

## GOMPERS, MITCHELL AND MORRISON GET JAIL SENTENCES; GIVE BAIL PENDING APPEAL TO U. S. SUPREME COURT

WASHINGTON, Dec. 23.—Twelve months in jail for Samuel Gompers, president; nine months for John Mitchell, one of the vice presidents, and six months for Frank Morrison, secretary, all of the American Federation of Labor, was the sentence imposed by Justice Wright of the supreme court of the District of Columbia today for contempt of court in violating an order enjoining the men from placing on the unfair or "we don't patronize" list, the Buck Stove and Range company, of St. Louis.

All of the defendants were in court when sentence was pronounced and

notice of an appeal to the District of Columbia appellate court was filed. Gompers being released on \$5,000 bonds; Mitchell on \$4,000 and Morrison on \$3,000.

Judge Wright's decision, which consumed two hours and twenty minutes in reading, was a scathing arraignment. "Everywhere," the court said,

"all over, within the court and out of it, utter rancor and insolent defiance is proclaimed. Insult, coarse affront, vulgar indignity, measures the highest conception of the tribunal wherein its cause still pending.

Whether President Roosevelt will take any action as he has been urged to do in telegrams received from different labor organizations throughout the

country in connection with Judge Wright's decision has not been decided. It was stated at the White House. It was explained that the president has not read the decision and therefore cannot say if he will take any action. There was an intimation, however, that some action might be taken if the president should be convinced that the sentence is unjust.

The labor organizations urge the president to prevent incarceration of the labor leaders. The Illinois United Mine Workers sent this telegram: "In the name of 75,000 mine workers in Illinois, we desire to protest against the recent decision committing to penal servitude those great commoners and representatives of the American labor movement. They may be guilty of a breach of the law but a law that denies the use of a free press and full speech is a breach of the fundamental principles of our country. Such decisions only tend to create enmity and class hatred. We respectfully solicit your influence to prevent the incarceration of these men."

### DECISION BY WHICH LABOR LEADERS ARE HELD GUILTY

#### Full Opinion of the Court in Passing upon the Proceedings for Contempt.

WASHINGTON, Dec. 23.—The Buck Stove company's prosecutions of the officials of the federation began in August, 1907. The original action was a test case, wherein it was sought to enjoin the labor unions from using the unfair and "we don't patronize" lists in their fight against firms and individuals. Justice Gould of the supreme court of the District of Columbia issued an injunction which later was made permanent, forbidding the publication of the company's name in these lists. President Gompers in an editorial in the Federationist of January last, made known his intention not to obey the court's order, contending that the injunction issued was in derogation of the rights of labor and an abuse of the injunction power of the courts.

Gompers, Mitchell and Morrison subsequently were cited for contempt and this phase of the case has been before the court for many months, the proceedings taking the form of a hearing of testimony before an examiner and many arguments.

Justice Wright's decision was a scathing denunciation of the defendants. He recalled the conditions antedating the injunction and referred to the fact that for 25 years the Buck Stove had operated as a manufacturing shop and always had maintained an open shop. He also spoke of the numerical strength of the American Federation of Labor, with its 2,000,000 members and its repeated endorsement of the boycott of the Buck Stove and Range company, through the American Federationist, the federation's official organ. The court referred to the use of the "we don't patronize" list and "unfair" list of the labor organization and said that members of labor unions were forced into supporting it, "whether individually willing or unwilling, approving or disapproving, in haste or in leisure. The court read extracts from numerous resolutions of labor organizations bearing upon the Buck case, as tending to show the methods of influencing members of unions.

"And these methods," the court remarked, "seem to be known as 'persuasion'."

The customers of the stove company the court said, have been intimidated, browbeaten and coerced out of their business relations with their customers, "by direct interference with and boycott of their (the customers) trade relations with their own customers and the public generally."

Following an exhaustive investigation of conspiracies in restraint of trade, Justice Wright said:

The Purpose. "From the foregoing it ought to seem apparent to thoughtful men that the defendants to the bill, each and all of them, have combined together for the purpose of:

1. Bringing about the breach of plaintiffs existing contracts with others.
2. Depriving plaintiff of property, (the value of the good will of its business), without due process of law.
3. Restraining trade among the several states.
4. Restraining commerce among the several states."

The ultimate purpose of the defendants, the court said in this connection, was unlawful, their concerned project an offense against the law, and it added they were guilty of crime. Coming to the question of violation of the court's injunction, Justice Wright said:

"That Gompers and others had in advance of the injunction determined to violate it if issued, and had in advance of the injunction counselled all members of labor unions and American Federation of Labor of their purpose generally to violate it in case it should be issued, appears from the following, which references point out also the general plan and mutual understanding of the organizations and their various members."

The court here read a mass of extracts from reports of proceedings of convention of the federation, reports of President Gompers, editorials from the columns of the American Federationist, and the labor press generally in support of his statement that there was a pre-determination to violate the court order. Discussing the actions of the defendants since the issuance of the injunction, Judge Wright said:

Violation of the Order. "Having in mind that in the foregoing delineation, which indicates that either of the three respondents did before the issuance of the injunction determine to willfully violate and counsel others to do the same, let me now turn to their sayings and doings since the decision of Justice Gould was formally announced, and

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### VENEZUELA ASKS FRIENDSHIP OF THE UNITED STATES AND REQUESTS THAT AMERICAN WARSHIPS BE SENT AT ONCE

WASHINGTON, Dec. 23.—After eight months, the United States has resumed friendly relations with Venezuela and William I. Buchanan has left on the cruiser North Carolina to visit that country to look into the situation and make a report to the state department.

This will decide whether the United States will accord formal recognition to the government. It has not yet been fully established that the Gomez government will retain its power without trouble, for there are many adherents of President Castro in the country.

Indeed, the possibility that disorder may arise is indicated in a request for

#### AMERICAN WARSHIP AT LA GUAYRA

which this government has promptly responded.

The general opinion is that the new order of things will open the way for the pacific settlement of Venezuela's disagreements with this country, Holland and France.

The refusal in March last, by the Castro administration to consider separately the issues with the United States made it plain that diplomacy could not accomplish anything further toward their settlement.

The five claims which form the basis of the last negotiations were those of A. F. Jaret, who was expelled from the country; the New York and Bermuda Asphalt company and the United

States and Venezuela company, the Orinoco corporation, the Orinoco Steamship company, the amounts involved running into millions of dollars.

In 1903, the Venezuelan government failed to satisfy claims against it by various powers and Great Britain, Germany and Italy blockaded the ports of that country, with the view to control the collection of the customs.

Venezuela appointed Herbert W. Bowen, then American minister to Venezuela to take up the question with the various governments and he signed protocols with them whereby a certain percentage of the customs receipts was to be set aside to satisfy the claims. The blockading powers were made preferred creditors.

### BRYAN WILL NOT GIVE AN OPINION HE DECLINES TO DISCUSS THE CONTEMPT DECISION.

PHILADELPHIA, Pa., Dec. 23.—W. J. Bryan was much interested in today's labor contempt decision. Mr. Bryan said:

"It is not my policy to criticize either federal courts or their action. The commitment to prison of two men so prominent in the labor movement as Gompers and Mitchell is unique in the annals of labor movements in this country. Until I have read the court's opinion and considered the matter carefully, I can have nothing to say regarding the case."

### LABOR MEN INDIGNANT WILL MEET SATURDAY

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### WILL NOT GO TO JAIL. Daniel C. Keefe Discussed the Court Decision.

DETROIT, Mich., Dec. 23.—"I think you will find that Mr. Gompers, Mr. Mitchell and Mr. Morrison will not serve their sentences," was the only comment of Immigration Commissioner Daniel J. Keefe, vice president of the American Federation of Labor and head of the Longshoremen's union, would make when told of the decision today in the Buck Stove company case.

"I am not prepared to discuss the matter any further than this," he said, "and I won't say why they never will serve their sentences."

"It is an outrage, an absolute outrage," declared Wm. D. Mahon, president of the Amalgamated Association of Street Railway Employees, when told of the decision. "This is the end of free speech. It will be resented not only by workmen, but by all other liberty loving people. They can't destroy trade unionism in this way. That was their object. If they put these leaders in jail for contempt of court there will be fresh leaders to take their places now, and again fresh leaders after that indefinitely."

### SHOULD BE PARDONED. James Duncan Says President Should Act in the Matter.

BOSTON, Dec. 23.—In speaking of the sentencing of labor officials in Washington today, first Vice President James Duncan of the American Federation of Labor said:

"I believe the pardoning power of the president should be used right away in causing the release of President Gompers. If President Gompers is compelled to spend the year's term in jail he will conduct the affairs of the Federation in the jail in which he is confined."

"The decision is the most unjust that I have ever heard of. The circumstances do not warrant the imposition of the punishment."

Other local labor leaders, including President John F. Tobin of the Boot and Shoe Workers' union and President Philip H. Sweet of the state branch of the American Federation of Labor expressed their disapproval of the decision in strong terms.

### MORRISSEY TALKS. Says the Men Will not Serve a Day in Jail.

CLEVELAND, Ohio, Dec. 23.—P. H. Morrissey, until recently grand master of the Brotherhood of Railroad Trainmen, discussing the decision of Judge Wright, said today:

"The decision is the most unjust that I have ever heard of. The circumstances do not warrant the imposition of the punishment."

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### MISSOURI SUPREME COURT FIRES STANDARD OIL CO.

#### Waters-Pierce Oil Co., Gets the Ax, Also. Each Concern is Fined \$50,000.

JEFFERSON CITY, Mo., Dec. 23.—The supreme court of Missouri handed down a decision this morning ousting the Standard Oil company of Indiana and the Republic Oil company from the state, forbidding them ever again to do business in Missouri and dissolving the Waters-Pierce Oil company of St. Louis.

In addition each of the companies is fined \$50,000.

The order dissolving the Waters-Pierce Oil company will become effective January 15, unless the company on or before that date furnishes to the supreme court satisfactory evidence that it intends to operate as an independent concern.

The court finds that the companies conspired:

1. To regulate and fix prices to retail dealers.
2. To control and limit trade in the refined products of petroleum.
3. To control and limit and prevent competition in the buying and selling of these products.
4. To deceive and mislead the public into the belief that they were separate and distinct corporations, pursuing independently their business as legitimate competitors.

The opinion was written by Judge Woodson. All seven judges concurring, and Judge Graves and Lamm wrote separate concurring opinions.

Judge Lamm, concurring as to the action against the companies, adds, in his belief, the Waters-Pierce Oil company should be fined \$1,000,000 instead of \$50,000.

Judge Graves in his opinion, thinks the Waters-Pierce company should not be dissolved. He said that the evi-

### DIAMOND TRAY IS NABBED BY THIEF GREAT NORTHERN BANDIT CAUGHT

HELENA, Mont., Dec. 23.—"I will take them all," said a diamond robber tonight at 7:40 o'clock, after having asked to look at a diamond in Jacquemin's jewelry store when Mr. Jacquemin placed a tray of diamonds on the counter, valued at between \$5,000 and \$10,000. With this remark, he grabbed the tray and disappeared from the store.

But three people were present at the time, Mr. Jacquemin, a girl clerk and an old man.

The work was evidently that of experienced crooks, as the robber was well dressed and had a companion with a horse stationed near by.

Both made their escape.

The horse which they had hired at a local livery stable was returned by a boy, who stated it had been turned over to him by two men. When the robber entered the store he wore goggles, and a bandage about his chin running over his head was apparently for the purpose of covering up a large scar. The boy who returned the horse said the men had nothing on their faces and he saw no scar. The clothes and goggles were afterwards found.

Sheriff Shoemaker and several deputies and the entire police force are searching for the men.

Mr. Jacquemin was asked if he was not suspicious in regard to the man partially disguised and replied:

"If I had been, I would not have shown him the diamonds."

### VALUABLE SPARKLERS ESCAPED FROM HELENA

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### HOLDUP IS FRUSTRATED ATTEMPT TO ROB A GREAT NORTHERN TRAIN IS THWARTED BY PROMPT ACTION OF THE SHERIFF OF SILVER BOW COUNTY.

BUTTE, Dec. 23.—What it is believed was an attempt to hold up a Great Northern train at the tunnel this side of Woodville, about five miles from here, was nipped in the bud by Sheriff Henderson and his deputies last night. Whether the holdups got wind of the fact that the officers were guarding the tunnel and were aboard both the trains to and from Helena or abandoned their project because of unfavorable conditions, is not known, but at any rate two men who were seen by two hunters hiding nitro-glycerine

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