Increased in 11 months to Aug. 1,

33,923, or an average gain of 100 a

FORTY SEVENTH YEAR.

MEN COME BACK AT PINKERTONS AND OFFICIALS.

Hugh Ross Charges Murder Against Fifteen People on the Other Side.

MR. FRICK IN THE LIST,

But the Warrant for His Arrest Held Until He Recovers.

Leishman, Lovejoy, Frick and Curry Conceded Bail by District Attorney Burleigh-The Amount Placed at \$10,-000 Apiece-Judge Ewing States That the Men and Firm Do Not Occupy the Same Position-The Company Had a Right to Defend Its Property-Mr. Cox Denies the Suits Are Retalistory.

The locked out men of Homestead have at last made good their threat to prefer charges of murder against the officials of the Carnegie Iron and Steet Company. The Pinkerton brothers and some of their detectives are included in the list,

A move of this sort had been generally expected, so the events of yesterday were not in the nature of a surprise. Of the five men who surrendered themselves, or upon whom warrants were served yesterday, H. C. Frick, F. T. F. Lovejoy and John Leishman were released on \$10,000 bail each, and Nevin McConnell and James Dovey are now in jail awaiting the convening of the court this morning, when their cases will be argued.

Yesterday morning about 11 o'clock Hugh Ross, one of the men accused with aggravated riot and murder, who is now out on \$12,000 bail, came to the office of Attorney W. J. Brennen and attached his signature to an information which had been drawn up by Attorneys Brennen and Cox, the counsel for Ross and the Amalgamated Association. Warrants Issued by Alderman King.

Armed with this paper the attorneys, accompanied by the informant and Chris Steward, went to Alderman Festus M. King's office on the Southside, where the informations were duly sworn to and entered. The accusation reads as follows:

onwealth of Pennsylvania vs. H. C. Frick, F. T. F. Lovejoy, Robert Pinkerton, William Pinkerton, J. A. Potter, G. A. Corey, J. G. A. Leishman, H. M. Curry, C. W. Bedell, Fred Primer, W. H. Burt, Nevin McConnell, James Dovey, John Cooper and Fred W. Hinde.

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ALLEGHENY, CITY OF PITTSBURG, Before me, the subscriber, Festus M. King, an alderman in and for the said city of Pittsburg, personally came Hugh Ross, who upon eath administered according to law, de poses and says that in Mifflin township, in the county of Allegheny, and State of Pennsylvania, on the 6th day of July, 1892, H. C. Frick, F. T. F. Lovejoy, Robert Pinkerton, William Pinkerton, J. A. Potter, G. A. Corey, J. G. A. Leishman, H. M. Curry, C. W. B dell Fred Primer, W. H. Burt, Nevin Mc Connell, James Dovey, John Cooper and Fred W. Hinde, did of their malice aforethought feloniously and riotously, with force and arms and deadly weapons, kill and murderand did cause feloniously to be killed and murdered John E. Morris, George W. Rutter, Silas Wayne and Joseph Sotax then and there being in the peace of the

nwealth of Pennsylvania. Prays for Their Arrest.

This information is made upon informs tion received and believed to be true by this deponent, Complainant therefore prays and desires that a warrant may issue and the aforesaid defendants may be arrested and held to answer the charge of murder. and further deponent sayeth not, Sworn and subscribed to before me this 8d day of August, A. D., 1892.

PRETUR M. KING.

Mr. Frick is known as the Chairman of the Carnegie interests, Mr. Leishman, Vice Chairman; Mr. Curry, Treasurer; Mr. Lovejoy, Secretary, Mr. Potter, Superintendent of the Homestead works and Mr. Corey an under superintendent. Nevin McConnell was a heater at the works, but was recently promoted to the superintendency of open hearth furnace No. 2, and James Dovey is Master of Transportation. Robert and William Pinkerton are the head of the detective agency which bears their name, and the other five men were their detectives. who were on the barges the day of the fight, and who subsequently appeared against O'Donnell when he applied to be admitted

Chairman Frick Not Arrested.

As soon as the information was made warrants were issued for the arrests of those named, with the exception of Mr. Frick. His warrant was held, out of consideration for his condition. The warrants for the people at Homestead were given into the hands of Chris. Steward, a constable of the borough of Homestead, who returned to the little town by the river on the first train to search for the parties wanted. The serving of the warrants on Secretary Lovejoy, J. G. Leishman and H. M. Curry was entrusted to Joseph Walls, of Alderman King's office. Mr. Walls did not find the gentlemen he wished, for they had been apprised early in the day of the intended move, and while he was waiting at the office of the company for them to make an appearance, the accused men, with their counsel, were busy attending to the preliminary matters involved in making an application to be admitted to

As soon as the counsel for the Carnegie people were certain that the informations had been entered, they sent word to Alderman King stating that their clients wished to appear before him to be taken to court for bail. The messenger returned with the information that the Alderman was not in. Mesers. Leishman, Curry and Lovejoy, with their lawyers, then began a still hunt for Judge Ewing to make application for bail. The Judge was easily found and expressed

his willingness to listen to the application. District Attorney Burleigh sent a messenger after Alderman King, who soon arrived.

THE HEARING IN COURT.

JUDGE EWING A'KS WHY THE AC-CUSED ARE HELD,

istrict Attorney Burtelph Concedes Buil to Frick, Leishman, Lovelov and Curry-Released on \$10,000 Bonds-Sharp Cross-Fire Between the Court and Lawyers.

It was not generally known that the ap-

lications for bail for the Carnegie officials were being heard in the Common Pleas Court room yesterday, so the audience was very small, indeed. Besides the accused men, a number of people connected with the company and the reporters, there was hardly anyone else present. Judge Ewing sat on the bench and gave his opinions in a decided manner. There was a great deal of cross-firing between the Judge and the attorneys, which was thoroughly relished by all present. I twas reported that Superintendent Potter was in court part of the time listening to the proceedings. When he heard Mr. Cox say that Potter was one of the men who would not be conceded bail it is said the Superintendent retired, and the constables have been looking for him ever

Judge Ewing wasn't long in getting down to business, and opened the case with the question:

Well, gentlemen, what is the general out line of your ground for holding the accused?

Mr. Burleigh—I would ask Mr. Brennen to

state that. Mr. Brennen-Well, we are informed that four of these men that are charged herepossibly five of them-were on the boat.
Judge Ewing-If you wish me to take judicial notice of common rumors and news-paper stories, I suppose I understand what you are talking abou Mr. Brennen-That they were on the boat that morning, and one of them ordered the firing upon the citizens, and the others

stood by and assisted. The Ball Conceded. Judge Ewing-Well, that is a portion. Now

to be admitted to bail? Mr. Cox-All excepting Mr. Potter, Mr. Dovey, Mr. McConnell, and Mr. Curry and

Mr. Lovejoy.

Judge Ewing—That would be five. How many informations are there?
Mr. Cox-Well, I suppose about 12. So far as the Carnegie people are concerned, Mr. Leishmau and Mr. Frick himself, and Mr. Curry, we are satisfied.
Judge Ewing-Well, what is your ground

for holding anybody?
Mr. Brennen-Well, that there were four men killed; and that eight of these men (defendants) were on the boat. Judge Ewing-Where were the men where

they were killed—what were they doing?
Mr. Brennen—Well, we say they were not doing anything.

Judge Ewing—Well, where were they? Mr. Burleigh—On the boat or bank?

Mr. Brennen—They were on the bank of the river. They were not doing anything.

Judge Ewing—What were they doing

Position of the Men. Mr. Brennen-Well, that we do not know. They were curiosity seekers, I suppose. Of course, our position in this thing, your honor, is largely thus: I take it that the honor, is largely thus: I take it that the position taken by the Carnegle Company was that that property was in the possession of the Sheriff of Allegheny county; that while in the possession of the Sheriff of Allegheny county; that while in the possession of the property; or, rather—I am putting it strongly—that it was not in their possession, but it was in the possession of a mob that was there. That was their position and they called That was their position, and they called upon the Sheriff to put them in possession. The Sheriff did not act in the premises, I suppose, fact enough for them, and they armed 300 men, or had arms for 300 men. they armed 300 men, or had arms for 300 men, of whom probably 50 or 100 were armed, and they took them up there to take possession of the property without a legal process; that by so doing, I take it, they occupied very largely the relation spoken of by Judge Paxson in an Eastern case. "This thing of armed people on both sides proposing to decide questions that ought to be decided in courts."

courts."

Judge Ewing-What question was to be decided between these parties? One had an undisputed right to their property; the others had none whatever.

Mr. Brennen-Weil, that was a matter that, it seemed to me, would have to be de-termined in some other way than sum-

Not Under Claim of Right. Judge Ewing-Well, was there any question about that? That is not the case of one party in possession of a piece of property maker claim of right—an honest claim of

marily.

right-and the party who claims it, instead of bringing his ejectment or bringing him personally before the magnetrate, goes with force to thrust him out. That is not the Mr. Brennen-Well, it occupies a very

Judge Ewing—No, none at all. If you would come home and find me in possession of your house, and holding it where I never had any claim—

Mr. Brennen—Well, Your Honor does not undertake to say that a man can go out and arm 200 or 300 men and come in and take pos-

arm 200 or 300 men and come in and take possession?
Judge Ewing—You can take possession of your house, and if I use violence I have to look out for it.

Mr. Brennen—Well, we do not, of course, take that view of the matter, Your Honor.
Judge Ewing—Well, then, what I want to get at is, this being a question of law, what the precise facts are in regard to a particular man. I have no doubt about the right of a party to hold the property.

Mr. Brennen—We had not a particle of right to hold that property, if they were in possession: but they have said they were not in possession of the property; and, therefore, not being in possession of the property, the question is whether or not these parties had any rights there. It seems to me they had a legal remedy to apply, but no right to take a lot of armed men in to take possession and, if somebody interferes, to

on and, if somebody interferes, to shoot the man.

Judge Ewing—Were your people in posses-

sion?
Mr. Brennen—Why, that I do not know.
These people were there. There is talk
about these people trespassing upon this
property, but from what we gather they had
property fenced in there that did not belong
to themselves at all, but belonged to the city
of Pittsburg.

Mr. Cox-It belongs to the United States Government, and I think the very ground that these people were on was not the prop-erty of Carnegie Brothers.

Judge Ewing—I did not know the United States Government owned any of that prop-

Mr. Cox—By their encroaching process on the river they have made 25 or 30 acres of ground that they never bought. Judge Ewing—If I understand the situa-tion aright the men killed had no right

there whatever.]
Mr. Brennen-That I do not know.
Judge Ewing-Well, they were not owners. They were not representatives of the owners.

Mr. Brennen—It seems to me a trespass
would not justify a killing.

Judge Ewing—Not an ordinary trespass,

Mr. Brennen—And if these people were there merely as trespasers, that did not justify the killing?

Judge Ewing—Well, that depends on the circumstances of their trespass.

Ar. Brennen—That if a lot of men ran down there to the river—Judge Ewing—I do not understand that a man, when there is a mob attacking him or his property, is bound to be—Mr. Brennen—Well, there had been no attack on them or their property up until that time. that time.

Judge Ewing—The fact that there is a

large number of people there— Mr. Brennen-Would only indicate that were trespassers.
Some Defendants Present. Judge Ewing-Are the defendants here?

Mr. Burleigh-There are four of them here, Judge Ewing-What fourt Captain Breck-Mr. Lovejoy, Mr. Curry

and Mr. Leishman—three. We did not know until a few moments ago that the warrants

until a few moments ago that the warrants had been issued.

Judge Ewing—There was a waiver of hearing before the maristrate?

Mr. Brennen—No, there has not been.

Mr. Burleigh—So I understand from the counsel for the defendants.

Judge Ewing—Did you waive a hearing before the magistrate? Some attorney representing the defendants has the right to do that.

that.

Mr. Burleigh—Yes, sir.

Judge Ewing—Did any of you go over?

Mr. Robb—No, there were none of us over.

We received a message, and we did not know it until 10 or 15 minutes ago.

Mr. Burleige—In this case they could not give bail for a hearing.

Judge Ewing—No. I presume it could be done with the consent of the District Attorney. torney.

Mr. Burieigh—Could that not be as well done in court as before the Alderman?

Judge Ewing—I think not. Have you any witnesses?

Like the Other Cases.

Mr. Brennan—No, we assumed that this would be conducted the same as was done in the other cases when we came in. We asked for a hearing, and asked them if they were ready. They said "No, we will be ready tomorrow morning." We begged and coaxed them in court to let us do this thing, and

they would not do it.

Mr. Robb—Mr. Brennan waived a hearing right in court.

Mr. Brennen—Every man wasarrested and every man was in jail before that.

Mr. Robb—You waived your hearing right in court. Mr. Brennan-No, we did not; we did it Mr. Brennan—No, we did not; we did not before that.

Judge Ewing—I think the regular way is to have the hearing waived.

Mr. Brennen—In every instance the man was in jail. They insisted upon the men being delivered in jail before they would consider the case at all, and then said: "We will bring the evidence to-

morrow."

Judge Ewing—Well, if it is intended merely for delay we will hear them.

Mr. Robb—I do not see, if Your Honor please, if the District Attorney is ready to consent to it, why we cannot waive a hearing right in court. The object is to get into court, and when the parties are in court—Judge Ewing—The Court has no charge before it.

Judge Ewing—The Court has no charge before it.

Mr. Brennen—These people do not really know that there is an information made, as far as that is concerned, except what they read in the newspapers.

Mr. Robb—You do not deny it.

Judge Ewing—As I understand it, I think we had better not make bad precedents.

Mr. Robb—If Your Honor will give us 15 minutes we will endeavor to reach the Alderman.

Alderman. Judge Ewing—We will give you whatever time is necessary.

Bail Conceded to Four.

Alderman King appeared in court with the records in the case and the defendants waived a hearing and proposed to give bail

for trial at court.

Mr. Burleigh—It is conceded, if the Court
please, that H. C. Frick. H. M. Curry, Mr. eishman and Mr. Lovejoy are entitled to Judge Ewing—Then we will not go into any hearing about those; and, there being no hearing, there is nothing to do but simply take them in charge. I suppose they can give \$10,000 as easily as \$1,000. Who do you offer as bail?

Mr. Patterson—A. W. Mellon and R. B.

Mellon.

Judge Ewing—Well, they are perfectly good. That leaves five who are parties defendant. The Court is ready for a hearing. Do I understand you to say that all these parties are present?

Do I understand you to say that all these parties are present?

Mr. Brennen-Yes, Your Honor, except those four that we have mentioned.

Judge Ewing-Now I will say to you that I do not know what you have. I think it is possible for a person present to be guilty of murder in the first degree. You have assumed that the Court knows the general circumstances as stated and as stated by the men on the shore, who made the attack. As I see in the newspapers I do not think that you could even make out a charge of murder against the men generally in charge, unless there was, unnecessarily, at the time, the shooting of some man; and especially murder in the first degree. I think it is hardly possible that there is a case signing them.

Parties Not on the Same Footing. The two parties standi n an entirely differ ent position. The parties attacking, that without the shadow of a right and without the shadow of legal authority. The others were there with legal right. Whether they went in the right way is another ques tion, but it does not make it murde in the first degree in any aspect whereas those who went there were illegall whereas those who went there were fliegally there taking the statement of their own friends as published; they were there illegally. These were not. And unless you are prepared to show that there was a deliberate killing, unnecessary to resist the mob, then there is no use in taking up time in hearing the charge of murder of the first degree, because there is not an element of murder in the first degree in it. It would not be murder in the first degree in it. It would not be murder in the first degree to resist a mob for the possession of property. There has been a great deal of useless talk by men who ought to know better that these parties stand on an to know better that these parties stand on an equality. They do not, and it is a great in-jury to these men. It does a great deal to-ward fostering and stirring up disorder and ward fostering and stirring up disorder and mob rule when newspapers and some law-yers undertake to treat them as being on an yers undertake to treat them as being on an equality in right, or claim that the parties had a right to be there and to resist. They had none. If you are not prepared to show that there is a reasonable ground for believing that some of these men deliberately and intentionally killed a man unccessarily in the defense there, there is no use in going on with it.

it. Brennen-I think we can show you one of our men was shot who merely held up a loaf of bread, and was shot off this Judge Ewing.—That may be, if he was there in the way.

Not Nice in Defending Property. Mr. Brennen-There wasn't any shooting at that time except off the boat.

Judge Ewing—It is not necessary that there should be shooting if there is a mot there. When you get an armed mob that has been shooting people that are there one the other side for the protection of prop-erty they are not very nice about it. Mr. Brennen—And, really, they were not

Judge Ewing—They are not bound to wait until they are attacked and fire simply shot for shot. If you are prepared to prove any-thing of this sort I want to hear it; but I ng up time.

Mr. Cox—That is our information. I think

we can prove that.

Mr. Brennen—That the firing was com menced by the shooting of fell—
Judge Ewing—It is not very material in regard to that. If there is any probable cause to make a case in law, then I am willing to sit patiently and hear it just as long as may be necessary. But I gave you my general idea of the law, and I haven't any doubt about the law; and I do not think any law-yor or any respectable court will hold anything else.

Mr. Brennen—Oh, we understand, Your Honor—to make it murder of the first degree.

Honor-to make it murder of the first degree, that it will have to be taken out of the statute, and that we will have to show that there was some specific intent to kill.

Judge Ewing—You have got to show more
than that.

The Judge Willing to Stay.

Mr. Brennen-Well, to kill without reason ble cause or justification Judge Ewing-And is it not reasonable cause if there was a mob attacking, and it is not material whether the party killed had a gun or not. I will stay here until a late hour, or I will come to-morrow morning.

Mr. Brennen-Well, if Your Honor will come to-morrow morning we will either have our witnesses or decide what we will do.

Judge Ewing-If there is a case, why I want to hear it.

want to hear it.

Mr. Brennen—Your Honor sort of confounds our position. While we don't pretend that the men were acting in an entirely lawful manner, or probably a lawful manner at all, we contend that, on the other side, these men were proceeding in a law-less manner as well, and that their acts will have to be adjudged just as the acts of the other side.

ther side.
Judge Ewing—Oh, no.
Mr. Brennen—With reference to whether Mr. Brennen—With reference to whether they were right or not.
Judge Ewing—That is what I want to call your attention to and I do not think there is any reasonably good lawyer who is impartial, or Judge, or any Court that will hold that they were on an equality at all.
Mr. Brennen—I do not state that they are on an equality. I state quite the contary.
Judge Ewing—One was a mob, and the other was—

to land at all under the circumstances. They knew all that before they tied un.

Mr. Patterson—If Your Honor please, there are two of these defendants, McConneil and Dovey, I do not think the counsel on the other side will claim to have anything against them.

Mr. Cox—We do not know. We were answered that way in our cases. We don't know until to-morrow.

Mr. Patterson—Well, you ought to know.

Mr. Cox—We asked the same questions and we were put off from day to day.

Judge Ewing—You did not stand in the same position.

PITTSBURG. THURSDAY. AUGUST 4 1892-TWELVE PAGES.

to land at all under the circumstances. They

same position.

Mr. Cox—Well, that is the question. Your
Honor doesn't know the circumstances in

the case.

Judge Ewing—You have assumed I did;
and I say I take the statements that are put
out by those friendly to your side, not the
hostile statements of the other side; I take hostile statements of the other side; I take your side of the case as it is stated, and it has been assumed that the Court had the knowledge from public events.

Mr. Cox—The cases that I have referred to were the cases of Peter Allen and Matthew Foy. We asked the same privilege, for neither one of the two are any more guilty of murder than Mr. Patterson is, and they were about as far away from the scene of netion as Mr. Patterson was. They were arrested late Friday night and brought down, and we asked the same privilege, and they were kept in jail until Tuesday morning, and these people will be ashamed to prosecute when the cases come to trial.

Wanted to Give Bail for All.

Wanted to Give Ball for All. Mr. Patterson-The gentleman under stands very well how that matter was. We were all day Saturday in the hearing of the O'Donnell case, and in the evening Mr. Cox did speak to me about Mr. Foy. I said I did not know; Captain Breck had taken the

statements with reference to that, and he was not in at the time, and I had no knowlwas not in at the time, and I had no knowledge that would enable me to make any statement as to whether they were to be resisted or not. That is all there was in that There was certainly no disposition on our part to keep any man in jail an hour unless there was reason for keeping there. These two men (McConneil and Dovey) that are arrested, I don't think there is any reason for taking them to jail to-night. We are perfectly ready to give bail for them and have them here in the morning, and have all these other parties who are not voluntarily released on bail here in the morning. I think my friends upon the other side will probably withdraw their opposition to their being released on bail. One of these men wasnot on the beats or near the place at all. Mr. Brenuen—These men were not in the riot, but they were kept in jail four days. Mr. Cox—And these are no better men than O'Donneil.

than O'Donnell.
Judge Ewing—Do I understand that this
was made to put these men in jail?
Mr. Cox—No, sir; not at all—not any more than the other was made Not a Case of Retaliation

Judge Ewing—Is it a retaliation? Mr. Cox—No, sir. If Mr. Frick had not met with this misfortune it would have been done long ago.

Mr. Patterson—These men were not in the fuss: they were not arrested, and I don't know what is against them. Really, gentle men, I don't think you have got cause to re sist McConnell's and Dovey's applications They are not arrested. We will see that they are here in the morning.

Mr. Cox—Personally we would like to do it to please you, but we can't consent to it under the circumstances.

Judge Ewing—Do you expect to have proof that these men were on the boat each

of them?

Mr. Cox—Yes, sir: Dovey—
Judge Ewing—Dovey, McConnell, Corey
and Potter. What about Bedeil?

Mr. Cox—He was on the boat.
Captain Breck—He is a Pinkerton man.
He is not here and is not in the city.
Judge Ewing—Mr. Primer, Mr. Burt, Mr.
Cooper and Mr. Hines—

Mr. Breck—Mr. Hines is laid up in the
hospital and is likely to die, and has been
there ever since the morning of the shooting.

ing.

Mr. Patterson—You don't mean to say Dovey was on the boat?

Mr. Cox—That is our positive information, Mr. Patterson. We have no desire to be captious in the matter, but that is our positive information.

Judge Ewing—What says the District Attorney? Attorney?

Mr. Burleigh—The District Attorney is in his position in this case, that he doesn't mow anything about what evidence the entlemen have.

Judge Ewing - The District Attorney ought to be informed in all these cases and have an outline of the evidence. It is for large extent.

Mr Cox_That is true Your Honor bu this is a very unusual proceeding. The in-formations were made at noon to-day, and before we had time to apprise or acquaint the District Attorney with the facts these people present themselves in court to save people present themselves in court to save going to jail.
Judge Ewing—I did not know; I thought the information was here and everything

Mr. Cox—This is an unusual proceeding and ought to be treated so by the Court and we have not had time to acquaint the District Attorney with the facts and I do

not know that we were bound to before the information was made. We have never seen the District Attorney until here in this learing.
Judge Ewing—While you were waiting
lere for the Alderman you could have
given him an outline of what your evidence

is.

Mr. Cox—We could have done that, but we were rushed in here without any notice at all and without any opportunity to consult with him. This is very different from the other proceeding, if Your Honor please.
Judge Ewing-There is no difficulty in your telling the District Attorney. Mr. Cox-Well, we will tell him. We have

A Hearing Recommended. Messrs. Cox, Brennen and Burleigh ther seld a consultation, after which Mr. Bur leigh reported as follows: "If the Court please, in the light of what these gentlemen have told me, I do not see, in justice to all parties, how this case can be disposed of without a hearing. They pre sent statements to me, which, if proven, would certainly be questions for judicial determination, and I suppose I am to assume them to be true—that is, the fact that they are able to prove what they state."

Mr. Patterson—If Your Honor will allow the state of the s Mr. Patterson—If Your Honor will allow
me to say a word or two—I understand—
Mr. Burleigh—They tell me that they will
prove that these men, including Dovey and
McConnell, were on the boat: that they were
armed; that they were in charge of the parties, gave the order to shoot, and that they
unnecessarily shot down innocent people.
Judgo Ewing—There were no such people
there.

Mr. Cox-Well, they shot down people there.
Mr. Burleigh—They tell me that; and I assume that it is a matter, not for the District Attorney to decide off-hand, but for the Court to decide after hearing the evidence of the statements in regard to which I lence, the statements in regard to which I have simply heard.

Mr. Patrerson Explains. Mr. Patterson-What I desire to call Your Honor's attention to is this, that in the hear-ing of the other cases before Judge Mages all were released who applied for release, all were released who applied for release, with one single exception. There proof was admitted that those who were accused were on the bank when the shooting was done that resulted in the killing of the people on the boat, and no evidence whatever that those who were present there participating or interfering with the shooting going on. The one man whose application for ball was refused, was a man who was shown, or at least there was evidence to show, that he was armed with a rifle; that he was behind a barricade on the bank; that he had his—Judge Ewing—That was after a hearing? Mr. Patterson—That was after a hearing and he was the only man whose application for ball was refused. Now, if these men were not held who were shown to be on the bank when the shooting was going on which resulted in the killing of the men on the boat, I don't think that these men ought to be held simply from the fact that they were on the boat when the shooting was done in response to the shooting on the bank, which resulted in the killing of people on the bank.

Mr. Cox—They were all held pending the

Twenty Thousand Armed Men in One Pro-

bank.
Mr. Cox—They were all held pending the examination of one case, and you selected one man for the hearing, Mr. O'Donnell, and the others were kept in jail while that hearing was going on. They were not considered at all.

Mr. Patterson—Very well; surely all these
men did not give the order to fire.

Mr. Burleigh—No, that was Mr. Potter, according to the statement to me.

Mr. Cox—They are acting in harmony.

other was—
Mr. Brennen—A mob, too?
Mr. Brennen—A mob, too?
Judge Ewing—No. When they are there, and the mob confronts them, they have a right to use arms pretty freely.
Mr. Cox—I don't think they had any right

A Hearing for Supt, Potter.
Mr. Patterson—We are perfectly willing to nave a hearing in Mr. Potter's case, but as to Mr. McConnell and Mr. Dovey our information is that Mr. Dovey was not on the



boat at all, and Mr. McConnell was ex amined in one or two cases before Judge Magee, and he appeared to be on the boat, but there was nothing to indicate at all that he was armed or taking any part in the

firing.

Mr. Brennen—We did not have the chance to ask him. We were trying another case. We were not trying his.

Judge Ewing—The intimations that have been thrown out seem to indicate a disposition to hold these in jail; but I will postpone the further hearing of this case until 9:30 towards morning.

the further hearing of this case until 9:30 tomorrow morning.

Mr. Cox.—I want to state, if Your Honor
please, that there is no disposition of that
kind. We could have had every one of these
gentlemen in jail to-night if we had been
disposed to have done it in that way. These
informations could have been made at this
hour just as easily as at 11 o'clock this morning, and Mr. Leishman and all these people
could have been put in jail very safely before Hour Honor could have gotten any
chance to consider their case.

Mr. Fatterson—That would have been an
injustice!

Mr. Cox.—We made these informations

injustice!

Mr. Cox—We made these informations this morning to give you all every opportunity, for we have no desire to be unfair At the conclusion of this discussion the hearing in the cases of the defendants who waived their hearings through Mr. Patterson was postponed until this morning, when Alderman King was instructed to the hearing the desert in court again so that have his docket in court again, so that

others who may desire to do so may waive the preliminary hearing.

Messrs. Lovejoy, Curry and Leishman were admitted to \$10,000 bail each, the Mesers. Mellon, the bankers, going on their

ITS ROAR HEARD 12 MILES.

the New Elizabeth Gasser One of the Biggest Ever Brought In-Increasing Every Hour-The Largest Casing Ever Used-The Philadelphia's Regrets.

ELIZABETH, PA., Aug. 3 - [Special.]-The large gas well brought in by John A. Snee, West Elizabeth, is pronounced the largest gas well ever struck in this State. The well is located on the Homer Wright farm and joins the large tract of land owned by James G. Blaine in Forward township, which has been leased by Mr. Snee.

The well is 1,809 feet deep, and the remarkable flow of gas was struck in the Gantz, sand. The flow is increasing every hour, and the roar of the escaping gas can be plainly heard 12 miles. What makes it nore remarkable is that it is a 6%-inch hole, being five-eighths of an inch larger than the largest easing used.

The well is located within 50 feet of the Philadelphia Company's 18-inch line from the Bellevernon field, and, they are casting watchful eyes on the well, as it is a matter of regret with them, they having been offered all the territory own by Mr. Snee in this field, with only one gas well one year ago, for \$25,000. This was considered too high, and they now see their mistake. The excitement here and in the surrounding country is intense, and people are flocking to see it.

BOILING HOT AGAIN.

Kansas City Thermometers Are Again Above the 100 Degree Mark.

KANSAS CITY, Aug. 3 .- The thermome ter to-day reached 960 in the Government Weather Bureau. Down on the street many thermometers marked 1000 and 1020. In Western Kansss it is hotter still, the official temperature in some places being 96° and 100°.

96° and 190°.

A great many complaints of the condition of corn in Kansas were received by commission men in the Exchange building this morning and a majority of the dealers here are of the opinion that the prospect is for little more than half a crop, taking the State as a whole.

A NEW REBELLION IN CHINA.

vince Defy the Government. SAN FRANCISCO, Aug. 3.—News reache Hakow, China, in the latter part of June, that a rebellion had broken out in Szechnan either at Paoning or Pa, which towns are about 150 miles north of Chung King. The authorities had sent troops from Chingtu sgainst the rebels, who were said

STILL GAINING STRENGTH.

H. C. Frick Suffers a Shock by the Death of Bis Child.

H. C. Frick is rapidly regaining his health. The death of his son was a severe blow to him, however, and may delay his coming down town several days. It is hoped by his physician that he will be able to be out by next week.

DELUGES IN MARS,

Lake Which Did Not Exist in 1877-if the Planet Is Inhabited, It Must Be by Esquimaux-Present Observations In-

LICK OBSERVATORY, CAL., Aug. 3-Edward S. Holden, of the Lick Observatory,

said to-night regarding the opposition of Mars: We are simply endeavoring to obtain some accurate information regarding the planetthat is all. Future oppositions, in which the planet will be seen at greater altitude, will be more favorable, even if the planet is then more distant, for it will be nearer the zenith than now. We also wish to know how nearly Mars resembles the earth, and whether it is fit to be inhabited by beings

It has been proposed by certain enthusiastic astronomers to determine this question. In my opinion the time has not yet me to even speculate on the question. My reason for saying this is that I think it very doubtful if all the observations yet made

doubtful if all the observations yet made are sufficient to enable us to pronounce even the lesser points we seek. There is very little doubt but that by and by science will interpret all or nearly all of the phenomena now seen and to arrive at certainties. Just now only a lew things are certainly known. We are now giving nearly all the time of our great telescope to the work. We have found great changes in details of surface, while the main outlines have remained much the same. These changes have seemed to be so great that it is often difficult to explain them by terrestrial analogies. If there are people on Mars I think they are Esquimaux. If the red areas are land and the dark ones water, we can describe great inundations which have taken place, and might mention the fact that where there are now two lakes there was only one in 1877. Some time during next aucumn we shall have finished our observations. It is very probable that we can then draw some conclusions which are certain, and it is possible that considerable new light may be thrown on the problem. can then draw some conclusions which are certain, and it is possible that considerable new light may be thrown on the problem.

CABLED CONGRATULATIONS.

Spain and the United States Exchange Con pliments on an Anniversary. WASHINGTON, Aug. 3.-The following cable messages were exchanged to-day:

LA RABIDA, Aug. 3. To-day four hundred years ago Columbus sailed from Palos, discovering America. The United States flag is being hoisted this moment in front of the Convent La Rabida, along with the banners of all the American States. Batteries and ships are saluting them, accompanied by enthusiastic acclamations of the people, army and navy. God bless America. Printo, Alcalde of Palos.

DEPARTMENT OF STATE, WASHINGTON, Aug. 3. Senor Prieto, Alcalde de Palos, La Rabida, Spain The President of the United States directs The President of the United States directs me to corollally acknowledge your message of greeting. Upon this memorable day, thus fittingly celebrated, the people of the new western world, in grateful reverence to the name and fame of Columbus, join hands with the sons of the brave sailors of Palos and Huelva who manned the discoverer's caravels.

FOSTER, Secretary of State.

A CHAPLAIN IN DISGRACE

Resigns His Penitentiary Position, but Refases to Admit His Guit.

COLUMBUS, O., Aug. 3 .- [Special.]sensation of unusual proportions developed at the Ohio penitentiary to-day. The managers were in session, when Warden James called the attention of the board to the fact that serious charges against the morality of the chaplain, Rev. J. M. Triffitt, had been made and apparently were well substan-tiated. A letter was read from the chap-lain, in which he says that while not admitting the truth of the charges against him, he knew they impaired his usefulness,

and he would therefore resign.

Rev. Mr. Triffit was appointed to his present position by the Republican adminstration, from Huron county, though he formerly resided in Summit county. He was in the ministry of the United Brethren Church for 12 years, but more recently has been identified with the Congregational

THE EAGLE WILL SCREAM.

Johnson Island, Claimed by Our Gover ment, Annexed by England,

BAN FRANCISCO, Aug. 3.—The published statement is made here that the British ergiser Champion returned to Honolulu July 25, after having annexed Johnson's

July 25, after having annexed Johnson's Island to the possessions of Great Britain, but no official advices have been received here to that effect.

The State Department at Washington has decided that Johnson Island appertains to the United States by reason of the visit of the ship Palestine, July 22, 1858, while in the service of the Pacific Guano Company, which left men in actual occupation of the islands.

LOCKED IN THE COUNTY JAIL.

THREE CENTS.

Dovey and McConnell Arrested, and, After Supper and a Carriage Ride,

PLACED BEHIND THE BARS.

Superintendent Potter and Treasurer Curry Evade the Officers.

They Will Probably Surrender To-Day -Thomas Bowen, the Mill Worker, Who Caused the Trouble at Munhall Station Yesterday, Drops Out of Sight-He Is Not Heard of After the Train Leaves Homestead, Although He Was Supposed to Be in the Custody of an Officer-Superintendent Corey Is Also Among the Missing Men at Homestead.

Shortly after noon yesterday Constables Stewart and Gingher, of Homestead, visited the offices of the company. They were armed with warrants for the arrest of General Manager Potter, Superintendent Corey, J. F. Dovey and Nevin McConnell. The charge was murder. The officers arrived too late to get Mr. Potter. He and Treasurer Curry had gone into Pittsburg on the 12:30 train. Corey was not in sight, and the constables only got McConnell and Dovey. The men were in the mill at their work, and it was considerably later in the afternoon when they were arrested.

The constables kept them prisoners at the mill until about 4 o'clock. It was their intention to catch the 4:05 train at Munhall station. They took the men over and when they got there it was discovered that the train was 25 minutes late. McConnell and Dovey were taken into the station.

Causes Excitement at Homestead. The mill workers had gathered in large numbers on the platform. The feeling of the crowd was very noticeable. The deputies and soldiers on hand saw they could not bandle the crowd. The dispatcher was sent to the Provost Guard's headquarters and a full company, under charge of Major Crawford, was sent to Munhall. When the troops arrived the men were crowding up around the station, eager to get into where the men were confined. The troops were hastily formed into company front and the growd driven back at the point of the bay-

Thomas Bowen, a mill worker, fell back very reluctantly. As the guards pressed him off the platform he gave three cheers concluded this expression of a vile imsatisfaction with precation. In an instant two of the oldiers caught him. They hustled him into the station and turned him over to a couple of deputy sheriffs. The train came along shortly and the three prisoners were

put on. There was no further disturbance. Enthusiastic but Orderly Crowds, When the train came up to the City Farm station another crowd had gathered to see the train pass through. Colonel Creps was stationed there with another company of troops. The crowd seemed to be very enthusiastic, but it was not poisterous. As the train passed through men were heard to say, "there they go; we'll see how they like

Coming on up to Homestead proper the train had another crowd to pass. It was very orderly, however. Another company of militia and numerous deputies patrolled the platform and kept the best of order. A small detail of National Guards was sent down to Pittsburg with the prisoners, as a

precautionary measure.

Dovey and McConnell were not taken to jail as soon as they arrived in the city. It was midnight before they were assigned

At 12:55 or the moment Constable Stewart with Constable J. H. Gingher were entering the works, Superintendent Potter was boarding a Pittsburg bound train. Mr. Curry received information that the con-stables were after him, and left the mill before they arrived. The other two gentlemen received no such information and they are now Warden McAleese's guests.

Placing the Men Under Arrest. Yardmaster Dovey was watching some men move a piece of heavy iron when he was tapped on the shoulder, and as he turned he heard Constable Stewart say: "Are you James Dovey? I have a warrant for your arrest as an officer for the Com-monwealth of Pennsylvania."

Dovey said he was ready to be arrested and the constable began the performance of and the constants that the state of scrap iron the From the large piles of scrap iron the two constables and their prisoner went to the open hearth mill. Here Mr. McConnel Hermand at their approach

the open hearth mill. Here Mr. McConnel was engaged. He turned at their approach and a significant look passed between himself and the prisoner. Mr. Dovey introduced the party. The constable served his warrant. The quartet moved across the mill yards and came to Alderman King's office. They left the Alderman's office together, after saying they would proceed to the jail.

Left to the Constable's Discretion. Constables can use their own discretion Constables can use their own discretion regarding the commitment of their prisoners and they may, if so disposed, keep their prisoners in a hotel, in a carriage or in any other place, so long as the people in custody did not escape. Constables Stewart and Gingher did this. After a long wait at the jail the party took a carriage and went to Newell's for supper. Afterward they drove to the East End and from there went to Ohio street, Allegheny, where McCondrove to the East End and from there went to Ohio street, Allegheny, where McConnell called upon a friend. They then returned to Newell's for lunch. Shortly after 10 o'clock Dovey and McConnell, accompanied by the constables walked up to the jail, where they were admitted by Warden McAlesse.

All went into the office, where the formal introductions of official jail commitment took place. The Warden read the papers, the prisoners gave their names in low tones

took place. The warden reaches the prisoners gave their names in low tones and the usual search was made by the keeper. Mr. Dovey tried to assist Keeper MoNeil by removing all his personal effects

Was Something of a Surprise. "Isn't your commitment to jail something of an unwelcome surprise?" .was asked of McConnell.

. "I have nothing to say for publication,"