

# RAIL WRIT DECISION IS DUE TOMORROW

### Daugherty Amends Petition in Closing Plea for Injunction

### CHANGE ON "FREE SPEECH"

Chicago, Sept. 22.—Judge Wilkeson's decision on the United States petition for a preliminary injunction against the railway unions will be pronounced tomorrow. The temporary restraining order originally granted on September 1 will remain in effect until that hour.

Announcement to that effect was made in Federal Court yesterday following the unexpected personal appearance of Attorney General Daugherty in a final plea on the government's behalf. It affirmed the government's anxiety to be "fair" to the railmen, but emphasized the government's determination to be "strong." The chief law officer declared Federal warfare on all those elements which "bear the torch and the dagger" in defiance of national authority.

### One Change Proposed

The Attorney General's only amendment of his original petition was an addition reading:

"Nothing herein contained shall be construed to prohibit the use of the funds or income of any of the labor organizations for any lawful purposes, and nothing contained in this order shall be so construed as to prohibit the expression of an opinion or encourage the committing of any of the acts hereinbefore enjoined or in any way calculated to maintain or promote conspiracy to restrain interstate commerce or the transportation of the mails."

In all respects the government requested the court to conform to the restrictive provisions of its original petition. Mr. Daugherty set forth in strong terms why the United States seeks an injunction with such force. He said it would constitute a "damning" and "damning" act to permit "situations like the one with which this case has dealt will never occur again."

The Attorney General took emphatic pains to deplore the injunction of the character which has taxed criticism. "No freedom of speech," he said, "except that speech which incites the mob to commit unlawful acts, is restricted by this order. No minority is overruled. The majority is not made powerful or dominant. It is simply made more soberly." This order speaks the last word for the Government, for equity and civilization, for peace and freedom, for liberty and for protection with business and, if necessary, with force."

### Daugherty Appears in Court

Mr. Daugherty's address to the court occupied less than ten minutes. It came at the end of final arguments by government counsel and the defendant's spokesman for the defendant railmen. The Attorney General's arrival in court was unobtrusive and a complete surprise to all except the Department of Justice legal squad.

"The government could step aside, simply," Mr. Daugherty said, "in disregard of its duty. It may contribute to the continuation of interference with interstate commerce and the mails and inviting criminal acts destructive of human rights if property, of life and of the reputation, and of those who bear the torch and the dagger proceed in the commission of such crimes against life, property, liberty and government."

### Restraining Order Prolonged

The Attorney General begged the court to grant the government's petition, "based on the evidence introduced and on the settled law of the country as we understand it."

Judge Wilkeson would not be so convinced. He was within the law in prolonging the temporary restraining order another forty-eight hours, because it was still "on hearing."

He desired the interval, he said, in order to permit the government to show "the degree and character of the violation of the restraining order" and to allow the defendant to show "the degree and character of the violation of the restraining order" submitted by the United States.

He requested that all defendants who have been served with notice of the application for a temporary injunction and who are hereby further prohibited and enjoined as provided in the temporary restraining order until the further order of the court disposing of this application. "Neither the government nor the defense offered objections to Judge Wilkeson's order."

Mr. Daugherty's closing argument for the defendant railmen was an earnest plea to the court to remember that a Federal restraining order is a serious thing, the protection of the constitutional rights of the humbler individual.

### DEFIES DOG AND ELEVATOR

#### Izzy Einstein Boards Dumb Waiter and Serves Summons

New York, Sept. 22.—Izzy Einstein, prohibition agent, disguised as a dumb-waiter, carried a summons to Louis Stukas, a saloonkeeper despite a bulldog and a dumb-waiter difficult of operation. One shot was fired.

Returning from Providence, R. I., and a tour of up-State cities, Izzy and his partner, Moe Smith, sailed forth to visit twenty-eight saloons, one delicatessen store and one former liquor store, all without trouble, until the call at Louis Stukas' saloon.

Stukas let loose a bulldog in the bar just as Izzy was just way up the shaft, he says. Izzy fired at the dog. Izzy discovered the liquor, he says, and the summons was served.

The net results of the day for Izzy and Moe were three truckloads of whiskey, wine and beer, and 600 bottles of corn whiskey. Thirty owners and ten bartenders were given summonses.

**FITTING THE PIE TO THE HOLE.** If the Philadelphia Industrial Association continues its splendid work there will be no more "square" corners around here. You know anything about their industrial "square work"? Whether you do or not, will find interesting the article on this subject appearing in this issue of the Sunday Public Ledger. Make it a Habit—Read.

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### DETROIT FAMILY POISONED

#### Ate Toadstools When Food Was Gone and Became Ill

Detroit, Sept. 22.—(By A. P.)—A family of five—father, mother and three children—one of the latter a blind boy—was in the Municipal Hospital today near death from the effects of eating toadstools, which was served by the mother, police were told, when the supply of food and funds gave out.

A series of misfortunes that began when the father, Albert Moski, brought the family here from Poland six years ago, led up to the present tragedy. Moski's health failed shortly after his arrival here and his savings were soon exhausted. For the last three years he had been unable to work except at odd jobs. Inability to pay his rent led to eviction of the family a few weeks ago.

A payment of \$5 had been made on a suburban lot and the family went to this and built a shack. Hospital attendants said recovery of all five was doubtful, owing to their weakened condition through lack of nourishing food.

**\$1000 Fire at Wildwood Junction**  
Wildwood, N. J., Sept. 22.—Fire of undetermined origin, destroyed pumping station and scorched the water tank, located 100 feet from the West Jersey and Seashore Station at Wildwood Junction last evening. The fire was discovered by Joe Ballentine, the operator at the station. A call for assistance was sent here and apparatus dispatched. The motor chemical truck made the run in time to save the water tower and the station. The loss is estimated at \$1000.

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