

FIND A FRIEND

Samuel Gompers Speaks in Defense of the Dynamiters

Before the Senate Subcommittee on Judiciary.

GOVERNMENT BY INJUNCTION

He Ascribes as the Primary Cause of Their Actions.

He Takes a Shot at Trial Judge Anderson.

Washington, Jan. 6.—Samuel Gompers, president of the American Federation of labor, speaking today before the senate sub-committee on judiciary in favor of the Clayton anti-injunction and contempt bills, gave answer to criticisms aimed at the organization of workers which he heads because of the trial and conviction, for dynamiting of officers of the Structural Iron Workers union.

"If ever the time shall come," said Mr. Gompers, in the climax of his address, "when government by dynamite shall be attempted (and let us hope and work that it never shall come) it will have as its main cause the theory and policy upon which is based government by injunction—personal government foisted upon our people instead of a government by law."

In closing his statement which included an assault upon employers and manufacturers associations particularly the U. S. Steel corporation and the National Erectors association, Mr. Gompers declared that organized labor would not repudiate the Structural Iron Workers unions and leave them helpless and at the mercy of organized capital and insatiable greed for profits.

"Though all censure those whom men may deem guilty of dynamite conspiracy," the federation leader continued, "none feels the terrible consequences of the Indianapolis trial more keenly than the men of organized labor. There have been added heartache and sorrow to our already heavy burdens. The men accused and sentenced cannot suffer the penalty alone—upon them and all working men fall the suffering and penalty."

Conspiracy of Capital.

"But what of the conspiracy of organized capital—the conspiracy to murder the liberties of the workers from their means of protection by which they have bettered their condition, to leave them bare and defenseless in the competitive struggle? Should the conspirators suffer? Should they incur some odium? Should the conspirators with their hands stained with life blood of men's ambition, happiness, peace of mind, respectability? Should they be allowed to continue to manipulate the powers of government, the administration of justice until the oppressed find the burden intolerable?"

"More wise it is to seek social justice while yet we may. The judge who presided at the trial realized one of the issues—government by injunction, lawless, autocratic, irresponsible exercise of governmental authority according to the whims of the strong and denying justice to the weak. Judge Anderson, who presided over the trial of the iron workers, was referred to particularly by Mr. Gompers, when he declared that "our whole social organization seems to be on trial."

"Even the judge who tried the case smugly assured of personal irresponsibility," Mr. Gompers said, "declared that the evidence in this case will convince any impartial person that government by injunction is infinitely to be preferred to government by dynamite."

"The worthy judge had blindly chanced upon one of the causes, but had failed to realize casual relationship. The words to him were simply conventional clichés—he does not know that there is a law of life, just as immutable as the law of gravitation; of attraction and repulsion, a law of life which meets tyranny and injustice by resistance. The inaptness, ay, the unwarrantable character of this utterance of the judge discloses how far afield outside of the case he went to take another slip at labor."

Defends the Federation.

Mr. Gompers defended the American Federation of Labor as a force for betterment of conditions and resented the attacks made upon it since the beginning of the dynamite cases. "We have been investigated," he said, "from the first insinuation that the enemies of our movement made to get the men higher up and because of their directly and indirectly connecting my name with the men supposedly higher up I have declared my readiness at any time to submit for examination by any representatives of constituted authority or by a committee of any respectable body of citizens—document, paper or account, financial or otherwise. I have challenged, and now challenge, any of our enemies to show that there has been any unlawful conduct on any connection, direct or remote, with any violence in connection with labor controversy or otherwise."

"Mr. Frank Morrison, secretary of the American Federation of Labor, was summoned to appear before the grand jury. He took with him not only all the financial accounts and transactions of the American Federation of Labor but his own, and after a thorough scrutiny and investigation they were returned to him and are now at our office."

"Not a scintilla of evidence or suspicion of wrong doing could be discovered; not a scintilla existed, or exists."

The federation leader referred to statements made by John Kirby, Jr., president of the National Manufacturers, William J. Burns, the detective who caused the dynamite cases explosion; Harrison Grey Otis, editor of that paper and others whom he characterized as "enemies" of organized labor, and continued:

Enemies of Labor.

"You will see that I have quoted the worst enemies of organized labor, my most conspicuous and relentless enemies, men who would like to see me in jail, or consign me to the gallows. I have not even referred to the regard, respect, or confidence of my friends, of the men and women who believe in my work and my motives. But, pray, will any one point to a single act aye, to a single utterance, of my worst enemies of a constructive liberty-loving humanitarian character? Anybody can be a man hunter, anybody can be a negative force; anybody can be a nobody."

Mr. Gompers said he would have the public consider the convicted iron workers "with the understanding mind and the spirit taught by the teacher of old who said 'Let him who is without sin cast the first stone.'"

"There are many ready to heap upon the structural iron workers," he declared, "not alone the men adjudged guilty, but every member of their union, condemnation and humiliation; many ready to wrap the robes of saintly justice tightly about them lest contact with them, ready to withhold influence and to cast them out to the mercy of whatever interest might profit by their helplessness."

By upholding certain disputed counts against James A. Patten and others, charged with a violation of the Sherman anti-trust law in running a so-called cotton corner, the court sent the case against the men to trial in the lower courts.

Patten, Eugene G. Seales, Frank B. Hayne and William H. Brown were indicted in New York on charges of conspiring on January 1, 1910, to "corner" cotton by extensive buying on the New York Cotton Exchange as a result of which "the price would be enhanced and ultimately bring arbitrary and excessive prices." The corner was described as calculated to yield \$10,000,000 in profits.

Railroads and express companies won a revolutionary decision when it was held that contracts limiting to small sums their liabilities for loss of shipments were not subject to state laws but to interstate laws.

It was further held that contracts limiting liabilities to a small sum, in return for a low rate, were not in violation of the interstate commerce laws, particularly the Carmack amendment.

Scored upon scores of such contracts have been held void under state laws.

Notice by publication to a person absent from a state of a divorce suit against him or her is sufficient to give to the state jurisdiction over the absent party, if the state be the matrimonial domicile of the man and wife, according to a decision today by the supreme court.

The Minnesota reciprocal demurrage law of 1907 was annulled as unconstitutional by the court. The court held that the federal government had legislated on the subject and so taken away all power, any existed, from the state to legislate on it as far as interstate commerce was concerned. Several states have similar laws.

The court concluded its decisions without announcing those on the state rate cases.

MARSHALL ACTS

Attorney for Utilities Commission Appears in Court.

He Wants Cities to Regulate Their Gas Rates.

To bring about an investigation of the gas situation in Kansas, John Marshall as attorney for the public utilities commission will this afternoon file with the commission a complaint against the Kansas Natural Gas company and its various distributing agencies, asking on the face of the findings that the commission establish equitable rates between the consumer and the producer. At the same time Marshall will ask of Judge Pollock the privilege to interplead in the federal court action.

The action to be brought by Marshall will call for a full and complete investigation of both the supply and production of natural gas for Kansas towns. It will also affect the cost of production and the expense of delivering gas to the ultimate consumer.

When Judge Pollock issued his recent order in the gas case, calling for an increase in the supply of gas and upholding the decision of the Kansas Natural's receivers to abrogate numerous contracts, it was made on the report and findings of the receivers. Then came a storm of protests and threats of impeachment of the judge.

These threats resulted in an indignation meeting in Kansas City last week. But Judge Pollock's order is still working.

Now Marshall proposes to investigate the gas situation. He has spent the entire day preparing papers in the case, which he expects to file late this afternoon. He declined to discuss the situation before filing his petition.

SNOW HITS BIRDS

Wichita Chicken Show Exhibits in Danger of Freezing.

Topeka Will Outdo Other Towns in Entries.

Wichita, Kan., Jan. 6.—Zero weather and a light snow falling was the reception exhibitors at the Kansas State Poultry show received this morning when they arrived to place their exhibits. The show is a fancy chicken show hurried from express cars to the city's forum where the show is to be held. Topeka probably will outdo other towns in the number of birds shown. All the coops being delivered at the exhibition rooms today are heavily blanketed to keep the chickens' combs and feet from freezing. The show will continue all week.

MRS. CAMPBELL SICK

Congressman Called to Bedside of His Mother.

PLAN WILL NOT DO GAS AT OLD PRICE? TO TINKER TARIFF SHARITT'S

U. S. Supreme Court Rejects Artificial Plant in Topeka Is Proposal of U. P. Lawyers Being Remodeled.

Franchise Allows Original Charge of \$1.25 Here.

COTTON CORNER CASE IS BACK

Railroads and Express Companies Win Big Decision.

Court Adjourns Without Action on the Rate Cases.

Washington, Jan. 6.—The supreme court today held that the plan adopted by Union Pacific attorneys of disposing of the entire stockholdings of the Union Pacific railway in the Southern Pacific company by transfer to the stockholders of the Union Pacific company would not so effectually end the Union Pacific merger as to comply with its dissolution decree.

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NEEDS PRACTICE

Reno Man Shoots at Wife Five Times in Year.

She Sues for Divorce After Watching Marksmanship.

Hutchinson, Kan., Jan. 6.—Five times shot at her with revolver.

One time attacked her with a butcher knife.

One time tried to choke her to death.

That is the bill of particulars filed by Mrs. Sadie South against her husband, Alfred J. South, in a suit filed for divorce in the district court.

And it all happened within less than a year.

Mr. and Mrs. South were doing light housekeeping in Hutchinson at the time.

On four or five occasions last winter and spring the husband tried to shoot her, she says, and her life was saved by her only by grasping the revolver, the hammer snapping down on her finger.

"Last May he used the butcher knife on her, she says, and her life was saved then by her sister. In September he tried to choke her to death. Finally she couldn't stand it any longer, she says, and she left him on December 12 last.

"I do not anticipate any increase in the price this month. We have no information to the effect that more will be charged. The bill undoubtedly will be the same as before."

The pressure today is not as good as yesterday.

"Don't brag about the good pressure we held Sunday," warned Mr. Treleven. "Today the cold spell is holding over and quite naturally the pressure is lower. But we are sending out through the mains all the gas we can procure at the city limits."

WAYS AND MEANS COMMITTEE OF THE NATIONAL HOUSE

Begins Hearings on the Chemical Schedule of Duties.

Declares Receivers, Not Pollock, Are to Blame.

ADOPTED THE ONLY PLAN

The 50c Charge Made Imperative by Conditions.

Present Supply Gone—Cost More to Get More Gas.

Washington, Jan. 6.—Democratic revision of the tariff actually got under way today when the house ways and means committee began hearings, which will be the basis of the new tariff bill of the congress to repeal the Payne-Aldrich law in accordance with the party's pledges for an "immediate downward revision," and "tariff revenue only."

The hearing was on schedule "A" the chemical schedule. The committee plans to go down through the list, taking a new schedule every other day until all have been covered.

Most of the Democrat majority of the present ways and means committee will go into the next congress which is to convene in extra session probably between March 15, and early April. When the tariff hearings are ended Democrats of the committee will devote themselves, in daily sessions to the formulation of the tentative tariff legislation which they hope to have ready by March 15 if not earlier. The concrete result of their deliberations on the new tariff rates from "acids to zinc" the expansion of the free list and so on will be formally passed upon at a caucus of the representatives of the new house soon after the opening of the extra session. This caucus will determine whether the new tariff legislation shall be in the form of a single measure or in separate bills, schedule by schedule along the lines of the tariff procedure of the last session when chemical, wool, cotton, iron and steel and free list bills went through both houses but met presidential vetoes.

Chairman Underwood of the ways and means committee, and his associates are inclined to favor the same course as that of last session. By that procedure it is urged by its advocates "log rolling" or trading on rates on various articles could be avoided.

The chemical schedule is one of the most important and the greatest interest. Democratic committee claim revision along the lines embodied in the chemical bill of last year would save American consumers \$17,000,000 by reducing the price of all chemicals and at the same time increasing the revenue to the government. The plan of the committee is to levy low rates of duty upon noncompetitive articles produced in this country, especially the chemicals used in the textile industry and chemicals and drugs used for medicine.

"Sharitt must have been asleep," possibly he did not read the newspaper articles which have appeared. And didn't he find out that the chairman of this committee went to Judge Pollock personally and requested that a hearing be given the cities before an increase was ordered? I am sorry that Mr. Sharitt did not keep awake to these facts.

"And I might add that Judge Pollock promised to give us a hearing before he gave out his order—and the hearing was given."

"Sharitt asks whom I represent. I would like to say that I represent every gas consumer in Topeka with the exception of a receiver of the gas company and a few others of Pollock's friends. Sharitt may be a gas consumer but I believe he represents Judge Pollock and the gas company to a greater extent than he does the mass of consumers in Topeka."

Gas at 25 Cents This Month.

There is no doubt in the minds of the city officials, the city officials of the Consumers' Light, Heat & Power company, but the gas sold in Topeka this month will be at the usual rate of 25 cents a thousand cubic feet.

"In the first place," said Mayor Billard, "we will have only twenty-five cents for gas this month. I don't know what charge will be made by the company—but twenty-five cents is all that consumers in Topeka will pay."

Manager Treleven sets all the uneasy at rest by this statement:

"I do not anticipate any increase in the price this month. We have no information to the effect that more will be charged. The bill undoubtedly will be the same as before."

The pressure today is not as good as yesterday.

"Don't brag about the good pressure we held Sunday," warned Mr. Treleven. "Today the cold spell is holding over and quite naturally the pressure is lower. But we are sending out through the mains all the gas we can procure at the city limits."

DEATH AT BRIDGE

Motor Car, Rapidly Driven, Skids Into Creek.

One Dead, Four Injured, After House Party Ends.

Edwardsville, Kan., Jan. 6.—A motor car containing five persons skidded from a bridge over Mission creek in the sleet and fell 25 feet.

The car was driven by a man named A. Abbott, a motor car dealer of Bonner Springs, the driver of the car, was killed. The others were injured but not severely. Two of the girls in the car were from Kansas City.

The accident was the tragic end of a house party at the home of John Benedict, held for his daughter, Rose Benedict, and her friends.

With Abbott and Miss Benedict in the car were Florence McKinley and W. D. Fernald, Jr., of Kansas City, and Donald Berg, driver of the machine. The car was running at rapid rate in order that the party might catch a train at Edwardsville.

The cries of the girls as the car went over the embankment attracted a farmer, who arrived quickly enough to aid all but Abbott to gain the banks of the creek.

ADDITIONAL ROCK ISLAND AUTHORITY IS BROUGHT HERE.

All Legal and Claim Business From St. Louis Division.

CARTLIDGE AND P. E. WALKER

Officials Receive New Territory Under Supervision.

New Prominence to Headquarters in This City.

Through an announcement just received in this city, Topeka is given additional prominence and authority as second district headquarters of the Rock Islands Lines. The entire legal and claim business of the lines between Kansas City and St. Louis has been transferred to the offices of Paul E. Walker, general attorney, and W. C. Cartledge, claims agent, with headquarters in Topeka. The new order is effective immediately.

The order follows the resignation of F. W. Evans, attorney for the Rock Island and Frisco at St. Louis, and A. H. Bolte, claims agent of the road in the same city. Evans will spend all of his time with the Frisco legal work. Bolte will enter the general practice of law. All headquarters, communications, and legal business connected with the offices of F. W. Evans and A. H. Bolte will be handled in the offices of Paul E. Walker and William C. Cartledge, Topeka.

The announcement means that hereafter the Topeka legal headquarters will handle all of Missouri, Kansas, Nebraska, Colorado and El Paso. This big territory comes under the jurisdiction of General Attorney Walker.

It means also that Claim Agent Cartledge will handle the St. Louis division in addition to his old district, including the Kansas, Missouri, Nebraska, Colorado and El Paso divisions. All of his adjusters at this time make their headquarters in Topeka.

Mr. May has been appointed claim adjuster for the St. Louis division with headquarters at Eldon, Mo. William E. F. Kirk has been appointed claim adjuster for the New Mexico division. City to succeed Mr. May. James S. Palmer is made adjuster at Des Moines, vice E. S. Earhart, resigned. Homer Willis succeeds Mr. Palmer at Des Moines. Philip B. Lowrey is appointed claim adjuster at Des Moines to succeed C. M. Gladson, resigned. E. G. Galt succeeds Mr. Rock to succeed C. N. Bell, resigned.

Topeka now is the second district headquarters for the operating, passenger, freight and mail and other departments of the Rock Island Lines. Only the freight department is divorced from the general office. The general freight agent has headquarters at Kansas City.

IT WAS 5 ABOVE

Winter Temperature and Snow Come at Last.

Close to Zero Tuesday Morning, Says Weather Man.

After a record breaking period of sunshine and even temperatures Kansas and Topeka are now experiencing the first touch of a genuine winter. The minimum temperature this morning as recorded by the government observer was five degrees above zero. A light snow has fallen in Kansas and the Santa Fe reported this morning that a heavy snow was coming down gently along all its lines in the state.

The gas pressure in Topeka was good this morning. There was no trouble in maintaining street railway traffic on account of the snow. A few of the cars, however, were slightly off schedule.

The demand for assistance at the President's association has been somewhat greater today than for the last few weeks. The plumbers have received a few calls to thaw out frozen pipes, but trouble in this respect has been minimal. The coal and shoe men have found trade brisk.

The mercury will probably be hovering close to the zero mark Tuesday morning, according to "Sunny" Flora, the weather man, who takes things in a philosophical manner. "It might better to have our winter weather now," said he, "than in March."

"Why, this weather is mild as compared with that of a year ago today. Then the mercury went down to 12 degrees; in fact the maximum temperature for the day was five degrees below zero."

"Yesterday was the first day since December 12 that the temperatures were below normal. At 7 o'clock Sunday evening the thermometer reading was ten degrees; at midnight, eight, and at 7:30 o'clock this morning, five degrees. It was five degrees at 9 o'clock."

Up to 9 o'clock this morning the snow measured one and nine-tenths inches. It was a dry variety, measuring when melted .08 of an inch.

A five-mile breeze from the north has held the temperatures down today. The minimum temperature was four degrees above zero at 10:30 o'clock this morning. "Sunny" Flora stated this afternoon that the mercury will probably be below the zero point by morning.

The shippers forecast reads: "Protect 36 hour shipments north and west against temperatures of ten or lower; east and south, zero."

The hourly temperature record for the last few days is as follows:

Table with 2 columns: Time and Temperature. Rows include 7 o'clock, 8 o'clock, 9 o'clock, 10 o'clock, 11 o'clock, 12 o'clock, 1 o'clock, 2 o'clock, 3 o'clock, 4 o'clock, 5 o'clock, 6 o'clock, 7 o'clock, 8 o'clock, 9 o'clock, 10 o'clock, 11 o'clock, 12 o'clock.

Ice Melts Quickly.

Chicago, Jan. 6.—Three tons of ice melted in five minutes today when an ice auto caught fire in front of a downtown drug store. William Feaster, the chauffeur, stopped the truck in front of the drug store to deliver some ice, when gasoline dripped on the pavement. This was ignited when a man tossed a lighted cigar stub on the liquid.

E. C. FORNEY DEAD

Was Once Travelling Representative of the Topeka "Commonwealth."

Guthrie, Okla., Jan. 6.—E. C. Forney, of Guthrie, nephew of the late John Forney, the Philadelphia journalist, and himself a newspaper man for years in Philadelphia, New York, Chicago and Topeka, died last night at Stroud, Okla., where he had a farm. Mr. Forney was a pioneer in Kansas in 1852, that institution alone used 25,000 feet of gas a day, or 8,365,000

Weather Forecast for Kansas. Fair and warmer tonight and Tuesday.

(Continued on Page Two.)