

### Trade Union Notes.

Boston Photo-engravers' Union has discontinued all out of work assessments, there being no further need of them.

The Sheet Metal workers' union of Boston has increased its death benefit to \$600 and also extended its sick and accident benefit system.

The new price list for lasters of the southeastern Massachusetts district has been agreed upon. It grants better prices than the old schedule.

Speaking before an audience of the metal workers of Toledo, Samuel Gompers declared himself unalterably opposed to the amalgamation of the thirty-eight divisions of their trade.

The Quincy (Mass.) granite cutters' unions have entered into a new five year agreement, effective March 1, by which an increase of about 7½ per cent on the average is secured by the men.

The San Francisco Typographical union is making arrangements for the entertainment of 5,000 delegates during the month of August, when the annual convention of the International Typographical union will be held.

To force John B. Lennon, national treasurer of the American Federation of Labor, out of the National Civic federation a motion was adopted by the Seattle Tailors' union to exclude all members of that organization from the National Civic federation.

The Gary (Ind.) Illinois steel plant recently notified 1,000 men who have been laid off for a considerable time to report for duty. Another 2,000 men will be taken back in the same plant on April 5, when the full quota of 7,000 men will be at work.

The Cleveland city council unanimously indorsed Representative Evans' bill to limit the working day of all females employed in manufacturing, mercantile or other commercial establishments to eight hours and their working week to forty-eight hours.

## CASE OF HATTERS

### Federal Court of Appeals Reverses Trial Judge.

### A NEW TRIAL IS GRANTED.

#### Judge Lacombe Holds That Membership in Union Does Not Entail Responsibility For Its Acts—Brief History of the Case.

By the reversal the other day of the case against the United Hatters' union of Danbury by the United States circuit court of appeals, in which a judgment aggregating, with costs, \$232,240 had been obtained in a lower court on a charge of boycotting as defined by the Sherman anti-trust law, it appears that the American Anti-boycott association has received a black eye. While the issue will be tried again, the decision is regarded as a victory for the union.

It is seven and a half years since the "Danbury hatters' case" was started. A strike was called in the factory of D. E. Loewe & Co. of Danbury on July 25, 1902, and 240 union men walked out. A boycott, which eventually extended throughout the country to the Pacific coast, was declared against Loewe hats, and on Aug. 31, 1903, suit was entered against Martin Lawlor, secretary of the United Hatters, and the 240 strikers as individuals for \$80,000 damages.

Various postponements carried the case along until 1907, when Judge James P. Platt of the circuit court at Hartford and the court of appeals asked for a ruling on the damages clause of the Sherman law from the supreme court of the United States. Feb. 3, 1908, this clause was upheld, and Oct. 13, 1909, the case was finally brought to trial.

In the meantime twenty-six of the original defendants had died. Attachments were issued against property belonging to 100 others, and bank accounts aggregating \$56,000 were tied up in the same way. The American Federation of Labor, with which the United Hatters are affiliated, stood behind the men, while D. E. Loewe & Co. were supported by the American Anti-boycott association.

The trial at Hartford lasted four months. It took the jury only three hours and twenty minutes to return its verdict for \$74,000, for in the charge to it Judge Platt said:

"If the essential elements of such a (boycott) plan and the means employed to make the plan a success have been clearly established by the evidence, that ought to be all that is required to entitle the plaintiffs to prevail. Having given you my positive convictions about a large part of the case, I must impress upon you that it is your positive duty to accept them as a law in this case; that the defendants now remaining on the records of this court are parties to a combination which has been found by the supreme court to form a valid basis for this suit.

"The only question, therefore, with which you can properly concern yourselves is the matter of damages."

It was upon this charge that the order for a new trial was based by the United States circuit court of appeals. Two days after the verdict in Hartford was returned the hatters determined to appeal from the judgment. On April 29, 1910, they gave bond for \$250,000 and fled their exceptions. The opinion of the higher court, written by Judge Lacombe and concurred in by Judges Cox and Noyes, com-

ments on the exceptions as follows:

"The first assignment of error which challenges attention in this appeal is the action of the trial judge in taking the case from the jury and himself deciding every question except the amount of damages. The defendants contend that in so doing the trial court assumed the function of the jury in passing upon the credibility of witnesses and weighing the conflicting testimony. We think this assignment of error is well taken."

In conclusion Judge Lacombe says: "Since there is to be a new trial it is desirable that the opinion of this court should be expressed on two questions as to the admissibility of evidence which shall probably arise again. The court admitted evidence of the payment of their dues to the union by defendants after complaint was served. This was not competent as showing ratification, and, as we understand their brief, plaintiffs do not so contend. It was offered as tending to show that the acts (of the missionaries) were authorized at the time they were performed previous to their suit, upon the theory that otherwise the disclosures made to an individual defendant by his reading of the complaint would have brought forth protest and disapproval on his part. We think it should have been excluded."

The court also holds that much of the evidence as to the "missionary work" admitted at the first trial was hearsay and at the next it should be got at first hand.

President Samuel Gompers of the American Federation of Labor takes an optimistic view of the reversal and the effect it will have throughout the American labor movement. He says: "The decision will have a far-reaching and steady influence in the cause of justice and right. It has always seemed to me almost unbelievable that our unions, which perform so important a service in the interests of civilization and moral and material progress, could be accorded the treatment of malefactors under the Sherman law. The decision is of tremendous importance."

### Trade Union Briefs.

One-third of Britain's telegraph operators are women.

St. Paul painters have inaugurated the Saturday half holiday.

The American Federation of Labor is to issue a union label directory.

A shoe shining stand has been opened in St. Louis by a woman. Two feminine shiners are busy there daily.

The addition to the Louisville and Nashville railroad shops at Howell will mean the employment of 600 additional men.

It is said that the garment workers' strike fund will exceed \$2,000,000 by next July. More than 150,000 persons belong to the union.

San Francisco's Building Trades council decided that for an indefinite period it would not sanction any demand for an increase in wages.

Indianapolis sheet metal workers obtained an increase from 42 cents to 47 cents an hour. Hoisting engineers obtained an increase from 50 cents to 56¼ cents an hour.

Michael Halapy, the new editor of the United Mine Workers' Journal, was born in Austria in 1882 and immigrated to this country with his parents when he was ten years of age.

A number of bakery wagon drivers in Chicago are members of the bakers' union. Officials of the Teamsters' union want these drivers transferred to their organization on the theory that they are "teamsters." The drivers in question insist they are "salesmen" more than mere wagon drivers.

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