

it a crime to discriminate unjustly against an employe because of his being a member of a labor organization, it does not make it a crime against an employe because of his not being a member of such an organization. The question arises: May congress make it a criminal offense for an agent or officer of an interstate carrier to discharge an employe from service simply because of his membership in a labor organization? This question is admittedly one of importance and has been examined with care and deliberation. And the court has reached a conclusion, which, in its judgment, is con-

## Can You Use Food When You Get It?

**Thousands of Stomachs Starving  
Where Mouths Are Well Fed.  
Costs Nothing to Relieve  
This Condition**

Eating is fast becoming too much a part of the daily routine, if not a mere tickling of the appetite—a thing to be gotten out of the way as quickly as possible. Little thought is given to "what kind of food," its effect upon the system, and whether it will be of use in building up the tissues of the body.

Your stomach will revolt, if it is not already doing so. It must shut up for repairs. What of the dizziness, and sometimes pain, which stop you after a hurried lunch? What of the general distress after a heavy dinner, a feeling of pressure against the heart which calls a halt and makes the breathing difficult? Is it common for you to be oppressed with belching and sour eructations? Are you constipated, and then do you laughingly toss a dime to the druggist for his most palatable relief? Beware of temporary cures that are but palliatives. Many antidotes for the common ills which our flesh is heir to seem at first to relieve, but in reality, if not injecting poison into the system, lay the foundation for a deeper-seated and more far-reaching disorder.

Three-fourths of all diseases originate with a breaking down of the digestion and nine-tenths of all digestive troubles originate with one or more of the symptoms named above.

Beware, then, of Indigestion and Dyspepsia. If you find yourself aching, listless, lacking in ambition when you should be on the alert,

Do not doctor the stomach. It needs a rest from food and drugs. Do not flush out the bowels.

It takes more than forcing food through the passageway to make blood and tissue and nerve.

Do not starve your stomach.

Food is a thing to be worked for all there is in it and your stomach will do the work if you will help it in Nature's way.

Stuart's Dyspepsia Tablets contain nothing but the natural elements which enter into the healthy stomach and intestines to perform the function of digestion. Governmental tests and the investigations and sworn oaths of expert chemists attest this fact. Stuart's Dyspepsia Tablets go to the source of the trouble and positively restore the glands and fluids of the mucous membrane to their proper condition. They promptly relieve the distress of all troubles originating in the stomach or bowels (with the one exception of cancer).

Stuart's Dyspepsia Tablets are recommended by physicians and all reliable pharmacists. If you are a sufferer from indigestion or dyspepsia, try a fifty cent package today. At all druggists, or if you prefer send us your name and address and we will gladly send you a trial package by mail free. F. A. Stuart Co., 150 Stuart Bldg., Marshall, Mich.

sistent with both the word and spirit of the constitution and is sustained by sound reasoning.

"The first inquiry is whether section 10 is repugnant to the fifth amendment to the constitution. In our opinion that section is an invasion of the personal liberty, as well as of the right of property, guaranteed by the constitution. Such liberty and right embraces the right to make contracts for the purchase of the labor of others, and equally the right to make contracts for the sale of one's own labor; each right, however, subject to the fundamental condition that no contract can be sustained which the law, upon reasonable grounds, forbids as inconsistent with the public interests, or as hurtful to the public order, or as detrimental to the common good.

### Rights of Liberty

"While, as suggested, the rights of liberty and property is subject to such reasonable restraints as the common good or general welfare may require, it is not within the functions of the government—at least in the absence of contract between the parties—to compel any person in the course of his business or against his will to accept or retain the personal services of another or to compel any person, against his will, to perform personal services for another. The right of a person to sell his labor upon such terms as he deems proper is in its essence the same as the right of a purchaser of labor to prescribe the conditions upon which he will accept such labor from the person offering to sell it.

"So, the right of the employe to quit the services of his employer for whatever reasons is the same as the right of the employer, for whatever reasons, to dispense with the services of such employe. It was the legal right of Adair, however unwise such a course might have been, to discharge Coppage because of his being a member of a labor organization, as it was the legal right of Coppage, if he saw fit to do so, to quit the service because the defendant employs those who were not members of some labor organization.

"In all such particulars the employer and the employe have equality of rights, and any legislation which disturbs that equality is an arbitrary interference with the liberty of contract, which no government can legally justify in any free land. Coppage was at liberty to quit without assigning any reasons, and Adair to discharge without assigning any reasons. But it is suggested that authority to make it a crime for an agent of an interstate carrier to discharge an employe simply because of membership in a labor organization can be referred to the power of congress to regulate interstate commerce without regard to any question of personal liberty or right of property arising under the fifth amendment.

### Connection Not Shown

"This suggestion can have no bearing in the present construction unless the statute is a regulation of congress, which it is not. We hold there is no such connection between interstate commerce and membership in a labor organization as to authorize congress to make it a crime for an agent to discharge an employe because of such membership. If such power exists it is difficult to perceive why congress should not, by absolute regulation, require interstate carriers to employ only members of labor organizations or only those who are not members of labor organizations—a power which could not be recognized as existing under the constitution. This decision is restricted to the question of the validity of the particular provision which makes it a crime for an agent to discharge an employe because of his membership in a labor organization."

"This is the second momentous de-

cision of the supreme court within a month on labor questions. The first was when it declared unconstitutional the employers' liability act on the ground chiefly that the language of that law did not make it specifically applicable to interstate carriers, over which congress alone has jurisdiction. A new employers' liability act was immediately afterward introduced to meet the objections of the court, and it is expected it will pass before congress adjourns. But in view of the unequivocal tone and sweeping character of today's decision it is difficult to see how the objections raised by the court to section 10 of the act of June 1, 1908, can be further circumvented by further legislation.

"The administration was keenly disappointed with the court's decision. Attorney-General Bonaparte and several of his subordinates were present when it was handed down, and apparently it was a painful surprise to them, for it is understood they had

anticipated a favorable ruling. The government was so deeply interested in the outcome of the case that it intervened early in the proceedings, and virtually prosecuted it in the interest of Coppage, the discharged fireman. As soon as Justice Harlan finished reading the decision the gist of it was communicated to the white house. It is not known whether the president will recommend the enactment of substitute legislation."

### IOLA, KANSAS

The following message from an Iola, Kan., democrat explains itself: "Iola, Kan., January 27, 1908.—Attended a Bryan club meeting tonight; has fifty members. Resolution adopted requesting all delegates to county convention February 12, to be instructed for Bryan. Same will be sent to all democrats in county. Club decided to hustle from now until November. We're going to keep Kansas in democratic ranks if Bryan is the next candidate."




**Bargains in Fruit Trees,  
Vines and Plants**

Special low prices on Apple, Peach, Plum and Dwarf Pear Trees, Roses, also Asparagus Roots, Currant Bushes and other small fruits. Order trees direct from our nursery and save agent's profits and half your money. Everything you want for Orchard, Garden, Lawn or Park. Send to-day for Green's Dollar Book on Fruit Growing, also for our Fruit Catalog, and a copy of Green's Fruit Magazine, all a gift to you.

**GREEN'S SAMPLE OFFER:** One Elberta Peach Tree, one Red Cross Currant Bush, one C. A. Green New White Grape Vine, one Live-Forever Rose Bush, all delivered at your house by mail for 25 cents.

**GREEN'S NURSERY COMPANY, Rochester, N. Y. Box 101**



# IDAHO

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70,000 Acres of choice fruit and farm land still open for entry under THE TWIN FALLS NORTH SIDE CANAL.

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**TOWNS** on the North Side are Milner, Jerome and Wendell, each of which offers inducements for the home-builder, investor and business man.

**ELECTRIC POWER**—A magnificent power plant costing over \$100,000 is now in operation at Shoshone Falls. More than 100,000 horse power is available in Snake river adjoining this tract.

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**FREE TEAMS** are furnished by the company from either the Milner or Jerome office to show homeseekers the lands. Drivers who are familiar with the lands accompany every team.

**TERMS**—Perpetual water right, \$35 per acre, and the land 50c per acre; first payment on water right and land at time of filing, \$3.25 per acre; balance in ten annual payments. Short residence only required.

**HOMES**—If you want a home, a business, an irrigated farm, a sure investment, sunshine and health; if you want to make money, come to the Twin Falls North Side Lands where you will find rich soil, fine climate, abundance of water, good wells, electric power, electric railroads under construction, good neighbors and everything to make a happy and prosperous commonwealth.

**IF YOU ARE INTERESTED** write for handsomely illustrated book to

**R. M. McCOLLUM, Secretary**

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