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THE WINDOW-WISHERS

Window wishers, window wishers, everywhere
we go;
In front of every shop and store they're stand-
ing in a row;
Some are old and some are young; sober ones
and gay,
Drifting in a wishing dream as every mortal
may.

Mothers with their hearts of love are gazing at
the toys,
Wishing for the gifts to glad their precious girls
and boys;
Women, women, everywhere—sweethearts, sis-
ters, wives—
Wishing for the joys they know would lift their
patient lives.

Oh that every empty hand might have its fill
of gold,
And every gift the wishers ask be theirs to have
and hold,
And wreathed with every happy dream an an-
swer should be blent
Till all the hungry hearts might breathe the
blessed word "content."

'Tis good the hapless ones of earth who feel
Dame Fortune's frown,
May yet a-window-wishing go through all the
streets in town;
For earth still holds its meed of gold, despite
its dark alloy,
So long as we may dream of things to fill the
heart with joy.

And life's a window wishing play since all our
fleeting years
We're gazing at the "great beyond," and wish-
ing through our tears;
But "over there" each thirsting rose is kissed
with blissful dew,
And every wish will be fulfilled and all our
dreams come true.

—Nixon Waterman.

THEY KNOW

An American writing from Cavite, Philip-
pine Islands, reports the following vote among
the blue jackets on the Rainbow and the Wil-
mington: On the Rainbow the vote stood—
Bryan, 131; Taft, 31; Debs, 8; Chaffin, 5; His-
gen, 2. On the Wilmington the vote stood—
Bryan, 24; Chaffin, 22; Debs, 12; Taft, 4; His-
gen, 1; Watson, 1. The soldiers and sailors
who have visited the Philippine Islands are
able to appreciate the democratic position on
imperialism.



TO EVERYONE, EVERYWHERE—AND FOREVER!

SAMUEL GOMPERS IN CONTEMPT?

The fining of Gompers, Mitchell and Mor-
rison by Justice Wright, of the District of Co-
lumbia, is likely to focus attention upon the
subject of injunctions as nothing else could do.
This is really a controversy between a large
corporation and its employes, and the writ of in-
junction is being used to assist the corporation
in its contest against those who were employed
by it. In order to further its cause and to
obtain an advantage against the workmen, the
stove company secured an injunction restraining
the American Federationist (the official
organ of the Federation of Labor) "or any other
printed or written newspaper, magazine, circu-
lar, letter or other document or instrument
whatever," from referring to the complainant,
its business or its business product in the "we
don't patronize" or "unfair" list, etc.

Mr. Gompers, Mr. Mitchell and Mr. Mor-
rison were accused of violating this injunction
and sentenced to imprisonment; the case is be-
ing appealed to the higher courts, and full dis-
cussion of the principles involved will be de-
layed until final decision. However, as the cor-
poration papers are loudly condemning Mr.
Gompers and his associates and insisting that
they ought to have obeyed the restraining order
whether constitutional or not, it is worth while
to present the side of the defendants. The re-
straining order was believed by Mr. Gompers,
Mr. Mitchell and Mr. Morrison to be an unconsti-
tutional interference with the right of free
speech, and a court decree which violates the
constitution is null and void just as an unconsti-
tutional statute is null and void. Now, how could
the unconstitutionality of this decree be tested?
Two ways were open. The defendants could
have obeyed it and contested it at the time of

the hearing, taking an appeal in case of an
adverse decision, but this course would have
left the stove company in possession of the
field; it would have given it the advantage pend-
ing the litigation, and with this advantage, the
corporation might have won its fight against
the employes before a final decision could have
been obtained. It might have dismissed its
suit, after winning its contest, and left the de-
fendants without even the advantage of a final
decision sustaining their position.

There was another method of testing the
injunction, and this they adopted. They con-
demned the decree as unconstitutional and pro-
tested against such interference with the free-
dom of speech and the freedom of the press.
They denied doing the things specifically en-
joined, but that question is not so material as
the question whether they had a right to test
the constitutionality of the order by disobedience
to it. Let the case be stated as favorably as
possible for the stove company; let it be as-
sumed that Mr. Gompers, Mr. Mitchell and Mr.
Morrison deliberately disobeyed the order issued
by the judge on the ground that it violated the
constitutional guarantees which surround free-
dom of speech and freedom of the press. Are
these men to be condemned for thus testing the
question by disobedience?

Judge Parker, their counsel, calls attention
to the effort that is being made to invest a judi-
cial decree with a sacredness superior to that
which surrounds a statute, and he is perfectly
right in insisting that a statute enacted by a
legislature and approved by an executive officer
is entitled to as much respect as an order issued
by a judge. And yet nearly every statute which
is passed is tested by disobedience, and where