of that county had notified him of his inability to cope with the situation resulting from the posting of wage reduction notices this morning in Colorado Fuel and Iron company mines.

TRINIDAD, Colo., Nov. 16.—(By the Associated Press.)—Thirty-five hundred coal miners in the southern Colorado field will refuse to report for work at 12 mines operated by the Colorado Fuel and Iron company tomorrow morning as an answer to a notice posted today putting into effect tomorrow a wage reduction of approximately 30 per cent, according to John P. McLennan, president of district 15, United Mine Workers of America, who also predicted that every mine operated by the Colorado Fuel and Iron company would be idle within a day or two.

DENVER, Colo., Nov. 16.—Notice of a general wage reduction of approximately 30 per cent to take effect tomorrow morning in thirteen of the company's twenty-six coal mines in Colorado, was posted at the headquarters of the Colorado Fuel and Iron company here this morning. The order directly affects about 3500 men employed in mines in Las Animas and Huernano counties. None of the company's mines in Fremont and Gunnison counties is affected.

According to a statement by Fred Farrar, general counsel for the company, officials expect a strike that will shut down, temporarily, all the mines affected that are now in operation. It is also expected that the men employed in the company's five mines in Fremont county and in the two Gunnison county mines, will walk out in support of the Las Animas and Huernano county employees.

It is the contention of the company that the reduction of wages is being put into effect in accordance with agreements with the employees of the mines affected which were made last August. At that time, it is claimed, by officials, the men circulated petitions asking that in order to increase their working time their wages be reduced.

An official statement issued at the executive office here, signed by H. F. Welborn, president of the company, says in part:

"On Thursday, November 17, the Colorado Fuel and Iron company will put into effect a reduction in wages of coal mine workmen at eight of its mines in Las Animas county and five in Huernano county, Colorado.

"This reduction is made in those mines only where negotiations during August with the employees resulted in agreements which have been passed upon and found to be both legal and reasonable by the industrial commission of Colorado. At mines where no agreement was reached no attempt has been made to reduce wages.

"The reduction will restore the scale of wages in effect during the years of 1919 and 1920.

"The reason actuating the company in making this reduction are imperative need for cheaper fuel for the steel mills at Pueblo in order to enable the company to compete with eastern steel mills and the need of lower prices of coal on the part of the public and the railroads and other consumers."

## 50 PEOPLE MISSING MANILA BAY WRECK

MANILA, P. I., Nov. 16.—(By the Associated Press.)—The steamer Maria Louisa, 54 tons, foundered today off the Bambales coast, near the entrance to Manila Bay and 50 persons are missing. Rescuers saved 36 passengers and members of the crew. It is believed that all the missing are Filipinos.

## NO LIMITS PLANNED ON AIRCRAFTS

Giant Strides of War Replaced By Snail's Pace of Peace in Air Traffic, and Arms Parley—Urge Development Along Prone to Apply Restrictions Commercial Lines.

WASHINGTON, Nov. 16.—(By Associated Press.) Decision of the American delegation to the conference on limitation of armaments to exclude aircraft from proposals for reduction goes deeper than Secretary Hughes indicated in his statement saying merely that the ready convertibility of commercial aircraft to war purposes made the writing of aircraft limitation impracticable. Beyond that fact, however, lies the desire of every nation that no impediment should be placed in the way of development of air navigation for the benefit of all mankind.

Giant strides in the air were made by all powers under war impetus, but back again to days of peace, aircraft development is moving at a snail's pace all over the world. The places of air navigation in the commercial scheme of things is not established yet on any profitable basis, and if governments do not carry on the experimental work in connection with armies and navies the newest and most promising field of transportation probably will be neglected for years to come.

This is the view taken by army and navy officials of the United States, and it is reflected in the American proposal to the conference. It is to be expected, as the conference moves along, that rules to limit the use of aircraft, to curb bombing of defenseless cities and civilian non-combatants, hospitals and the like in war, will be written.

There is a definite place for that on the agenda.

As to convertibility, it is apparent off-hand, officers say, that any plane capable of carrying the mail or any other burden, could be loaded with bombs for war purposes, equipped with machine guns and otherwise be put into fighting shape in a matter of hours.

Navy officials are far from satisfied that aircraft have reached a point where the old time surface craft of the battle line have lost their importance as the main reliance in war at sea, but they admit that air developments have added new factors to the game of war, and that in the future may lie such radical advances in air work as may in fact wholly revolutionize naval warfare. American observers expected no serious proposals during the conference for any form of aircraft limitation which would inhibit such development.

WASHINGTON, Nov. 16.—The house today passed in amended form a senate bill authorizing correction of errors made in the calculation of sums due individuals and companies for minerals furnished the government during the war and validating claims filed prior to noon of June 2, 1919.

## WAR MINERAL BILLS TO BE CORRECTED

WASHINGTON, Nov. 16.—(By Associated Press.)—Former Emperor Charles of Austria Hungary and former Empress Zita are nearing their place of exile on the island of Madeira. The British cruiser Cardiff, with the former royal pair on board, arrived here today en route to Funchal, Madeira, in the Atlantic, off the northwestern coast of Africa, a comparatively short sail from this port.

## KANSAS AGITATORS BACK TO MINES

PITTSBURG, Kan., Nov. 16.—Representatives of the international organization of mine workers claimed that most of the striking Kansas miners would return to work today under the order to do so or subject themselves to revocation of their local union charters. Adherents of Alexander Howat, deposed Kansas district union president, declared the miners would remain on strike.

## BILL RODGERS NAMED BEAVER MANAGER

SACRAMENTO, Cal., Nov. 16.—Definite announcement that William K. Rodgers, for three years manager of the Sacramento team of the Pacific Coast Baseball league has been released, was made today by Charles Moreing, one of the owners of the club. Rodgers was reported yesterday to be in Portland, Ore., negotiating with William Klepper for the managerability of the Portland team.

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## Mrs. Gardner Neither "Glad or Sorry"; Thought Mate Safe

SAN FRANCISCO, Nov. 16.—Mrs. Roy Gardner expressed surprise today over the capture of her husband as she said she believed him to be safe. "I don't know whether to be glad or sorry, or what to think," she said. "It is horrible, just when I thought he was safe, I will rearrange my plans to be near him, wherever that may be."

Mrs. Gardner is supporting herself and infant daughter by working in a downtown department store.

## CHINA PLEADS FOR RIGHTS IN WORLD SCHEME

Proposals Have Moral Support of American Delegates—Harmonize Chinese Interests With Rest of World—Wants to Play Her Part for Peace.

WASHINGTON, Nov. 16.—(By the Associated Press.)—The Chinese proposals with respect to Far Eastern questions are stated authoritatively to have the "moral support" of the American delegation.

The text of the Chinese proposal, as submitted to the assembled delegates by the address of the Chinese delegation follows:

"In view of the fact that China must necessarily play an important part in the deliberations of this conference with reference to the political situation in the Far East, the Chinese delegation has thought it proper that they should take the first possible opportunity to state certain general principles, which, in their opinion, should guide the conference in the determinations which it is to make.

"Certain of the specific applications of the principles which it is expected that the conference will make it is our intention later to bring forward, but at the present time it is deemed sufficient simply to propose the principles.

"In formulating these principles, the purpose has been kept steadily in view of obtaining rules in accordance with which existing and possible future political and economic problems in the Far East and the Pacific may be most justly settled with due regard to the rights and legitimate interests of all the powers interested. Thus it has been sought to harmonize the particular interests of China with the general interests of all the world.

"China is anxious to play her part, not only in maintaining peace, but in promoting the material advancements and the cultural developments of all nations."

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## FAR EAST PROBLEM ARGUED

Size Lays China's Stand Before Arms Conference—Japan Makes No Response—Open Door Policy Favored—Oppose Secret Treaties.

WASHINGTON, Nov. 16.—(By the Associated Press.)—A detailed statement regarding China's interests and her attitude on Far Eastern questions was made today by Minister Sze at the first meeting of the committee on Pacific and Far Eastern questions.

No program for the consideration of Far Eastern questions was agreed upon, but the heads of the delegations of the nine powers forming the committee were to meet later today to frame an order of procedure.

There was no response from the Japanese after China had presented her view of the situation, and although some general discussion developed, all of the other nations represented reserved a detailed statement of their opinions for later presentation.

Indications were that the first attempt to get down to cases would be made in the meeting of the heads of the delegations later in the day.

Maintenance of the open door in China was said to have been urged vigorously by Minister Sze who also spoke strongly for abolition of secret treaties affecting China and urged that hereafter all such treaties between the powers be made public.

WASHINGTON, Nov. 16.—(By Associated Press.)—Preservation of "territorial integrity and political and administrative independence" together with preservation of the open door policy and a prohibition against secret treaties in the Far East were included in the Chinese proposal outlined today at the initial session of the armament conference committee on Far Eastern questions.

China, in return would agree "not to alienate or lease any portion of her territory" to any foreign power, and "all special rights, privileges, immunities or commitments" now held in China by any foreign power are to be carefully re-examined.

WASHINGTON, Nov. 16.—The question of the disposition of the province of Shantung was not brought up. Neither did Dr. Sze go into the question of granting foreign concessions in China. Both of these subjects, it was learned, were to be left for future discussion.

WASHINGTON, Nov. 16.—(By the Associated Press.)—With the American arms reduction proposal referred to a committee of the naval advisers of the five great powers as the accepted fundamental policy on naval armaments, the Washington conference turned its attention today to the other big subject of the meeting, the Far Eastern situation. Apparently none of the nations was ready to present a comprehensive plan of settlement of the questions involved at the outset and the delegations of all the nine interested powers seemed to have adopted a waiting attitude as they prepared to meet in executive session this morning as a committee of the whole, to take up this phase of the conference work.

Meanwhile the work of preparing a report on the American proposal for reduction of naval armament involving consideration of the modifications to be suggested by Great Britain and Japan leader the reservations with which the plan was accepted by them in principle and in spirit, along with France and Italy at the open session yesterday, will go forward in the committee of five technical naval advisers appointed by the delegations of the big five powers in their later executive session.

With Theodore Roosevelt, assistant secretary of the navy, as chairman and representative of the United States, others composing this committee are Admiral Beatty for Great Britain, Vice Admiral DeBon for France, Vice Admiral Acton for Italy and Vice Admiral Kato for Japan.

The committee, which will meet for the first time today, will take up the modifications desired by Great Britain for a sharp cut in the production of submarines.

(Continued on page eight.)