

JENKINS IS FIRM.

The Judge Stands by His Famous Northern Pacific Decision.

MODIFIED IN A MINOR PARTICULAR.

He Refuses to Change Its Main Features—Courts Have Power to Interfere Where Public Interest Is at Stake—Strikes Condemned.

SYNOPSIS OF HIS DECISION.

MILWAUKEE, April 7.—If labor organizations achieved a victory in Omaha Thursday at the hands of Judge Caldwell they were given a black eye by Judge Jenkins Friday when he decided the motion to amend his strike order and sustained his original order in every particular except that he struck out the clause which reads: "And from ordering, recommending, approving and advising others to quit the service of the receivers of the Northern Pacific January 1, 1894, or any other time."

Labor Organizations Denounced. The decision is made noticeable by the pronounced stand taken by the judge on what is generally known as the "labor question." The vehemence of the language used, coupled with the general denunciation of labor organizations and their methods, will cause the order to be discussed in every section of the country. The decision contains fully 12,000 words, a large portion, however, being made up of opinions quoted from various decisions of other judges. After reviewing the case the judge says in his decision:

Combined Capital and Combined Labor. In the discussion of the important and interesting questions presented by this motion it is not without the province of the court to assume part in the contest between capital and labor which, it is asserted, is here involved. It may be that the aggregated power of combined capital is fraught with danger to the public. It may be that the aggregated power of combined labor is perilous to the peace of society and to the rights of property. It doubtless is true that in the contest the rights of both have been invaded, and that individual and corporate rights may not be infringed.

Makes a Slight Modification. Judge Jenkins then, referring to the clause in the supplemental injunction, which enjoins any one from ordering, recommending, approving or advising others to quit the service of the Northern Pacific railway, and which has been characterized as wholly unwarranted, said the clause was inserted out of abundant caution, that the meaning of the court might be clear, that there would be no unwarrantable interference with the property, no intimidation, no violence, no strike. Since this language of the writ in this respect had been misconstrued and the restraint intended was in his judgment comprehended within the other provisions of the writ, the motion in that respect would be granted and the clause stricken from the writ. In all other respects the motion would be denied.

TO TREAT ALL ALIKE. Judge Dundy Says Union Pacific Men Will Have Justice.

OMAHA, Neb., April 7.—The American Railway union has made application in the United States district court to have the salaries of the members of the order on the Union Pacific road, which were cut last August, restored to the old rate. Judge Dundy was visibly excited when addressing the attorneys from the bench. He said: "If it is stated that such a cut has been made in the wages of these men connected with this organization—or outside of it—on this railway, when others who are drawing higher pay have been so highly favored, I will see that those who are drawing less pay will be treated the same way and I will advise that the old pay be restored. Still, it is but a matter of a few cents, and they should have notice. You have to rely a great deal on the testimony of railway men in these cases, and they should have notice, and I suggest the propriety when Mr. Dickinson returns of making the order."

Punishment for Contempt Not Enough. The judge then cited several authorities and continued: "It would be anomalous indeed if the court, holding this property in possession in trust, could not protect it from injury, and the court would restrain interference which would render abortive all efforts to perform the public duties connected with this railway. It was suggested by counsel that as improper interference with this property during its possession by the court is a contempt, punishment therefor would furnish ample remedy, and that therefore an injunction would not lie. This is clearly an erroneous view. Punishment for contempt is not compensation for an injury. The pecuniary penalty for contempt does not go to the owner of the property injured. Such a contempt is deemed a public wrong and the fine inures to the government. The injunction goes to prevention of wrong to property and injury to the public welfare; the fine, in punishment, is to the state. The writ reaches the intricate conspiracy to injure and prevents the contemplated wrong. The proceedings in contempt is ex post facto, punishing for a wrong effected."

No Right to Quit When He Pleases. The judge then reviews the conditions that gave rise to the issuance of the writ. Continuing he says: "There would seem to exist in some minds a lamentable misrepresentation of the terms 'liberty and right.' It would seem by some to be supposed that in this land one has the constitutional right to do as one may please, and that any restraint upon the will is an infringement upon freedom of action. Rights are not absolute, but are relative. Rights grow out of duty and are limited by duty. One has not the right arbitrarily to quit service without respect to the necessities of that service. His right of abandonment is limited by the assumption of that service, and the conditions and exigencies attaching thereto."

A Drunken Man's Crime. CHICAGO, April 7.—Arthur Laperle shot and instantly killed Mrs. Emma Levi and then put a bullet into his own brain. He will probably die. The tragedy occurred at 9 o'clock Friday night at 474 Warren avenue, the home of Mrs. Levi's father, John R. Allen. The only cause that has been given for Laperle's act is that his attentions to Mrs. Levi, who had been divorced from her first husband, were not welcome to her family, chiefly because he was addicted to the use of stimulants. He was under the influence of liquor when the deed was committed.

Shot by a Sonnambulist. Elmer Mitchell, While Dreaming, Kills His Roommate, Ed Patch. HOUSTON, Tex., April 6.—Elmer Mitchell and Ed Patch were working for the Moran's road outfit at Crosby and were roommates. During Monday night Mitchell dreamed he was in the stable and that thieves were stealing the horses. Seizing a pistol in his sleep he fired, killing Patch instantly. He then ran out of the house, still asleep, and began a fusillade. A crowd collected and finally roused him, and on going back to bed he discovered he had killed his roommate.

Revolution in Peru. Ex-President Caceres Has Been Proclaimed as the Dictator. LIMA, Peru, April 5.—Ex-President Caceres, one of the candidates for the presidency, has been declared dictator of Peru. The dictator is supported by the army, but congress and the people are hostile to him. Thus Peru is now in the hands of a dictator and two presidents. The banks are all closed and business is suspended. The troops supporting the dictator are in possession of this city. The streets are patrolled by the military, and the constitutional president, Senor Del Solar, is said to be a fugitive.

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STONED TO DEATH.

Fate of a Frick Official at the Hands of Infuriated Coke Strikers.

The Situation in Pennsylvania Is Critical—Conflicts Between Guards and Strikers—A Total of Nine Men Killed—Many Hurt.

TROOPS MAY BE NEEDED.

UNIONTOWNS, Pa., April 6.—Riot, bloodshed and murder were the rule in the Connellsville coke region Wednesday. The northern and central portions of the region were the scene of continuous battle from early morning. Ten thousand infuriated strikers marched from point to point in the region spreading death and destruction. Sheriff Wilhelm, after an interview with Adjt. Gen. Greenland, it is said, will call on Gov. Pattison to order out the national guard. The sheriff and his deputies are helpless. Unless the militia is in the region soon there will be more bloodshed.

The fatalities of the day included J. H. Paddock, chief engineer of the Frick company, and a deputy sheriff, name unknown, who were murdered by the strikers, and seven unknown strikers who were killed by deputy sheriffs and guards. A dozen others were seriously, some probably fatally, wounded. The climax of all the troubles of the day was reached Wednesday afternoon when 1,000 armed strikers came down upon the Davidson works of the H. C. Frick Coke company near Connellsville. The little settlement in the vicinity of the works had been previously undisturbed by the strikers and the men after finishing their day's work were resting at their homes. The workmen were not in sympathy with the strike. The horde of ignorant foreigners pounced down upon them like wild beasts. They first went to the homes of the workmen, and there burned and destroyed property of the company and drove women and children into the fields.

J. H. Paddock, chief civil engineer of the Frick Coke company, had walked over from his home in Connellsville to Davidson to interview some of the deputy sheriffs who were protecting the coke ovens. After he had satisfied himself that everything was working satisfactorily he strolled around behind the ovens toward the mouth of the company's mine. Just as he reached a position under the tippie facing the shaft he saw a party of Huns in the act of tearing away a support from the tramway. The fearless engineer advanced quickly and ordered the men away. Some of them retreated sullenly up the bank with a scowl of anger on their faces. A black-browed striker, with heavy, stooping shoulders, stood his ground. Paddock motioned him away with impatient gesture. At that moment one of the men on the hill threw a stone, striking the engineer on the shoulder. A howl of rage went up from the Huns. They came tearing down like so many demons, with their long hair flying and their eyes on fire. Paddock was thrown violently to the ground. His head was wounded by pieces with fragments of stone. After every spark of life was gone one of the men in an ecstasy of rage drew his revolver and fired a shot through the dead man's head. The party then made an attack on Kennedy and Coll, but they succeeded in escaping with only a few bruises. The rioters left at once for the Bradford works of the same company, where the men have also refused to strike.

The report of Engineer Paddock's murder spread rapidly over the region and within a half hour 100 armed citizens from Connellsville and vicinity, under the leadership of County Detective Frank Campbell, started in pursuit. About 2 miles down the Baltimore & Ohio tracks from Connellsville the citizens overtook fifty of the strikers, who were leaving Davidson. A battle ensued and a volley of shots were fired from both sides. After a desperate struggle the rioters were overpowered and ten of the leaders were placed under arrest. In the conflict one Hungarian was shot through the head and instantly killed and two others were mortally wounded. These arrested were brought here on a special train over the Baltimore & Ohio road closely guarded and lodged in jail. The special train was stopped at Dawson on the way up and fifty more rioters were taken aboard. They were captured by a portion of the company of armed citizens which left Connellsville shortly after the murder while on the way to the works of the Mount Pleasant branch. In all there were sixty-four rioters arrested and locked up.

The larger portion of the mob which visited the Davidson works escaped and went to the Broad Ford plants of the Frick company. Here they attempted to renew hostilities, but ran up against forty guards. A skirmish followed during which fifty shots were exchanged, but at such a long distance that there was but one man killed. During an assault Wednesday morning on the deputy sheriffs guarding the Mayfield works of the McClure Coke company a Hun was shot and instantly killed. Sheriff McCann, of Westmoreland county, was on hand and arrested thirteen of the rioters, but not until one of his deputies had been killed.

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QUIETING DOWN.

The Striking Coke-Workers Show Signs of Weakening.

UNIONTOWNS, Pa., April 7.—The situation in the coke region Thursday was that of the battlefield after the battle, both sides standing aloof from danger, but at night there was an order issued for a general rallying of the men from one quarter of the region to the other, and the response will decide the continuance or abandonment of the strike.

The arrest and imprisonment of a hundred of the riot leaders, among whom are President L. R. Davis and Secretary Daniel Darby of the Mine Workers' association, have spread discouragement in the ranks of the rioters, and it was at first thought would cause them to lay down their arms and return to their homes. This thought, however, was abandoned Thursday morning when two mobs of nearly 1,800 men each started for further raids among the plants still in operation.

During the night the whole country around was in a state of suspense, it having been given out that between 12 o'clock and morning the rioters would march on the Moyer works of W. J. Rainey, where 150 deputies awaited their coming, and where the company was prepared to fight a decisive battle. Shortly after 11 o'clock, while standing outside the camp ground, President L. R. Davis, who had been leading the mob to action, was taken into custody by Sheriff McCann and Deputy Gay, of Westmoreland county, and driven in a buggy to Connellsville, where he was retained in the lockup over night. The news of his arrest caused a delay of operations, and the mob spent the night sleeping on the ground under cover of the forest. Not a move was made until nearly noon Thursday, when Alexander Markey was made the leader of the strike.

At 11 o'clock the men started on a tour of the Mount Pleasant branch, where every plant is in operation. They supported the American flag, and the march was characterized by all manner of riotous demonstrations and threats of violence. The Huns were furious and insisted on the destruction of property at the Bessemer works. Near West Overton the mob halted and the leaders harangued them with words of encouragement. When about to make an attack Sheriff McCann and 100 armed deputies put in their appearance and the mob fled in confusion. They reassembled, however, and continued their march. In the public square at Mount Pleasant a meeting was held but no violence attempted. Sheriff McCann and his deputies were there and stood guard at the roads leading out of the town. Leader Markey dismissed the rioters there and ordered them to reassemble at Scottdale at night for raids on the plants on the Sewickley branch of the Pennsylvania railroad.

In the southern end of the region the mob has been committing depredations and the seat of war here is at the Mount Braddock works of W. J. Rainey, near Dunbar. Eighteen hundred infuriated men are encamped on the hill there and foraging squads are scouring the country, robbing homes and stealing everything they can get their hands on. The people have been subjected to inhuman indignities and are living in a state of peril. The rioters have been encamped for several days.

Thursday morning they started out at daylight and made a raid on the Mount Braddock works where the men were entering the mines. The plant was completely overrun and the yard was black with howling Huns. The workmen were carried from the yards and given the alternative of being struck up to trees or joining the strikers. The men were unwilling to yield, but when the ropes were got ready they gave in and became a part of the mob. The tools and hose were destroyed. The men then marched to the Hill Farm mines of the Dunbar Furnace company, where the men were working under the protection of deputies. They did not stop for threats, but swept down on the plant like a cyclone. The deputies were bewildered and the workmen were forced into line with the strikers against their will. Not a shot was fired. It illustrates the helplessness of civil authorities to cope with such a gang of ignorant foreigners.

A sensation was caused here Thursday by the announcement that the bodies of eight Huns were found about 10 o'clock in a wood near Dawson. This was the sensation of the day. Where the bodies came from or by whom they were killed is not known, but there were bullet holes through each body, indicating that they had been the victims of a battle. They were lying in different parts of the wood, where they are supposed to have fled after the fight at Bradford Wednesday night, in which one Hungarian was killed and many others wounded. The bodies have been identified as those of strikers who were engaged in the ill-fated assault on the Davidson works, where Engineer Paddock was killed. Their bodies are still lying at Dawson, where inquests will be held by the coroner at once.

Reports received at a late hour show that the strikers are disbanding at every point and the men appear completely subdued. The authorities, however, will take no chances and armed guards are everywhere, while citizens in every town in the region are walking around with guns and rifles in anticipation of trouble at any moment.

ALL SORTS. ALL diplomatic correspondence was formerly conducted in Latin. CHINESE soldiers get one dollar a month and have to board themselves. GRANITE is the bedrock of the world, being the lowest on the earth's crust. DURING Victoria's reign India has coined two million pounds in gold and two hundred and six million pounds in silver. FLORIDA produces over fifty varieties of the orange. The annual crops about two million two hundred and fifty thousand boxes.

SLAIN IN A RIOT. Catholics and Members of the American Protective Association Fight at the Falls—Two Men Killed and Several Others Wounded. BLOOD IS SHED. KANSAS CITY, Mo., April 5.—The bitter animosities that have existed here between the American Protective association and the Catholics culminated Tuesday in a pitched battle in which two men were killed, two fatally injured and two others wounded, as follows: Killed—Con Brosnahan, shot through the kidneys; Michael Callahan, shot through right side. Fatally injured—Perry Fowler, shot through the back; Jerry Pate, shot in the face. Seriously wounded—Patrick Fleming, shot in the left shoulder; John McGovern, shot through right arm.

It cannot be definitely said which is responsible for the unfortunate affair, as the partisans of each loudly charged the other with being the full cause of all the trouble. More than 100 shots were exchanged between the combatants in less than many seconds, and when the firing ceased the men named were lying dead, dying or injured on the pavement. The two antagonistic elements were solidly divided in their choice of candidates for mayor. The strong and aggressive support that each side gave to its candidate during one of the hottest campaigns ever known in this city engendered a strong sentiment of bigotry. It was, therefore, in no amiable mood that the workers of the respective factions came together at the different polling places throughout the city, and that these workers came expecting trouble to occur before the day was over was apparent from the number of deadly weapons that were drawn when the first pistol shot was fired.

This riot took place on the Southwest boulevard in the Fifth ward, close to police station No. 3, and those who took part in it had been heated to the fighting temper by reports that had been hourly arriving at the station of brawls at other polling places. Only one hour before it was known that John Gooley, a stonemason, was shot in the back and forehead by William Henry Walker at a voting place at the corner of Fifth and Campbell streets and that the row was directly due to a fiery debate between the men regarding the principles of the American Protective association to which Gooley was violently opposed. It is claimed that Michael Callahan fired the first shot. He was a member of a gang of men working under the lead of James Prior, a politician antagonistic to the A. P. A., and in support of Frank Johnson, the labor and independent democratic candidate for mayor. Callahan was killed. Then the battle began. The deputy constables at the polling booth and the workers of all the political factions crowded together in a solid mass about 100 strong, and every one of them seemed to be armed. For a minute or two the discharge of weapons sounded like a discharge of musketry by a regiment. Hundreds of citizens gathered at every point of vantage to witness the battle, which, however, was of short duration. In less than five minutes from the time the first shot was fired the police from station No. 3 appeared upon the scene and quieted the disturbance. With their approach the fighting political workers ceased hostilities and made a quick effort to hide their weapons. While the riot was in progress it is said that members of the American Protective association telephoned to Armourdale and Argentine, strongholds of that order, for 1,000 men, and that the assurance was given that the men would shortly be in the city. Members of the A. P. A. in this city and Armourdale deny the truth of this story. Pryor's men are claiming that Callahan was an innocent victim. They assert that it was Jerry N. Pate, an A. P. A. man, who first shot, and that was the shot that killed Callahan. Pate was serving as a constable, having been appointed especially by a Westport official to serve a warrant for the arrest of Jim Pryor, John Pryor, his son, and Bert Pryor on an alleged felonious assault upon a citizen earlier in the day. He and Callahan met, had words, and either one or the other fired the shot that brought on the conflict.

ON THE WARPATH. Several Killed in Battle with Indians in Oklahoma. EL RENO, O. T., April 5.—Further advice from the scene of the encounter between the band of degenerating Cheyenne Indians and some cowboys who were herding cattle were brought here Tuesday by a courier who came for military assistance. He reported that when he left the fight was yet in progress and that then some eight or ten of the Indians and half that many white men had been killed or wounded. The settlers were hastening to the aid of the fighting cowboys and had surrounded the band of Indians and were slowly and surely picking them off. Two troops of cavalry left the fort for the scene of action, but as the distance is about 7 miles they will not likely arrive before the battle is over.

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QUIETING DOWN. The Striking Coke-Workers Show Signs of Weakening. UNIONTOWNS, Pa., April 7.—The situation in the coke region Thursday was that of the battlefield after the battle, both sides standing aloof from danger, but at night there was an order issued for a general rallying of the men from one quarter of the region to the other, and the response will decide the continuance or abandonment of the strike. The arrest and imprisonment of a hundred of the riot leaders, among whom are President L. R. Davis and Secretary Daniel Darby of the Mine Workers' association, have spread discouragement in the ranks of the rioters, and it was at first thought would cause them to lay down their arms and return to their homes. This thought, however, was abandoned Thursday morning when two mobs of nearly 1,800 men each started for further raids among the plants still in operation. During the night the whole country around was in a state of suspense, it having been given out that between 12 o'clock and morning the rioters would march on the Moyer works of W. J. Rainey, where 150 deputies awaited their coming, and where the company was prepared to fight a decisive battle. Shortly after 11 o'clock, while standing outside the camp ground, President L. R. Davis, who had been leading the mob to action, was taken into custody by Sheriff McCann and Deputy Gay, of Westmoreland county, and driven in a buggy to Connellsville, where he was retained in the lockup over night. The news of his arrest caused a delay of operations, and the mob spent the night sleeping on the ground under cover of the forest. Not a move was made until nearly noon Thursday, when Alexander Markey was made the leader of the strike.

SLAIN IN A RIOT. Catholics and Members of the American Protective Association Fight at the Falls—Two Men Killed and Several Others Wounded. BLOOD IS SHED. KANSAS CITY, Mo., April 5.—The bitter animosities that have existed here between the American Protective association and the Catholics culminated Tuesday in a pitched battle in which two men were killed, two fatally injured and two others wounded, as follows: Killed—Con Brosnahan, shot through the kidneys; Michael Callahan, shot through right side. Fatally injured—Perry Fowler, shot through the back; Jerry Pate, shot in the face. Seriously wounded—Patrick Fleming, shot in the left shoulder; John McGovern, shot through right arm. It cannot be definitely said which is responsible for the unfortunate affair, as the partisans of each loudly charged the other with being the full cause of all the trouble. More than 100 shots were exchanged between the combatants in less than many seconds, and when the firing ceased the men named were lying dead, dying or injured on the pavement. The two antagonistic elements were solidly divided in their choice of candidates for mayor. The strong and aggressive support that each side gave to its candidate during one of the hottest campaigns ever known in this city engendered a strong sentiment of bigotry. It was, therefore, in no amiable mood that the workers of the respective factions came together at the different polling places throughout the city, and that these workers came expecting trouble to occur before the day was over was apparent from the number of deadly weapons that were drawn when the first pistol shot was fired.

ON THE WARPATH. Several Killed in Battle with Indians in Oklahoma. EL RENO, O. T., April 5.—Further advice from the scene of the encounter between the band of degenerating Cheyenne Indians and some cowboys who were herding cattle were brought here Tuesday by a courier who came for military assistance. He reported that when he left the fight was yet in progress and that then some eight or ten of the Indians and half that many white men had been killed or wounded. The settlers were hastening to the aid of the fighting cowboys and had surrounded the band of Indians and were slowly and surely picking them off. Two troops of cavalry left the fort for the scene of action, but as the distance is about 7 miles they will not likely arrive before the battle is over.

REVOLUTION IN PERU. Ex-President Caceres Has Been Proclaimed as the Dictator. LIMA, Peru, April 5.—Ex-President Caceres, one of the candidates for the presidency, has been declared dictator of Peru. The dictator is supported by the army, but congress and the people are hostile to him. Thus Peru is now in the hands of a dictator and two presidents. The banks are all closed and business is suspended. The troops supporting the dictator are in possession of this city. The streets are patrolled by the military, and the constitutional president, Senor Del Solar, is said to be a fugitive.

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