

FREE DIGESTED COAL MEN, SAYS HUGHES

Attacks Constitutionality of Lever Act at Miners and Operators' Trial. NO U. S. OFFENCE CHARGED

Judge Anderson in Indianapolis Overrules Plea in Abatement.

Indictments May 7.—Motions to quash the indictment against 125 bituminous coal miners and operators of Indiana, Ohio, Illinois and Pennsylvania were filed in the Federal court here today by Charles E. Hughes, chief counsel for the indicted miners, and Samuel D. Miller and James A. Bingham of counsel for the operators.

The motions attack the constitutionality of sections of the Lever food control act on which the indictments are based, and assert these sections are inoperative since they relate to the fuel industry.

Sections 4, 9 and 25 and the amended sections of the Lever act, which the miners' counsel and the operators' lawyers asserted are in contradiction to the Fifth Amendment of the Constitution, in that they deprive persons of their property and property without due process of law, and of the Sixth Amendment in that they cause criminal prosecution without informing the accused persons of the nature of the charges against them.

The indictments are defective and insufficient, the motions assert, because they "purport to relate to a period during which the President of the United States under section 25 of the act of Congress of August 10, 1917, exercised powers of regulation conferred in him, and that during that period said statutory provisions of sections 4, 9 and 25 were inoperative and void by operation of law, and the obligations and duties of those engaged in the bituminous coal industry were determined by rules made by the President under the authority conferred on him by Congress."

Each of the counts of the indictments, the motions assert, fails to charge an offense under any law of the United States with the certainty required by the indictments, which were ambiguous, redundant, uncertain, vague and indefinite, it is declared. The motions in each case reiterated the plea in abatement, which was overruled by Judge A. B. Anderson.

The greater part of the session was taken up with arguments on the plea in abatement which deals with the technical rights of trial judges in their decisions to quash indictments filed by a grand jury. The special United States Attorney, was placed on the witness stand and questioned by Mr. Hughes as to the manner in which the special grand jury had been informed concerning the error regarding the statement attributed to John L. Lewis, president of the United Mine Workers of America, by a member of Congress. The motion to quash the indictments was then introduced and arguments were begun by Mr. Hughes.

The trial will be resumed to-morrow.

MRS. FRANK A. SAYLES FIGHTS WILL PROBATE

Is Left Only the Homestead and an Annuity.

PROVIDENCE, R. I., May 7.—Mrs. Mary D. A. Sayles, widow of Frank A. Sayles, who died recently in New York, filed today in the Probate Court in Pawtucket a notice of appeal from the probate of her husband's will. The will, which was dated March 15, bequeathed the homestead estate in Pawtucket to the widow during her life, with an annuity of \$50,000, which may be increased to \$100,000. The bulk of the estate is given to Charles O. Bond, James H. Marcoll and Kenneth F. Wood, in trust, to pay annuities and to pay each of the testator's four daughters not exceeding \$10,000 a year up to the age of 24, not exceeding \$40,000 a year between the ages of 25 and 30 and \$50,000 a year between the ages of 30 and 35.

After attaining the age of 35 each daughter is to receive one-third of the entire net income of the trust estate remaining after the payment of the annuities, which in addition to the one to the widow, includes one to each of Messrs. K. W. Waburn, a nephew, and one to Rebecca L. Davis. The will also contained a bequest of \$100,000 to the Sayles Memorial Hospital at Pawtucket which, under contingencies dependent upon the ultimate disposal of the trust estate created by the will, may receive an additional bequest of \$500,000.

THEATRE MONOPOLY FEARED

Aldermen Get Protests Against Quinns Ordinance.

CHICAGO IMPORTS DOUBLE BY YEAR

Potatoes and Sugar Are Big Items. Special to THE SUN AND NEW YORK HERALD. CHICAGO, May 7.—Goods imported by Chicago during the last four months have increased 100 per cent over the same period last year, according to the report of Chief Deputy Collector of Customs John R. Ford. Chief among the imports named in the report are Canadian potatoes. A million pounds of sugar from Cuba is another big item in the quarterly total. Germany is on the list once more with consignments of toys and musical instruments. Great Britain is represented by woollens, cottons and fax.

ONE ROBBER KILLED AS 8 HOLD UP BANK

Steal \$19,000, But Are Forced to Abandon Loot.

EAST ST. LOUIS, Ill., May 7.—Eight men to-day held up and robbed the Farmers National Bank here of \$19,000. One of the robbers was killed and seven others were wounded. The robbers returned the money and a stolen automobile they had used. A posse pursued the robbers about a mile and wounded two of them.

DENIM FOR 2,000,000 TO BE SOLD BY ARMY

Chance for Men to Get Into Overalls Quickly.

WASHINGTON, May 7.—Two million suits of overalls are to be sold immediately by the War Department, it was announced by Representative Underwood of Georgia, a proponent of the "wear overalls" movement. Mr. Underwood declared that he and Senator Dial of South Carolina, another wearer of the blue denim, were "designing politicians" attempting to boost the price of cotton.

African Methodists Favor Union.

St. Louis, May 7.—The proposed amalgamation of the African Methodist Episcopal, African Methodist Episcopal Zion and Colored Methodist Episcopal denominations was sanctioned by the General Conference of the African Methodist Episcopal Church here late today.

SUNDAY SERMONS IN NEW YORK CHURCHES

Children's Day and Mothers' Day Services to Be Observed To-morrow.

NEW CHURCH (SWEDENBORGIAN), East Thirty-fifth Street.—Services appropriate to Ascension week will be held at 11 A. M. The Rev. Julian K. Booth will speak on "The Great Restoration."

MANHATTAN CONGREGATIONAL CHURCH, Broadway at Second-street.—The Rev. Alton Clark will occupy the pulpit at 11 A. M.

MIRIAM MARY CHAPIN, Hotel Commodore.—The Power of Personality will be the subject of address at 11 o'clock.

FIRST CHURCH OF DIVINE SCIENCE, Waldorf-Astoria—at 11 o'clock the Rev. W. John Murray will speak on "The Strength of Unity."

FOURTH PRESBYTERIAN CHURCH, West End Avenue at Ninety-first Street.—A children's day service will be held at 10 o'clock. In the evening his subject will be "Sanity or Insanity?"

BROADWAY PRESBYTERIAN CHURCH, at 114th Street.—The Rev. Walter Demuth Buchanan will preach in the morning on "Our Mothers," and in the evening his subject will be "Sanity or Insanity?"

ST. PAUL'S CHAPEL, Columbia University.—The Rev. Abraham M. Hibbard, rector of the Church of the Epiphany, Boston, will preach at 8 o'clock.

ANNA C. NOLLE, Imperial Hotel.—A special course of class lessons on "Success and Prosperity" are being given Sunday mornings at 11 o'clock.

ST. JAMES' METHODIST CHURCH, Madison Square at 12th Street.—At 11 A. M. Dr. Nolle speaks on Mothers' Day, the subject being "Our Debt to the Mothers of the World," and at 8 o'clock his subject will be "An Open Mother."

ROBERT PRESBYTERIAN CHURCH, Central Park West at Ninety-sixth Street.—Robert Watson will preach at 11 on "The Unforgettable Gift," and at 8 o'clock his subject will be "An Open Mother."

POST-WASHINGTON PRESBYTERIAN CHURCH, Broadway at 7th Street.—The Rev. J. Gilmore Auld of Brooklyn will occupy the pulpit.

METROPOLITAN TABERNACLE, Broadway at 10th Street.—The Rev. William Allan Hill will speak at 11 A. M. on "Life's Greatest Need," and in the evening on "Worldwide Religion—What Next?" The home department of the Sunday school in a concert open to the Sunday schools of Greater New York has been awarded the highest honors.

VILLA F. PAIGE, Carnegie Hall.—The lecture topic for Friday at 8 will be "The Real Value of Psychic Phenomena," and at 8:15 "The Gift—How to Use the Law." Fenwick L. Holmes will address the evening meeting.

WOOLLEY GETS LEGION CROSS. Receives Decoration From French High Commissioner. Clarence E. Woolley, former vice-chairman of the War Trade Board, received last night the cross of the Legion of Honor, presented by M. Maurice Casseville, French High Commissioner, at a dinner in his honor.

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RELIGIOUS ADVERTISEMENTS

GOSPEL TABERNACLE CHURCH. 602 BROADWAY AT 46TH STREET. FOUNDER REV. A. B. SIMPSON. DR. C. A. BLANCHARD. Sunday Morning and Evening at 10:45 and 7:30.

REV. DR. H. GLOVER. FOREIGN SECRETARY OF C. AND M. A. will give a Sermon on Lectures. Tuesday Evening at 7:45.

REV. PAUL RADER. PASTOR OF MOODY CHURCH, CHICAGO. will preach in the Tabernacle on Wednesday, Thursday and Friday Evenings.

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TRINITY Church. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

ST. MARK'S-IN-THE-BOW-LIE. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

CATHEDRAL OF ST. JOHN THE DIVINE. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

CHURCH OF THE INCARNATION. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

ALL SOULS' CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

St. Bartholomew's Church. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

CALVARY CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

GRACE CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

SAINTE PAUL'S CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

ASCENSION DAY SERVICES. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

WEST END COLLEGIATE CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

COLLEGIATE CHURCH OF ST. NICHOLAS. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

WEST PARK PRESBYTERIAN CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

ST. ANDREW'S CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

ST. GEORGE'S CHURCH. Rev. WILLIAM T. MANNING, D. D., Rector. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon. 11-Holy Communion and Sermon.

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