

LABOR INJUNCTION MUCH MODIFIED BY COURT OF APPEALS

Justice Gould's Decision Upset as Restraining Right of Free Speech

CONSPIRACY ALONE CONSTITUTES CRIME

Gompers Says Decision is Vindication of Federa- tion's Position.

(By Associated Press.)
WASHINGTON, March 11.—The American Federation of Labor hereafter may freely refer to the boycott against the Bucks Stove and Range company, of St. Louis, except by inclusion in the "we don't patronize list."
This, in substance, of widespread importance to the labor world, to manufacturers and to newspapers generally, is the sweeping decision handed down today by the court of appeals of the district of Columbia in the noted injunction case of the Bucks Stove and Range company against the American Federation of Labor, which has been in the courts for the District of Columbia in various phases for months.
In a recent decision by Justice Gould of the supreme court of the district the American Federation of Labor and the officers, Messrs. Gompers, Morrison and Mitchell and others were enjoined from conspiring to boycott the Bucks Stove and Range company, and from printing or publishing or distributing, through the mails or otherwise, any copy of the "Federationist" or other publication referring to the complainant, its business or product in the "we don't patronize" or "unfair list."

The decision today which was by Justice Robb, modifies and affirms the decree of Justice Gould. The court holds that the decree should be modified to the extent that it shall only restrain the defendants from conspiring or combining to boycott the business of the Bucks Stove and Range company, or threatening or declaring any boycott or assisting therein, and from printing the name of the complainant, its business or product in the "we don't patronize" or "unfair list" in furtherance of a boycott.
The court holds that the defendants cannot be restrained from all publications referring to the Bucks Stove and Range company, but only such as are made in furtherance of any illegal boycott. In a partially dissenting opinion in which he says that he is unable to concur entirely in the modified decree of Justice Robb, Chief Justice Shepard expressed the opinion that the decree should be modified "so as to restrain the acts only by which other persons have been or may be coerced into ceasing from business relations with the Bucks Stove and Range company; but so as not to restrain the publication of the name of that company in the "we don't patronize" column of the "Federationist."

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COAL CONFERENCE FAILS TO AGREE ON ANY PROPOSITION

Workers Renew Old Demands Which "Divine Right" Baer Refuses

NO RECOGNITION IS ACCORDED UNION

Outcome of the Matter Left in Doubt by Result of Day's Meeting.

(By Associated Press.)
PHILADELPHIA, March 11.—The anthracite coal operators met the committee of hard coal miners in the Reading terminal building here today and flatly refused to grant the men any of the demands they laid before them and at the same time proposed to the mine workers that the present agreement which expires March 31 be renewed for another term of three years. This decision, while not unexpected by the mine workers as they had long ago learned that the operators were against making any concessions, came as a great disappointment to the men.
When the afternoon session of the conference adjourned, Thomas L. Lewis, national president of the United Mine Workers of America and his colleagues filed out of President Baer's office and went straight to their hotel with a spirit that was not as buoyant as that with which they entered the conference room.
The miners will meet the operators again at 2 o'clock tomorrow afternoon.
Formal Announcement.
The formal announcement of the refusal of the operators to grant the demands of the men was contained in a statement agreed upon by both sides. It is as follows:
"The operators decline to accede to the mine workers' demands. The chief reason offered for the rejection was that any increase in the cost of production would necessitate an advance in the price of coal and that such an advance was impracticable. The operators said that wages in the anthracite mining industry were already at a high level and could not be increased.
"The announcement of the operators' position was followed by a free discussion of the various demands, each side stating its views fully in regard thereto. The operators declared their unwillingness to re-open the eight-hour day question and other questions passed upon by the anthracite strike commission of 1902. They also declared themselves opposed to the mine workers' proposition for a one year agreement.
Ignore the Union.
They declined to recognize the United Mine Workers of America, chiefly on the ground that it was controlled by bituminous workers. They said they met Mr. Lewis and his committee as representatives of the anthracite mine workers and not as officers of the union. The operators called upon the report of the strike commission to support their refusal to deal with the United Mine Workers.
"At the end of the discussion the operators made the definite proposition that they would not recognize the union."
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JOHN MITCHELL, The Distinguished President of the Miners' Union of America.



One of Labor Leaders in Contempt Against Judge Gould's Injunction.

MYSTERY OF MURDER OF PRIEST UNSOLVED

Police Arresting All Who Had Emnity Against Victim, But Are No Nearer Solution Than They Were After the Tragedy

(By Associated Press.)
NEWARK, N. J., March 11.—The efforts of the entire police force have so far been unavailing in getting any tangible clue to the murderers of Father Anson who was shot and killed yesterday in the rectory of St. Stanislaus Polish Catholic church of which he was pastor.
Late tonight the police detained Josephine Walzowska, a former housekeeper of the slain priest, who had visited the rectory to pay a final tribute of prayer to her dead master, and confronted her with the suspects now under arrest at police headquarters. The woman picked out two of the prisoners, Frank Wetz and Thaddeus D. Luszczynski, the latter manager of a Polish publication and declared on one occasion they had entered the rectory of the church of which Father Anson was pastor in Patterson and declined to bow to him. Upon Father Anson remonstrating with them for their disrespectful attitude one of the two men had extended his hand closed fist toward the priest with the gesture of a man pointing a revolver, and had said: "We will bow to you like this."
Another development was the arrest of Jacob Rekuick, whom Father Anson recently dismissed as sexton of the Newark church. According to the police Rekuick upon being told to go had retorted: "If I go, you go too."
The police also took into custody three other Poles who are being held until they can give an account of their movements on the morning of the shooting.

FLOOD OF ORATORY SUBMERGES FACTS IN FAMOUS TRIAL

Gen. Washington Holds Forth All Day In Bitter And Peculiar Argument.

(By Associated Press.)
NASHVILLE, Tenn., Mar. 11.—The fourth day of the arguments in the Cooper-Sharp trial for the murder of former United States Senator E. W. Carmack closed tonight with General Washington, of the defense, in the middle of his argument and two more attorneys to follow him. At this rate it is doubtful if the case will go to the jury before Saturday. General Washington finished his ninth hour of argument when court adjourned at 5 p. m., and he announced that he would conclude some time tomorrow. He will be followed by Judge Anderson, who is expected to make the main argument for the defense. Then Attorney General McCann will close for the state. Judge Anderson says he will require about six or eight hours for his speech while McCann declares that four hours will do him.
Ticklish Ground.
Judge Hart today again requested the attorneys to submit instructions for the charge and complained that they were slow about complying.
General Washington's argument today was brilliant in word painting, metaphors, appeal and invective. He made savage attacks upon the state's counsel and singled out Attorney General J. B. Garner as his special victim. Garner is reputed to have nearly as fiery a temper as has Washington so counsel for the state insisted upon Garner's withdrawing from the room during Washington's address.
The speaker laid special stress upon the social standing and breeding of the defendants and declared that men of such families killed only in defense of life or honor. His speech was a masterpiece of oratory and had a noticeable effect upon the jury.
General Washington, speaking of the effect of the Carmack editorials said: "When a man of national reputation embosoms his name at the head of this paper, then people do read and believe." He said that men with any red blood in their veins would resent having their names put on the same page with the name of a horse thief or a convict.
Within His Rights.
"Of the editorial of October 21 mentioning Cooper's name with others," General Washington vigorously explained that two of the "honorable" names were disreputable and that when Carmack associated Colonel Cooper's name with theirs, he committed the gravest offense a man could commit and affronted and insulted Cooper beyond endurance. He said he agreed that no editorial ever written justified killing, but that he was trying to show that Colonel Cooper's anger was aroused.
"We contend," said Washington, "that Colonel Cooper had as much right on Seventh avenue that day as Carmack had. He had as much right to turn around and walk towards Carmack as Carmack had to walk towards him. And Colonel Cooper had a right to go up to Carmack and demand that these filthy attacks upon him be stopped."
Reduced Rank—Insulting.
"You can drive a man insane with ridicule," said Washington. "You can send a man's son into a frenzy by ridicule. Carmack refers to Colonel Cooper as 'major'; when he wrote to Colonel Cooper as a friend he called him 'colonel'. When he wants to insult and degrade him he calls him 'major'. It was a gratuitous insult."
"May be Colonel Cooper did say to Craig, 'if my name appears again in The Tennessean, one of us must die,' or 'the town will not be big enough for both of us.' They both mean the same. The words were spoken in a passion and were not meant and no one ever believed they were. But Craig comes back and says: 'Colonel, I can do nothing.' The silence after that phrase, 'Colonel, I can do nothing,' told more than all of the words in the world.
The epithets used included the most vile that one man can apply to another.
General Washington next devoted half an hour to a burlesque imitation of General Garner's cross-examination of witnesses. He compared Garner to a bee martin pecking at a great eagle—the eagle, he said was John Sharp.
Woman Lied—Honor!
General Washington attacked Miss Lee's testimony and extolled General Brown and Judge Bradford.
"Oh, what has become of the man of honor of Nashville of the old gallant blood, that attempts should be made to discredit such men as Bradford and Brown, than whom no more honorable, better bred ever lived."
Commenting on the state's failure to cross-examine Governor Patterson, Washington said: "The state didn't dare. Even the bee martin would not try."
General Washington then went back to the morning of the tragedy and started in on the early morning
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THE DOVE OF PEACE READY TO ALIGHT ON THE CAPITOL DOME

Taft's Large Experience In Affairs will Stand In Good Stead

CONSTANT NAGGING AND BICKERING DONE

In His First Official Act He Shows His Peaceful Intentions.

(Special to The Citizen.)
Washington, March 11.—It's early yet, of course, to indulge in predictions, but there is every indication that President Taft and Congress are going to get along with a great deal less friction than marked the intercourse of his predecessor with the legislative branch. Congress is mighty anxious to be on good terms with the executive, and Mr. Taft is displaying almost equal anxiety to keep the national legislature in good humor.
Since inauguration there has been a continuous stream of congressional caucers at the White House, and departing they all appeared perfectly delighted with the reception which had been accorded them. Undoubtedly Mr. Taft has a better acquaintance with congress, its needs and methods, than any other president who had not served in one or the other of those bodies. His long service in Washington as a member of the cabinet, calling for frequent appearances before congressional committees, had given him a wide acquaintance with senators and representatives, and having held important office under both the McKinley and Roosevelt administrations he had opportunity to discover that it was easier to lead than to drive the law-making body.
Sticker for Law.
Moreover, Mr. Taft being a sticker for the constitution, there isn't likely to be much higher during the next four years of executive encroachment on legislative functions. Those who have Mr. Taft's confidence predict that he will make no effort to drive congress, but that when congress fails to do the things he thinks it ought to do, the president will make the issue clear and easy to understand and then leave it to the country to do any driving which may be needed. There is one thing the new president is resolved upon. He will not play politics with congress nor use patronage for the purpose of purchasing legislation.

PINSON'S FATE RESTS WITH TWELVE JURYMEN

Killed His Rival, Claims It Was Accident; Girl Testi- fies

(By Associated Press.)
Laurens, S. C., March 11.—The case of Cotran Pinson charged with the murder of his intimate friend, Thornwell Boyce, in the presence of a young woman with whom both young men are said to have been infatuated, was given to the jury late today. No verdict had been reached at a late hour tonight.
The defense was that the shooting was purely accidental. The state endeavored to show that jealousy inspired by the fact that Boyce had been chosen as the young woman's partner at supper at the party from which they were returning when the shooting occurred, caused Pinson to shoot with intent to kill. If not murder, the state contended, it was such gross negligence as to constitute involuntary manslaughter.
Principal among the state's witnesses was Miss Evelyn Brown, a beautiful young girl, who is the "woman in the case." She occupied with the two young men the buggy in which the tragedy was enacted. She testified that Pinson was drunk and boisterous, that he pulled his pistol and said:
"I am going to shoot like hell." He shot twice to the right of the buggy, then held the pistol against his breast and shot, the ball entering the back of the head of Boyce, who was sitting on Pinson's lap. Boyce did not take his pistol from his pocket.

AUTO RACERS RECKON LIVES CHEAP TO TIME

Cause Death of One Man on the Road and Get Bruises Themselves

(By Associated Press.)
Boston, Mass., March 11.—Fourteen of twenty automobiles which left New York at 6:30 o'clock this morning on an endurance run to Boston for the Chester I. Campbell trophy finished on schedule time, twelve hours later tonight with perfect scores. The tie will not be run off, but the holders of the trophy for the coming year will be decided by lot tomorrow night.
One serious accident marred the run. Aaron W. Wallace was killed at Fairfield, Conn., by attempting to jump from his carriage, his horse becoming frightened at the automobiles and running away.
Driver La Croix of car No. 2 was detained at New Haven on a technical charge to await developments. It being alleged his car was nearest the scene of the accident at the time.
A car following the competing automobiles turned turtle in Marlboro, G. E. Blake, of Boston was painfully bruised, E. H. Richards and F. E. Spooner, both of New York were slightly hurt.
DIED IN SEWER.
Hamilton, O., March 11.—A sewer trench eight feet deep caved in today burying three men alive. When rescuers reached the bottom of the sewer they found the dead bodies of James Robinson and Alexander Howard. Thomas Revera was rescued alive but will probably die.

WOMEN DISAPPEAR, ALL WELL KNOWN CRESCENT CITY SOCIAL LEADERS

Prominent Broker Also Has Been Missing for Some Time

POLICE ON LOOKOUT

(By Associated Press.)
NEW ORLEANS, March 11.—The police have been unable to find three women, the wives of well known men, who have been missing for days from their homes in New Orleans and one of its suburbs. The women are Mrs. E. W. Baker and Mrs. P. H. Thibaux of New Orleans and Mrs. John S. Edmonds of Slidell, La.
Another element was added to the mysterious disappearance today by the discovery that the husband of Mrs. Thibaux had disappeared from his home.
Mrs. Baker, wife of a wealthy grain broker, disappeared a week ago.
Mrs. Thibaux, described as a young blonde of striking beauty, disappeared from her home on Mardi Gras day, and Mrs. Edmonds, the wife of a well known railroad man of Slidell, has been missing for nearly three weeks.
VISITOR FOUND DEAD.
VALDOSTA, Ga., March 11.—F. M. Leppard of Trenton, S. C., was found dead this morning in a buggy near a lake where he had been fishing. Heart trouble is supposed to have been the cause. He had been visiting here for the past few days.

FIEND IS SENTENCED TO TWENTY ONE YEARS FOR AN UNSPEAKABLE CRIME

Married Man Who Abused Twelve Year Old Child Gets Small Sentence

WIFE WAS AT TRIAL

(By Associated Press.)
TOWSON, Md., March 11.—Joseph M. Janer, of Brooklyn, N. Y., was today convicted of felonious assault on Catherine Lorch, twelve years old, also of Brooklyn, and sentenced to twenty-one years in the Maryland penitentiary, this being the maximum possible under the particular count of the indictment on which conviction was had. It was in evidence that Janer, early in February, brought the child to Baltimore representing her to be his daughter and during two nights one spent in a disreputable house and the other in a boarding, repeatedly subjected her to most brutal ill-treatment. The prosecution put witnesses on the stand to show practically every move made by Janer and the child after their arrival in Baltimore and physicians gave evidence conformatory of the contention of the state. Janer went on the stand in his own defense and denied his guilt. Janer's counsel made a motion for a new trial but this was subsequently withdrawn. When sentence was pronounced Janer showed not the slightest emotion. He was taken immediately to the penitentiary in Baltimore. Janer's wife was in court throughout the trial.

CHURCH SPLITS OVER THE QUESTION OF VOTE OR SANCTIFICATION

Factions in Knoxville House of Worship Are Haled to Court to Explain

MEMBER FIRED OUT

(By Associated Press.)
Knoxville, Tenn., March 11.—War-rants galore have been sworn out before a justice of the peace as a result of a fight at Zion Lutheran church in the twenty-first district of this county.
Recorder J. C. Miller, of Park City, a suburb of Knoxville, acts as preacher at Zion church, and started legal proceedings by swearing out a warrant for Sol McCammon on the charge of disturbing public worship. McCammon was forcibly ejected from the church. Preliminary hearings have been waived and the trouble has, therefore, not been aired before the justices.
It seems that there has been a split in the church for years. Some say it is on the question of sanctification, while others claim that the cause of the latest trouble was a dispute over who were entitled to vote in a church election. McCammon seemed to be the leader of one faction and the preacher of another. They were the principals in a physical encounter in which McCammon was ejected from the church. Several of the adherents of each are said to have taken part in the fight and developments were lively for a time.
RAIN
WASHINGTON, March 11.—Fore-cast for North Carolina: Rain Friday and Saturday; moderate east winds.

MEYER WILL OBEY LAW AND RESTORE MARINES ABOARD THE WARSHIPS

Naval Appropriation Bill Held Up by Act Until This is Done

SEEKS LEGAL ADVICE

(By Associated Press.)
WASHINGTON, March 11.—The restoration of marines aboard ships of war was again the subject of discussion at the navy department today. Secretary Meyer declared that he had no other intention than to obey both the letter and the spirit of the law under which the appropriations for the navy are to be withheld until the marines are given sea duty. That law does not become operative until July 1 next and the secretary explained that his only desire in referring the question to the attorney general to determine its constitutionality was in order that there might be no difficulty in the comptroller's office. Already steps have been taken looking to the distribution of the marines among various ships, but the department wanted to know first of all of there was any obstacle and for that reason the opinion of the attorney general had been requested, the secretary said.
In order that no misapprehension may exist regarding the amount of repairs needed by the vessels of the Atlantic fleet, which recently returned from its trip around the world, Secretary Meyer today issued a statement in which he says that the repairs which will be made are less than was anticipated. The statement is as follows:
"The extension of time for the completion of work on vessels of the Atlantic fleet from May 15 to June 15 as announced on March 5, is not for the purpose of additional repairs, for the amount of repairs required by the ships has been found to be less than was anticipated and they could easily have been completed by May 15 or even earlier. The extension of time was to enable two new cage masts to be installed aboard ships ready for the fall target practice."
**ABSCONDER SHIPS
COUNTY BOOKS BACK**
(By Associated Press.)
MONTGOMERY, Ala., March 11.—J. M. Lammons, superintendent of education of Geneva county, who disappeared last week is believed to have left the boundaries of the United States with an alleged shortage in his accounts said to approximate \$3,000. His books were shipped back by express from Fort Rucker, Fla., and it is believed that he and his family sailed from there to some south American port.

PASTOR JUGGLED WITH FINANCE AND LEAVES PARISH EMBARRASSED

Borrowed to the Extent of \$150,000 and Now Car- dinal Must Pay Debt

UNBALANCED IN MIND

(By Associated Press.)
BALTIMORE, March 11.—The revelations published today concerning the financial ventures of the Rev. Casper P. Elbert, recently removed from the rectorship of St. Katherine's church, this city, have caused a profound sensation. The deepest sympathy is expressed for Cardinal Gibbons who has assumed the burden of paying Father Elbert's debts. These obligations so far as disclosed by the investigation into the priest's affairs amount to about \$130,000 exclusive of a church debt of \$25,000. They were issued in large numbers to banks and individuals in amounts ranging from \$1,000 to \$10,000 and were all signed by him as pastor of St. Katherine's church. He had life insurance to the extent of \$70,000 but had borrowed heavily on his policies and upon every day he plunged heavily into debt.
According to an official statement from Cardinal Gibbons very little of the money raised by Father Elbert was used for church purposes. "Some of it went," he said, "to pay premiums on life and accident insurance. The balance went into visionary financial schemes by which he expected to realize large profits. There is no indication that the money was spent for any improper purpose."
Father Elbert is now in a sanitarium believed by persons who have been investigating his affairs, to be mentally unbalanced.