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## PLAIN WORDS AND TRUE

When judges administer the law, their decrees, though manifestly erroneous, should be respectfully obeyed. This is necessary to good order. But if judges usurp authority, their lawless edicts should be ignored. This is necessary to the preservation of liberty.

For that reason Samuel Gompers, John Mitchell and Frank Morrison—executive officers of the American Federation of Labor, and editors of "The American Federationist"—are worthy of all commendation for having ignored a judge's injunction which assumed to control their public utterances.

They stand in this respect, not as labor leaders merely, but as editors and American citizens jealous of their fundamental rights of editorship and citizenship. By ignoring an injunction destructive of their constitutional right to print and publish upon responsibility only for abuse of the right, and solely to a jury, they have been vindicating constitutional guarantees of the first importance. The fact that it is a judge instead of an executive whom they have thereby disobeyed, makes no difference. Judges may be tyrants, too; and it is as true of them when the usurp power, as it is of every other kind of tyrant, that disobedience to a tyrant is obedience to the law.

The same thought holds good of all local labor unions and their publications throughout the country which have followed the example of those patriotic and courageous labor leaders—Gompers, Mitchell and Morrison. It may be that the boycott of organized labor upon the goods of the Buck's Range and Stove Company is unlawful; but that is a point we shall not here discuss, for it is irrelevant. It may be that publication of the fact of this boycott, with a suggestion expressed or implied that it be encouraged, is unlawful; but neither shall we discuss that point here, for it also is irrelevant. The relevant point is the despotic and unlawful method of prosecution. If these publications have been unlawful, there is one way and only one way, known to the fundamental laws of our country, of punishing the offenders; and that is upon the verdict of a jury, after a regular trial in which not only the fact of the publication itself but its excuse or

justification may be passed upon. Our fundamental law authorizes no other abuse of freedom of speech or of the press. Punishment by means of an injunction, and through proceedings for contempt—such as the proceedings against Gompers and his associates—and at a hearing in which the only question considered is the mere fact of publication, and at which there is no right of trial by jury, is not authorized by our system of law.

Around that point no notions of legal interpretation or construction legitimately cluster. Acute lawyers and astute judges are not needed to decide it. It is a broad political question. Every one who knows his American history knows that a judge-made prohibition of freedom of speech or press can issue only in defiance of fundamental American law. Not even the legislature, not even congress, can make such prohibition. And may judges, raised above the control of the people, command what the legislative authority is powerless to enact?

These labor unions and labor leaders and labor editors, if they abused their rights of free speech and free press by proclaiming the fact of a labor boycott upon the Buck stoves, or even by advising this boycott, should have been prosecuted in the regular, the orderly, the only lawful way. They should have been sued for damages or been indicted for crime and been tried by a jury. That is what the law demands, if they were to be tried at all. That is what peace and order require. That is what good citizenship stands for. And why is it that this was not done if these men had really offended against the law? Only the disorderly and lawless or the ignorant among our citizenship would demand, and only the despotic among our judges would defend, any other course. For any other course involves usurpation, and usurpation is the worst of crimes. By ignoring and thereby defying the lawless injunction of that Washington judge, an injunction well calculated if not deliberately designed to deprive them of lawful rights and a regular trial for alleged abuse of those rights, they have defied no law of this land. It is the judge that defies the law when his injunctions are usurpations of

power, and not the citizens who refuse obedience to such despotic mandates.

The other Washington judge—who, without a jury trial and lawful conviction but with unjudicial invec-tive, has sentenced Gompers, Mitchell and Morrison to prison for their assertion of their constitutional rights of free speech and free press against a lawless and revolutionary mandate—this judge evades in his reasons for his action, the vital issue in the case. Whether in ignorance of long established and generally familiar politico-legal principles, or with deliberate intent to assist in surreptitiously undermining those principles by judicial usurpation, he explains that this injunction did not prohibit freedom of speech or press, except incidentally. Except incidentally! It was only incidental, he says, to the restraint of a conspiracy to injure the good will of a business. But the right to speak and publish without obstruction or dictation, subject only to responsibility for its abuse, and then to a jury and not to a judge, cannot be even incidentally disregarded by judges, without judicial usurpation. Unless this right is secure against incidental, as well as direct invasion, it is not secure at all.

If injunctions forbidding freedom of speech or press may be issued as an incident to injunctions for protecting the value of the good will of a business, or other property rights, there is no limit beyond which they may not go in destroying freedom of speech and of press. The whole field of prosecutions for libel would thereby be brought within the jurisdiction of injunction judges, and our press becomes like that of Russia.

Thoughtful citizens will not be betrayed, we trust, into misapprehending the real issue in this case, by any appeal to class prejudices based upon the fact that the case originated in labor union methods which they dislike.

Whatever it may have been in the beginning, the Gompers-Mitchell-Morrison case is no longer at bottom a labor union controversy. It has raised the immeasurably higher question of whether one of the great traditions and guarantees of American liberty shall be wiped out. This case is to determine not whether a labor boycott

is legal, but whether the right to speak and publish freely shall remain in full force in our country, subject to responsibility to a jury for its abuse.

For purposes of restraint upon freedom of speech and press, the process of prohibition by injunction, of trial by a judge without a jury, and of punishment by penalties for contempt, is manifestly no part of the law of this land. And that is none the less true and none the less vital because the alleged abusers of their constitutional right happen to be workmen. It is none the less true because they happen to be workmen organized in unions. It is none the less true because they happen to be poor instead of rich.

The Washington injunctionist which assumed to censor "The American Federationist" and to subject its editors to processes and penalties unknown for that purpose to the law of the land, was not a court decision to be respected by good citizens. It was a wanton and dangerous usurpation of power to be unflinchingly opposed, both in court and out of court—by ballot and public appeal, as well as through the judicial machinery. As such, it was rightly and lawfully as well as commendably ignored by the men whose constitutional rights it assailed.—Louis F. Post in The Chicago Public.

### "PROTECTED" LABOR.

Senator LaFollette Punctures a Moss Grown Old Theory.

If there were anything needed to clinch the argument for a tariff commission of experts, it is the controversy between Andrew Carnegie, the bondholder, and Judge Gary, the chairman of the steel corporation.

Gary gave the tariff committee carefully prepared figures of the cost of production of pig iron and steel in this country and in Europe, and Carnegie laughed his figures to scorn. What we want is to take Gary at his word and open up his books to experts so that Congress and the people can decide between Gary and Carnegie.

Gary pictures the steel corporation as a big, fond brother, throwing its loving arms about its weak competitors, who would be ruined by reduction of the tariff. Neither Gary nor Carnegie calls attention to the conditions of labor in their powerful combination, for whose protection against the pauper labor of Europe the tariff is supported. First under Carnegie and afterwards under Gary, trade unionism was smashed, and then the hours were lengthened, Sunday work was extended, and speeding up to the limit of exertion was reduced to a system, until men are working twelve hours a day, seven days a week and twenty-four hours at a stretch every other Sunday.

If this is the necessary fruit of protection, it might be better to admit free of duty the pig iron of England whose "pauper" labor works only eight hours a day. If the steel corporation worked its thousands of employees under the humane conditions of its British competitors, it might possibly need a tariff to protect it against the increased cost.

A tariff commission would enlighten us on this important side of the question, and might suggest some way by which "protection to American labor" would cease to be a mockery in the steel business, and the blessings of the tariff would be passed along from Carnegie and Gary to their dear workmen.—LaFollette's Weekly Magazine.

### THIRTEEN YEARS OLD.

The Minnesota Union Advocate, published at St. Paul by Cornelius Guiney, has entered upon its thirteenth year without a sign that it is afraid of the 1,000 number. The Advocate is one of the livest of the live labor papers of the country and is wielding a great influence in trades union circles of the northwest. Here's hoping that it will live long enough to add a hundred years to the thirteen, with Con Guiney doing the heavy editorial work every year of it.

### SOCIALISM AND THE CHURCH.

First of a Series of Articles by Rev. Charles Steilze.

Socialists insist that because the Church does not advocate their peculiar economic system, therefore the Church is untrue to the teachings of Jesus Christ. They declare that Socialism is merely the practical expression of Christian ethics and the evangel of Jesus, and that Jesus came into the world primarily to establish a co-operative commonwealth which is to be fully realized in Socialism. They insist that Carl Marx, the founder of modern Socialism, and a hater of Christianity, more nearly presents the true ideals of Jesus than does any other man who is not a socialist—no matter what else he may believe.

But did Jesus actually advocate the "co-operative commonwealth" as the ultimate ideal of Christianity? One

of the principal scripture passages employed to prove this statement is that found in the Revelation:

"I saw a new heaven and a new earth! for the first heaven and the first earth were passed away; and there was no more sea. And I, John, saw the holy city, new Jerusalem, coming down from God out of heaven, prepared as a bride adorned for her husband \* \* \* And God shall wipe away all tears from their eyes; and there shall be no more death, neither shall there be any more pain; for the former things are passed away."

A noted "Christian Socialist" recently said that "it should be clearly recognized that the ideal which gave such power to the pen of this unknown writer, is precisely that of Rousseau and Mazzini," and he adds that "most people seem to imagine it to be a conception of the glories of some other world in the regions beyond death."

This sentence in this prophetic utterance that "there shall be no more death" does not seem to trouble the socialists \* \* \* or does Socialism promise to abolish death? The words "and the city had no need of the sun neither of the moon to shine in it, for the glory of God did lighten it" \* \* \* did they mean that Socialism will supersede the sun and the moon?

Then Paul expressed a desire to depart and be with Christ, did he have a vision of the Marxian co-operative commonwealth? What did he mean when he said: "The Kingdom of God is not meat and drink, but righteousness and peace and joy in the Holy Ghost." Was it not when Peter was pleading for an earthly paradise or kingdom that Jesus said to him: "Get thee behind me, Satan; thou art an offense unto me, for thou savorest not the things that be of God, but those that be of men." Jesus, Himself, said: "My kingdom is not of this world." Therefore the statement of the socialists that the economic paradise on earth is the kingdom which Jesus came to preach, is scarcely reconcilable with the specific declaration of Jesus, Himself, I would not place too literal an interpretation upon the prophecies, for much of the language used was figurative, as was the custom of the Oriental; but to insist that all of the teachings concerning the future had to do simply with the kingdom of Christ upon earth, is absurd, and cannot be reconciled with other definite and specific teachings of Jesus, Himself, with reference to His coming again.

Nor yet am I saying that Jesus was not concerned with the social problems that confront us. He was, and in a very important sense. But the method of Jesus as a social reformer will be discussed later.

### REMEMBERED RYDER.

Popular Deputy Labor Commissioner Gets Handsome Gift.

The newspaper boys who work the state house assignment will hold Col. "Jack" Ryder, former deputy commissioner of labor, in loving remembrance, and before he left Col. Ryder was given evidence of the regard felt for him by the newspaper boys. A little bunch of them surprised him in the commissioner's office just after he had surrendered possession and compelled him to accept a handsome silver-handled silk umbrella, suitably inscribed. There was no speechmaking, for the donors couldn't say much and Col. Ryder wouldn't for fear he'd spring a leak.

During his incumbency of the office Col. Ryder was a fine source of news because he is a newspaper man himself and knows the game. He helped the boys out many a time, and they wanted him to know how much they appreciated it.

Col. Ryder has gone back to newspaper work and will occupy a seat on the Omaha Bee as editor of the Sunday edition. And the Bee is to be congratulated upon securing his services.

### EAGLES DEMAND LABEL.

Big Fraternal Order Will Stand for Organized Labor.

The Fraternal Order of Eagles has taken a determined stand on the label question, and by order of the "Big Birds" hereafter all printing for the supreme Aerie, including the order's official journal, will have to carry the "little joker" of the Allied Printing Trades. This was determined upon at the last session.

The Fraternal Order of Eagles is one of the largest fraternal orders in the country and is growing at a wonderful rate. Its action in regard to the label will have a splendid effect on other organizations with a like purpose.

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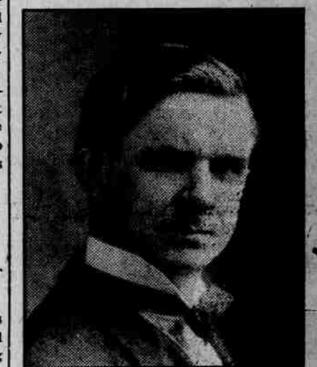
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