



## INJUNCTION DISSOLVED

### Judge Bell Decides Against Stuyvesant Fish.

## CANNOT BE APPEALED

### Judge Farrar, Said the Case Will Now Be Tried on Its Merits.

## CONTRARY TO PUBLIC POLICY

### None of the Principals in the Case Were in Court, Both Fish and Harri- man Being in New York—All the Attorneys Present.

CHICAGO, Feb. 20.—Judge Bell of the Superior Court today dissolved the injunction secured last October by Stuyvesant Fish, by virtue of which the Hariman interests were restrained from voting 28,831 shares of the capital stock of the Illinois Central Railroad at the annual meeting of the company.

The theory on which counsel for Fish based its arguments in support of the injunction, that it was contrary to the laws and public policy of the state of Illinois to allow a foreign corporation to own and vote the stock of domestic corporations, was denied by the court.

Under the ruling of the court the previously enjoined stock which is held by the Union Pacific Railroad and by the Railroad Securities Company can be voted at an annual meeting of the road on March 2. There is no appeal from the decision handed down today, but it is considered possible Fish will take further legal steps to regain possession of the Illinois Central. Judge Farrar, who acted as the leading counsel for Fish, said today after the rendering of the decision, that the case will now be tried on its merits, but declined to say how many new proceedings would be instituted.

None of the principals in the case were in court, both Fish and Harri- man being in New York. All the attorneys on both sides and many other lawyers and business men were present and filled the courtroom to overflowing. President Harahan of the Illinois Central came in while the decision was being read and heard the latter portion of it. When the conclusion was reached he said: "My head is too full of the decision to allow me to say anything but to say that I am highly pleased, and more than highly pleased, is putting it mildly."

Judge Bell, who is somewhat frail of physique, turned over to his son the task of reading the decision, which contained almost 10,000 words. As soon as it was concluded there was a veritable stampede in the courtroom, brokers, lawyers and messengers making a rush for the doors in order to announce the result. They ran into various rooms seeking telephone, and many tore headlong for the elevators, while others fled wildly down the stairway. Such excitement and confusion has not been seen in the county courthouses for many years. The court declared that Fish had not been able to prove any of his contentions that the domination of the Illinois Central by Harri-man would be to its detriment, and also failed to show that the interests of the stockholders would be injured thereby. The Union Pacific and Illinois Central were not competing, but connecting, lines, and one could not be the commercial rival of the other in such a sense as to fall within the scope of legal decisions

against alliances between competing railroads.

The two roads, the court declared, were not so situated as to make it possible they could combine to monopolize the traffic in any section of the country. The court further declared that if the name of Harri-man was not a name to conjure with, many of the allegations in the case would not be considered seriously. He was compelled to act, he said, on the facts alleged and proved and not supposed prophecies. The record of the case, he declared, failed to substantiate many of the declarations made against Harri-man.

## NINE WAR SHIPS.

### Will be in Frisco Harbor on Saturday. Admiral DAY'S Big Four.

SAN FRANCISCO, Feb. 20.—The U. S. battleship Nebraska, Captain Nicholson, arrived yesterday from Magdalena Bay as the vanguard of a fleet which will be in this harbor by Saturday and which, though not so large as that on its way here under Admiral Evans command, will be the most imposing array of fighting machines ever assembled inside the Golden Gate. Admiral Dayton's "big four," the West Virginia, Maryland, Colorado and Pennsylvania and Admiral Sebree's big armored cruisers Tennessee and Washington will be here Friday and will be joined in Man-of-war Row Saturday by the South Dakota and California now anchored between here and Mare Island. These with the Nebraska will make nine first class warships with about 800 officers and men on each.

## PROHIBITION FAILS.

### CHARLESTON, W. Va., Feb. 20.—The bill to submit a prohibition amendment to the state constitution which passed the house, was defeated in the Senate this morning by a vote of 19 to 11.

## DEMANDS ON MAYOR

### Thousand Foreigners March to Philadelphia City Hall.

## CHARGED UPON BY POLICE

### Twenty Persons Were Injured and Fourteen Arrested—Carried Red Flag With Black Border—Mostly Italians and Poles.

PHILADELPHIA, Feb. 20.—The marching of nearly a thousand foreigners upon the City Hall, where they said they intended to make demands upon Mayor Reyburn, precipitated a riot in Broad street late this afternoon in which twenty persons were injured before the police could disperse the marchers and they arrested fourteen of them. Most of the marchers were Italians and Poles, who carried a red flag having a black border.

## PROPHET JONES.

### Has the Presidential Nominees All Picked Out—All Prohibitionists.

NEW YORK, Feb. 20.—C. R. Jones, chairman of the Prohibition national committee is in New York on his way to New England where he will visit a number of places in the interest of his party. He said in an interview that President Roosevelt had lost the confidence of the Prohibitionists because he had not arrayed the powers of the government against liquor. Bryan had no chance of election to the presidency and Taft no chance for the Republican nomination because they are not in sympathy with the prohibition movement. Mr. Jones is enthusiastic over the rapid growth of the prohibition sentiment. He said: "New York is the worst state we have to handle, and this city, next to Chicago, is the worst."

## CONDEMNED TO DEATH

### Sentence Is Passed Upon General Stoessel.

## FOCK IS REPRIMANDED

### There Was a Dramatic Moment After Reading of Sentence. Women Fainting.

## SYMPATHETIC EXPRESSIONS

### The Court Recommended That Stoes- sel's Sentence Be Commuted to Ten Years Imprisonment and That He Be Excluded From the Service.

ST. PETERSBURG, Feb. 20.—General Stoessel was condemned to death this evening by the military court for surrendering Port Arthur to the Japanese. General Fock, who commanded the First Siberian Division at Port Arthur, was ordered reprimanded, and General Smyrnoff, acting commander of the fortress and Major General Reiss were acquitted for the lack of proof. The court recommended that Stoessel's sentence be commuted to ten years' imprisonment and that he be excluded from the service. General Voeder, president of the court, read the sentence amid intense silence. By a great effort of self-control, Stoessel maintained a rigid soldierly impassivity. Smyrnoff was also unmoved, but there were tears in Reiss's eyes. The commutation is recommended on the grounds that Port Arthur was overwhelmingly surrounded and that he had conducted a stubborn defense that filled the world with astonishment, besides having previously taken an energetic part in three campaigns.

There was a dramatic moment after the reading of the sentence, when a detachment of soldiers entered the hall. The spectators, thinking they were about to seize Stoessel, displayed great excitement, several women fainting. It developed that the soldiers were merely there to clear the room of spectators.

Stoessel, who was accompanied by his son, was the object of a sympathetic demonstration, his friends kissing and shaking him by the hand as he left the court.

## SNOW, RAIN, SLUSH.

### The Streets of New York in a Wretched Condition.

NEW YORK, Feb. 20.—Lower temperature this morning has brought measurable relief to New Yorkers from a spell of about as disagreeable weather as has fallen to their lot in years. The trouble started with yesterday's early snowfall, and became decidedly accentuated when a rise in temperature of ten degrees about noon brought on a rain that of itself was sufficient to flood streets and on top of the snow fall produced conditions that made the city's streets for several hours resemble a net work of canals. Cellars were flooded by hundreds, water kept out of the sewers by dams of combined snow and mud, over-flowed the sidewalks in innumerable places and made them impassable. At most points it was impossible even to board a trolley car without a thorough wetting and carriages were at a premium. By midnight conditions were considerably relieved the rain having ceased early in the evening, after having washed away a godly proportion of the snowfall. According to Commissioner

Crowell of the street cleaning department the rain has probably saved the city a bill of about \$200,000 for snow removal, as the contractors were not called out.

## SALOONKEEPER ROBBED.

SAN FRANCISCO, Feb. 20.—Last Saturday a lone robber held up the proprietor of a saloon on Cliff avenue named Vervaris and took \$80. He threatened to be avenged if the old man informed the police. On Sunday Vervaris summoned up sufficient courage and reported the robbery. Tonight the same robber reappeared and beat the old man almost to death. His condition is very serious. The robber escaped.

## SPEEDING AUTO

### Cost a Seattle Man \$20, but He Got a Gold Coin Worth \$80.

LOS ANGELES, Feb. 20.—Richard S. Eskridge, of Seattle, was arrested here yesterday for speeding his automobile "seventy miles an hour during the slow periods," according to the policeman who made the arrest, and was fined \$20 in police court.

Eskridge produced a \$50 bill and laid it on the desk. In exchange he was released from custody and received a number of coins, including a \$10 gold piece.

Eskridge started down Spring street to a curio store to secure a curio. He secured one and laid down the \$10 coin in payment.

The dealer examined the coin closely. Inquiring the cause of the examination, Eskridge was told that the coin was dated 1849 and was one of the very rare gold coins minted in California, and that its value to any collector of coins was \$80. Eskridge secured the return of the coin, paid for his purchase in silver, and figures that the \$20 paid for speeding his automobile was well invested.

## ON IN DEAD EARNEST

### Fight Between Engineers and Schooner Owners.

## MEN AFFECTED NUMBER 1000

### Marine Engineers' Association and Steam Schooner Owners Engaged in Contest Which Means Much to Both—Lumber Schooners Affected.

SAN FRANCISCO, Feb. 20.—The fight between the Marine Engineers' Association and the steam schooner owners of San Francisco is now on in dead earnest, a committee which controls 90 per cent of the steam vessels carrying lumber on this coast having today decided to lay up every one of these vessels, with the exception of the steam schooner Westport, which will carry foodstuffs exclusively to Crescent City. Nearly 1,000 men will be affected by the action of the owners and 1,500,000 feet of lumber per week will cease to be handled through this port.

## SIGHTED BURNING SCHOONER

SAN JUAN, P. R., Feb. 20.—The steamer Coamo, which arrived here yesterday from New York, reports that at 4 a. m., February 11, she sighted a burning four-masted schooner, the name of which was not learned. The Coamo did not stop to ascertain whether any assistance could be given or whether the schooner was abandoned.

## MILL RE-ELECTS DIRECTORS.

GREENVILLE, S. C., Feb. 20.—The stockholders of the Vardey Mill have elected the same directors as last year. The mill is now shut down pending improvements in the yarn market.

## PERIODICAL EXPLOSION

### Several Tons of Dynamite Went Up.

## TWENTY-EIGHT KILLED

### Every Man Who Worked in the Packing House Was Killed.

## THE SCENE WAS VERY PITIFUL

### Charles Birmingham, Jr., Who Led the Army of Dynamiters at Great San Francisco Fire, Hastily Organ- ized a Fire Brigade.

BERKELEY, Cal., Feb. 20.—With a force that shook the entire bay region as an earthquake and the detonation heard for miles, the Judson packing house of the Hercules Powder Works at Pinole, 14 miles north of here, blew up at 4 o'clock this afternoon and in the explosion four white men and twenty Chinamen were killed. Tons of dynamite went up in a terrific blast, shattering sheds to dust and splinters. W. W. Stillwell, the foreman of the packing house, was blown to atoms at his post of duty.

Not a particle of his remains have been recovered. The 28 dead include every man at work in the packing house, not one escaping. Flames burst from the ruins and threatened the gelatine house, where two score of girls were at work. A panic ensued and many were cut by flying glass and crushed and trampled in the mad rush for the doors. The scene was pitiful. The families of the men came running from the little hamlet of Pinole, seeking news of their loved ones. The danger of an additional explosion prevented those who escaped from approaching too near the wreck, and it was not until late this evening that the number of dead and injured was known.

Charles Birmingham, Jr., who led the army of dynamiters who fought the great San Francisco fire, hastily organized a fire brigade, and in the face of hazards that might mean death for him or his brave men, heroically fought the flames. Four white men were injured by flying timbers.

As far as Oakland and Berkeley the shock of the explosion caused intense excitement. People rushed from their houses and stores thinking another earthquake had come. The plant belongs to the Dupont-De Nemours powder trust.

## TRAFFIC IN MARRIAGES.

### Matrimonial Bureaus Operated in All Parts of Country.

## CHICAGO, Feb. 20.—The Tribune

says today: A gigantic matrimonial trust, embracing all "Cupid hunter" agencies, similar to the Marian Grey Searchlight Club of Elgin, was unearthed in the federal grand jury room. Information leaked out that evidence had been secured positively proving that the hundreds of "soul mate" bureaus operated in every section of the country were controlled by a Chicago and a New York man, and possibly by two other men.

Secret service men, headed by Col. Stuart and Walter S. Mayer, chief postoffice inspector of New York, were called as witnesses before the grand jury and gave valuable testimony in regard to the matrimonial trust. The government attorneys expect to break up the traffic in mar-

riages in one swoop by the arrest and conviction of the officials of the combination.

Secret service men, given the lead by information secured in the Marian Grey trial, have shown all matrimonial agencies in the country use the same testimonials as sent out by Miss Grey, as well as the same stock pictures.

## NO DECISION YET.

VANCOUVER, B. C., Feb. 20.—No decision has as yet been rendered on the application of writ of habeas corpus on the Japanese, arrested under the Natal act. Counsel for the Japanese told Chief Justice Hunter today that the case will be taken before the privy council in England if necessary.

## HOSIERY MILL BURNED.

### Twenty Girls Overcome by Smoke— Several Hundred Employed.

PHILADELPHIA, Feb. 20.—Several hundred girls employed in the hosiery mill of Thomas Henri & Son were driven from work by a fire which destroyed the mill. Twenty girls were overcome by the smoke, but soon revived. The loss is estimated at \$150,000.

## ANARCHISTS LITERATURE.

NEW YORK, Feb. 20.—The police after three weeks' search have given up the attempt to discover the printers and circulators of a circular, thousands of copies of which have been distributed on the East Side and thrown from elevated trains. The circular is addressed to workmen and calls on them to procure arms and not only help themselves to what they need or want but to kill "the Wall Street parasites." Several foreign born members of the detective force have been unsuccessful and have finally given up the search.

## GENERAL CHANGES

### May Be Expected From the Rail- road Companies.

## RETURN TO OLD WAGE SCALE

### Instances of Proposed Readjustment Are Cited in Three or Four of the Southern Systems—No Concerted Action Is Anticipated.

WASHINGTON, Feb. 20.—The industrial and financial circles have been more or less concerned today over what they regard as a prospect that the railroads in the country have in contemplation a general reduction of the wages of employees. Such apprehension is practically groundless. The information which reached the Interstate Commerce Commission and other officials of the government indicates clearly that there is no concerted action toward making general changes in the wage scale schedules. Instances of proposed readjustment are cited in three or four of the southern systems. The proposition in a general way, will be to return to the scales in force about a year ago, at which time a general advance was made throughout the country. Assurances have been given by railway officials that they have no disposition to impose any hardship on their employees and that they will not do so.

## EDUCATED FARMERS.

### Special Course of Three Years in University of Chicago.

CHICAGO, Feb. 20.—The University of Chicago proposes to establish a three-year course in agriculture to meet the demand for "educated farmers" in the Middle West. The new department will be termed "The Agricultural Guild of the University of Chicago" and will be under the direction of Prof. William Hill.