

## THE EDITOR'S COMMENTS.

### WHEN STRIKING IS UNLAWFUL.

The decision of Judge Hallett, of the United States court at Denver, given on Tuesday afternoon in the case of Fred Schnack, is of the utmost importance to those connected with labor strikes. The judge has a high reputation as an expounder of the law, and if he is right in this instance, the congressional statute is very far-reaching in its application whenever there is a question of interfering with United States mails or with the operation of railways in the hands of receivers. The judge states the legal definition of the word "strike," and holds that the act of engaging in such a proceeding in connection with the circumstances named is in itself a violation of the statute.

The facts in the case referred to are as follows, as reviewed by the judge: Schnack was engaged as engineer on a railway in the hands of a receiver. He was in sympathy with the A. R. U., and when the strike of the latter was inaugurated he refused to haul a train partly composed of Pullman cars. Then another locomotive was attached, and Schnack invited the fireman of the latter to quit work, which was done, and the mail train could not go. There were "no offensive words and no threats, but he merely asked the fireman to quit," says the judge. The whole affair was as mild as it could be. The court's order enjoining the engineers from quitting work had not been issued. Judge Hallett, however, ruled that Schnack was guilty of interfering with the United States mail; he also held that the engineer was guilty of contempt of court in having obstructed the operation of a road in the hands of a receiver, and as this was the only charge which had been formally preferred against him, Schnack was sentenced to sixty days' imprisonment, and is in jail.

In passing upon the subject, the judge stated to the prisoner that he did not find him guilty because he quit work, but because he induced another man to leave. Said the court: "A strike is very different from quitting employment. A strike is defined as an attempt to compel a company to accede to a demand, and to prevent others from taking the places of strikers, and to prevent a company from going on with the operation of trains. That is what a strike means as applied to a railway, and it is so defined by courts. This strike has been made to compel the managers of the roads to quit the use of Pullman cars. This was the primary cause. In order to do that all trains and all operations of the road have been stopped."

Under this logic, not only are the leaders of the strike, including Mr. Debs, guilty of breaking the law which forbids interference with the mails and of contempt of court where their acts affect roads in the hands of receivers, but every employe who was instrumental, either through persuasion or force, in causing others to cease their regular occupation, is likewise guilty. The leaders of the local organization of

firemen who called on the members of their order to desist from work, the persons who engaged in the strikers' meetings and endeavored to induce the strikers to remain firm, and every man who by his language or acts induced other men to refrain from performing labor in the operation of the local roads, whereby the usual mail trains were interfered with, by Judge Hallett's statement of the law are guilty of a serious crime against the United States; while those on the Union Pacific committed the additional offense of contempt of court.

A line of distinction is here clearly drawn, and should receive the close study of every member of a labor union, as it places the latter in the position of law breakers in almost every strike which can be made on a railway, as well as in other branches of business. As to the merits of the statute which Judge Hallett interprets, we have no discussion at present. The law exists, and the court's construction must stand legally unless overturned by a higher tribunal. It permits men to quit work singly or in a body if they wish; but it draws a sharp line as to the influence which may be wielded on others either by persuasion or more vigorously compulsive means; and defines the wielding of such influence as a criminal act when its effect sets the law at defiance, as when public business is obstructed. In that respect it is a matter of supreme importance to all organizations which resort to striking as a means of obtaining their desires; for it virtually declares that striking, as distinguished from voluntarily abandoning an employment, is always unlawful.

### CHRISTIAN ENDEAVOR.

Notwithstanding the great railway strike and the interruption of traffic caused thereby, a large number of delegates to the international Christian Endeavor convention are now gathered in Cleveland, Ohio, to confer upon subjects of interest to the organization and listen to the speeches of prominent men of the country, among whom are Governor McKinley and Rev. F. E. Clark, the originator of the movement.

The city of Cleveland is beautifully decorated in honor of the delegates; elaborate preparations have been made for the accommodation of the guests, and meetings have been arranged for in various places. There is the Sangerfest hall, holding 10,000 people; and a huge tent capable of seating an equal number has been erected, while the Music hall and the various churches will be thrown open for overflow meetings.

Of the phenomenal growth of the organization an idea may be formed from the fact that in fourteen years it has gained a membership of about two millions now on the rolls, with one million more in allied organizations based on the principles of the Christian Endeavor so-

ciety. If numbers were a safe criterion of the success of a cause it would appear that it has fallen to the lot of the founder of this society to start one of the most successful religious movements of the present time. The object, as we understand it, is to labor for the establishment among men of a firm belief in the Divinity of Christ and of temperate habits. Lately some schisms on account of denominational questions have disturbed the harmony of the association, but its work has been carried on with much perseverance and gratifying results to its leaders.

### THE RAILWAY SERVICE.

The sixth statistical report of the Interstate Commerce commission, just issued, comprises statistics of railways in the United States for the year ending June 30, 1893. The report is especially interesting at this time as showing the magnitude of the railway business in this country. At the date of the report there were in operation 176,461.07 miles of road, an increase during the year of 4,897.55 miles. The state of Washington had the greatest increase, being 556.32 miles. The amount built in Utah is not listed in detail in the abstract of the report sent out, as it came under 100 miles. The total length of all tracks, inclusive of yard tracks, sidings, etc., was 230,137.27. There were, at the date named, 1,890 railway corporations in existence in the United States; 28 roads had been merged into others, 20 had been reorganized, and 16 consolidated. There are 42 companies having over 1,000 miles of line, 26 companies with between 600 and 1,000, 23 with between 400 and 600, 41 with between 250 and 400, and 902 with less than 250 miles in operation. The 42 companies first named have 55.78 per cent of the total mileage of the country.

The total number of locomotives is given as 34,788, or 8,957 passenger, 18,599 freight, and 4,803 switching locomotives. There were 33,384 passenger cars and 1,047,577 freight cars, the number of all kinds being 1,273,946. Each passenger locomotive is listed with an average of 1,588,601 miles traveled, and carrying 66,268 passengers; the freight locomotives have the average ton miles placed at 5,031,889, and carrying 40,062 tons. The number of passenger cars per 1,000,000 passengers was 53, and the number of freight cars per 1,000,000 tons of freight carried was 1,613.

In the valuation and financial department, the aggregate railway capital of the country is placed at \$10,506,235,410, or \$63,421 per mile. The funded debt is placed at \$5,225,689,821. The amount of investment in railway securities is \$1,563,022,233. The value of stock paying no dividends was 61.24 per cent of the total, or \$2,859,334,572. Of stocks paying dividends, 5.25 per cent of the aggregate paid from 4 to 5 per cent, 11.62 per cent paid from 5 to 6 per cent, 5.24 per cent paid from 6 to 7 per cent, and 5.32 per cent paid from 7 to 8 per cent. The total dividends paid was \$929,855. The gross earnings for the year were \$1,220,751,874, or \$49,344,631 over the previous year, and the operating expenses \$827,921,299, an in-