

Arguments For Freedom of Press Heard in Court

Suit for \$10,000,000 Brought By City of Chicago Against Tribune Opens in Circuit Court.

Chicago, Sept. 23.—Pleas for freedom of the press on broad historical and constitutional grounds were heard Thursday when the \$10,000,000 libel suit of the City of Chicago against the Chicago Tribune was called before Judge Fisher in the circuit court.

Once when the attorney questioned whether the city council had given permission to city officers to start the suit, Judge Fisher pronounced the point irrelevant.

Mr. Kirkland's presentation of a statement that the city was an arm of government and not merely the corporation under the capacity of which the suit was brought, was cut short by the judge, who said he would assume this to be true until the city had a chance to prove the contrary, if it so desired.

Muse Show Libel.

Attorney Kirkland said that the action could not be maintained unless the city could show a seditious libel had been committed.

He argued that none of the criticisms of city financial affairs to which the suit took exception, could be so classified and that merely holding up a government to public scrutiny and contempt would not bring the publication within the purview of a seditious action.

Prosecution on any other ground than that of sedition would be in violation of the state and federal constitutions, he said. Mr. Kirkland asserted that the absence from American jurisprudence and with one exception, of such cases in all other countries, was a strong argument in itself that a city had no right to sue a newspaper under the circumstances covered by the present action.

Not Result of Whim.

"The civil action," he said, "constitutes a much greater restriction on the liberty of the press than if a criminal case had been brought and the editor indicted."

"Criminal action would necessitate the consent of a grand jury or a court in an information process, but this suit has been filed to gratify the whim of a partisan political organization."

"In criminal cases the jury alone may decide whether the words complained of are libelous, but in civil actions the court may give an opinion. A verdict of not guilty ends a criminal action, but in civil suits the court may grant new trials until the costs would amount to confiscation."

"A criminal suit might send the editor to jail, but the paper would go on. If this suit is successfully maintained, the newspaper would probably be suppressed effectually, as I do not think it could pay \$10,000,000."

"So if the politicians responsible for this suit wish to contain within what we change them with having done the best way would be to obtain such a verdict for damages as is sought here."

Quotes Authorities.

Mr. Kirkland quoted authorities to the effect that only corrupt governments had sought to suppress freedom of expression.

"No free government can exist without a free press," he exclaimed. "If the press is subjected to confiscatory damages levied in suits for libel by municipal corporations or other bodies politic, the only effectual check on malfeasance, corruption, breach of public trust and misgovernment in every form will be swept away."

It was freedom of the press in California that delivered San Francisco from the corrupt domination of Abe Ruef.

There is no adequate alternative to criticism of public administration by and through the press.

"Phantom Still" Leads Federal "Dry" Sleuths Merry-Chase

Hammond, Ind., Sept. 23.—Federal dry agents, after two weeks sleuthing, arrived in Dyer too late to capture the "phantom still" used by illicit distillers in the Calumet region.

The still, a 25-gallon affair, is portable and never stays in one place long enough for the officers to get a line on it. Each member of the ring gets it when his mash is properly soured and sends it on just as soon as the last drop of moonshine trickles from its coil.

The reason is that 25 or more men can make moonshine, but if it comes to the worst only one will ever be fined for having a still in his possession, whereas under the old style, all 25 of them might get caught.

Federal Chief G. Simmons led a squad to Emil Muntan's farm at Dyer on a secret tip that the still was there and found it gone, but plenty of moonshine was confiscated with Muntan's arrest.

Press of France Devotes Space To Conference

Papers Believe Pershing in Paris to Carry on Conversations Regarding Forthcoming Disarmament Meet.

Paris, Sept. 23.—Newspapers of this city have begun to devote much attention to the conference on limitation of armament and far eastern questions to be held in Washington in November and daily publish editorials regarding the meeting.

Morning L'Avenir asked if the real reason for General Pershing's visit to this country was not to carry out conversations with French leaders preliminary to the Washington conference, while the address made by Myron T. Herrick, American ambassador to France, at the dinner in honor of General Pershing at the Allied club last night, made a notable impression.

Mr. Herrick declared America was devoid of ambition, "but was without fear confident of its right, but respectful of the rights of others, aiming at justice, but never yielding to force in a just cause."

Attorney General Interviews in Probe Of Thorsdale Murder

Des Moines, Sept. 23.—(Special Telegram).—A "delicate" situation amounting to a political feud which has arisen between the Polk county sheriff's and the county attorney's offices, resulted today in intervention from the attorney general's office in the conduct of the investigation of the famous Thorsdale murder case.

Former Judge Thomas Guthrie has been asked to step in and take personal charge of the investigation, nominally co-operating with the county attorney.

Ultimatum Handed to Hungary by Council

Paris, Sept. 23.—(By The Associated Press).—Hungary must in the near future completely withdraw from Burgenland, or west Hungary, awarded to Austria by the treaty of Trianon, or be forcibly expelled by the allies, she was notified today by the council of ambassadors here.

The council handed Ivan Praznovsky, president of the Hungarian peace delegation, a note in which Hungary was invited entirely to evacuate Burgenland within a brief period. If Hungary refuses the allies, she was informed, would be obliged to use force.

Justice Buice Took Off His Coat and Wiped the Beads of Perspiration from His Brow.

From behind the railing droned a couple of electric fans. Court attaches had that waiting appearance commonly associated with lettuce leaves.

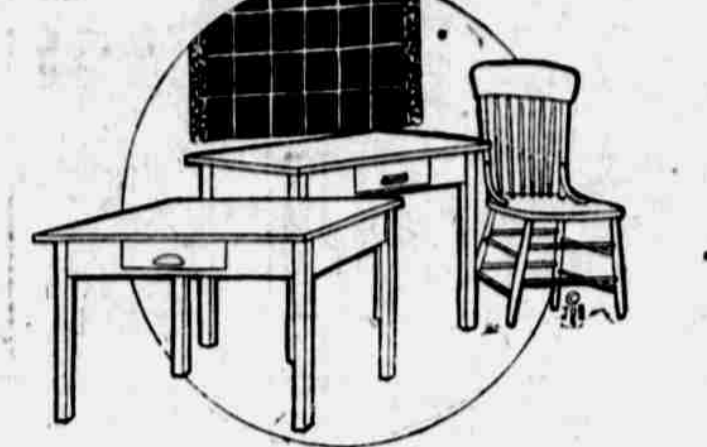
Frank Frost Against F. W. Blizard, Called the Judge. He Sat Up. So Did the Rest of the Court.

But Blizard couldn't be found. "Fair and warmer," murmured the judge as he adjourned court.

Caddy Sues for \$85,000 for Loss of Eye; Hit by Golf Ball

Newark, N. J., Sept. 23.—A suit for \$85,000 damages for the loss of his right eye, blinded by a blow from a golf ball, has been brought by Cornelius Toohy, 14-year-old caddy, against Franklin Webster of East Orange, N. J.

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Figured or dotted, with plenty of fullness in the ruffles. Per pair... 3.00
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This is a very attractive curtain at a very attractive price... 3.25
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An economical, but ideal curtain for chamber use. Per pair... 1.75

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This is an exceptionally fine high oven, cabinet type range with enamel splashers, doors and drip pans, nickel trimmings. The oven is 18x18x14 inches and broiler 18x18x10 inches. A large top, accommodating three single, one giant and one simmering burner is a feature—
Terms on Gas Ranges, 10 per cent Cash and 10 per cent per month.

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Road Conditions

(Furnished by Omaha Auto Club.)
Lincoln Highway, East—Roads good to Marshalltown, detour for seven miles west and for one mile east.
Lincoln Highway, West—Detour Waterloo to Valley, roads good to Grand Island, fine to Cheyenne.
O. J. P. Highway—Roads fair to Ashland, bad detour west of Ashland, good to Lincoln, road work near Harvard to just west of Hastings, good to Denver.
Cornhusker Highway—Roads good, some road work near Swedeburg.
S. V. A. Roads—Fine.
Highland Cutoff—Fair.
George Washington Highway—Road under construction to Blair, detour over High road, good to Sioux City.
Black Hills Trail—Good to Norfolk, some little road work between Elk City and Fremont.
Custer Battlefield Highway—Tourist report this road in good condition with but few exceptions. Snow reported in Montana last week.
River to River Road—Good to Des Moines.
I. O. B. Short Line—In fine condition.
Blue Grass Road—Very good. No road work reported.
King of Trails, North—Good to Omaha, road work between Omaha and Sioux City.
King of Trails, South—Follow Third Street to Harrison, west on Harrison to Twenty-fourth street, then south. Roads fine to Atchison, Atchison to Leavenworth roads are rough, west to Kansas City 50% under construction, fair detour.

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