

THE INJUNCTION HITS HOME

BOILERMAKERS AT HAVELOCK COVERED BY BLANKET RESTRAINING ORDER ISSUED BY A FEDERAL JUDGE

The federal injunction has come to Lincoln, and wage earners in this and the neighboring city of Havelock are now made aware of what "government by injunction" really means.

Wednesday afternoon, on application of the attorneys of the Burlington & Missouri River Railway Federal Judge T. C. Munger issued a blanket injunction against the striking Boilermakers of Havelock and Lincoln, restraining them from about everything imaginable, including congregating upon the streets "leading to" the shops. The injunction states that the striker must not congregate upon the streets leading to the shops for the purpose of "threatening, intimidating," etc., but it is a cinch that the mere congregating will be construed as contempt of court. The terms of the injunction grant it are by no means as drastic as the attorneys for the company sought to obtain.

Judge Munger refused to grant the injunction until the defendant union had been notified, so notice was made out by the Burlington lawyers and a copy put into the hands of a special Burlington officer named Smith, who served it upon President Jonas about 4 o'clock. Jonas couldn't see anything official about the document, it bearing no seal, and no evidence of having been issued by any court officer. Smith came back to Lincoln however, and reported what he had done, and Judge Munger immediately issued the writ.

The order of Judge Munger puts the members of the union under the following inhibitions:

From compelling or inducing or attempting to compel or induce by threats, intimidation, force or violence of any of the said plaintiff's employees to fail or refuse to work for it or to leave its service.

From preventing or attempting to prevent any person or persons by threats, intimidation, force or violence, from freely entering into or continuing in the said plaintiff's service.

From congregating upon or about the plaintiff's premises or the streets, approaches and places adjacent or leading to said premises for the purpose of intimidating its employees or preventing or hindering them from fulfilling their duties as such employees or for the purpose of or in such manner

as to induce or coerce by threats, violence, or intimidation any of the said plaintiff's employees to leave its service or any person to refuse to enter its service.

From congregating upon or about the plaintiff's premises or the sidewalk, street, alleys or approaches adjoining or adjacent to or leading to said premises and from picketing in a threatening manner the said plaintiff's places of business or the home or boarding houses or residences of the said plaintiff's employees.

From interfering with the said plaintiff's employees in going to and from their work.

From going singly or collectively to the homes of the said plaintiff's employees for the purpose of intimidating or threatening them to leave its service.

From doing any of the aforesaid or any other acts for the purpose of compelling and inducing or attempting to compel or induce the plaintiff by threats, intimidations, force or violence against its will or the will of its officers, to employ or to discharge any person or persons whomsoever, and especially to employ members of said unions or discharge persons who are not members of said unions.

From combining, associating, agreeing, mutually undertaking, concerting together or with other persons for the purpose of doing or causing to be done any of the aforesaid prohibited acts.

From the threats, intimidations, persuasion, force or violence, compelling or attempting to compel or induce any of the apprentices in the employ of the said plaintiff to break their contracts and leave the employ of the said plaintiff.

From interfering by intimidation, threats or violence with any person or persons having or attempting to transact business with the plaintiff.

From hindering, impeding or interfering by intimidation, threats or violence the said plaintiff or its employees in the transaction and conduct of its business.

There are 146 striking boilermakers and a separate notice will have to be served on each one. The work of serving the notices began Thursday morning.

The application for the injunction was backed up by several affidavits alleging assault and intimidation. Fred Hugg swears that he was assaulted by a striker named Mancho and beaten up. He also says he has been called a lot of vile names. Michael Warga testifies that he was assaulted. Dr. Ballard, the company physician, says he took an injured carpenter named Diss to his office, and that while he was attending the man's injuries a crowd of strikers gathered around and made a lot of remarks about "d—d scabs." E. L. McCorkle, formerly a member of the Lincoln police force and now a special officer employed by the Burlington, swears that he heard threats, saw picketing, etc. Dr. Lucas, one of the shop foremen, also swears to the same things. Lucas is a member of the Havelock school board, and it is charged that in his eagerness to help out the company he was the cause of securing an employment certificate by a fourteen year old, who went into the boiler shops and took a place as rivet heater at the munificent wage of 6 cents per hour. As the boy had not completed the course prescribed by law a state official ordered him out, and the striking boilermakers immediately sent him to school and paid his mother the wage he was to have earned. The employment certificate was given the lad on the ground that his mother depended upon his work for her support.

Anna Borner swears that her husband was forced to quit work through fear of being assaulted; also that she had been roundly cursed by one of the strikers.

A few days ago Superintendent Ackerman declared that the striking employees were behaving like gentlemen, and that they had done nothing to cause trouble.

President Jonas says that the injunction will be obeyed to the letter, but he is of the opinion that it will be unwittingly violated for the reason that no one can tell what motive will be attributed to a striker who may happen to walk the streets. The terms of the injunction are sweeping, and everybody knows that a federal judge is not limited in his powers.

Judge T. C. Munger, who granted the injunction, was appointed to the

federal bench about three years ago. Prior to assuming his duties as a federal judge he had no experience in a judicial capacity. He practiced law in Lincoln for a number of years, and was chairman of Elmer J. Burkett's campaign committee when that gentleman was a candidate for congress; he also helped to manage the senatorial campaigns of the senior senator. There was already one federal judge in this district, also named Munger, but a special law was put through congress creating an additional judgeship for this district, and T. C. Munger secured the appointment.

A few years ago the other Judge Munger, whose headquarters are in Omaha, issued an injunction against the striking packing house men in which they were restrained from even using the United States mail or from meeting in groups of more than two to discuss anything whatever. That injunction was prepared by the packing house attorneys and the hearing given in an Omaha hotel without notice to the defendants.

To date no one has taken enough interest in the Greeks and Italian laborers at the Havelock shops, herded like cattle in foul shacks and fed similar to hogs when the pork market is down to \$3.50, to enjoin the company from maintaining such disease breeding places. Nor has any one sought to enjoin the Burlington from endangering public health by a system of herding inside the shop limits of a lot of humans recruited from the slums of creation. Judge Munger's refusal to issue the injunction until the defendants were notified looks a whole lot like a "gand-stand" play. The morning Journal says:

"Following the principle laid down by the republican national platform in 1908, Judge Munger declined to grant the order without notice to the defendants." This notice consisted in sending a Burlington special officer to Havelock and handing President Jonas a piece of paper containing words to the effect that an application for an injunction had been made.

The hearing on the writ is set for 9:30 a. m., Wednesday, May 18.

It will be interesting in this connection to recall some of the injunctions that have been granted in labor disputes.

A federal judge in Pennsylvania enjoined a Methodist minister from meeting with and praying for striking miners.

A federal judge enjoined striking miners from walking the public highways of a state.

A federal judge enjoined Nebraska strikers from sending letters through the mails.

Scores of times federal judges have enjoined men from asking their fellows to quit injuring the whole body of labor.

A federal judge enjoined railroad men from quitting their employment, thus forcing them into voluntary servitude.

United States federal judges have more power than the king of England, and have exercised authority that the czar of Russia would hesitate to exercise. Federal judges can set aside state law, federal laws, and perhaps the laws of God. We expect to see one try even the latter some of these days. A sovereign state is helpless before a federal judge, often appointed for political activity or corporation purposes, and not for judicial ability. And federal judges are appointed for life, and are responsible to no one but themselves.

THE FULTONS.

Popular Players Given Warm Welcome Back to Lincoln.

The Fulton Stock Co. headed by Mrs. Enid Jackson-Fulton and Jess B. Fulton, opened up the summer season at the Oliver last Monday evening, and was greeted by the largest audience ever assembled in Lincoln to see a stock company performance. Mr. and Mrs. Fulton were given a reception that must have warmed the cockles of their hearts. It is unnecessary to say anything about Mr. and Mrs. Fulton, or the company supporting them. Two more popular players never appeared in Lincoln theatres, and it is quite certain that the summer season at the Oliver will be as successful financially as the Fulton engagements are always successful socially and artistically.

LINCOLN'S FEDERAL UNION.

"We are growing in numbers as well as in grace," reports President George Bush of the local Federal Union. The local meets every Tuesday evening, and scarcely a meeting is held without an addition to the membership. There has already been a slight increase in the wage paid to building laborers, and there is another one in sight just as soon as the work of organization is completed.

Union men should keep away from the "sample" shoe stores. They are usually fakes, and their stock the culls and seconds. Only once in a long while is a union label on any of their dump stuff.

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At the storming of a fort, when scaling ladders had been placed, an Irish private, with one foot on the ladder, was about to climb up when a young officer stepped before him, saying:

"Officers first, my lad. Follow me, for this is where Victoria crosses are earned."

The private followed close behind him, but on reaching the top a round shot carried the officer's head away, and his body fell back.

Pat, grasping the ladder and swinging aside as if to allow those behind him to pass, shouted, "Begorra, now, is there any more of yez below that's anxious for the Victoria cross?"—London Globe.

A Short Lived Island.

In 1807 a new shoal was discovered in the group of the Tonga or Friendly islands. In 1877 smoke was seen over the shoal. In 1885 the shoal had become a volcanic island more than two miles long and 240 feet high, and a fierce eruption was taking place within it. In 1886 the island had begun to shrink in dimensions, although the next year its highest point was 325 feet above sea level. In 1889 its height had diminished one-half, and the ocean close around it was more than a mile deep. In 1892 the island rose only about twenty-six feet above sea level, and finally, in 1898, under the action of the waves, its complete disappearance was reported.—New York Press.

Verdi and His Admirer.

Verdi was once traveling in the same railway carriage with General Tournon. They got into conversation, which soon turned on the subject of music, and the general, who did not know his companion, expressed enthusiastic preference for that of Italy. "I can hardly go so far with you," replied the other. "For me, art has no frontiers, and I give German music the preference over Italian."

"Indeed, sir," said the general testily. "For my part, I would give all the German operas in the world for one act of 'Rigoletto.'"

"You really must excuse me from following you any further on this ground," replied the composer, blushing a little. "I am Verdi."

Quick Change.

A.—When I was in the east I met with many begging dervishes.
B.—I thought they called them howling dervishes?
A.—That's what they become when you don't give them anything.—Meggendorfer Blatter.

China's National Tree.

The tung or wood oil tree is worthily named the national tree of China. It is stately in appearance, with smooth green bark and widespread branches, affording a fine shade. It bears a fruit resembling a shellbark hickory nut, but as large as a small orange. Each nut contains three triangular seeds similar to small Brazil nuts. The oil is pressed from these seeds, and the refuse is used as a fertilizer. The oil is used principally for polishing woodwork and dressing leather. Considerable quantities are exported. The wood of the tung tree is used for making musical instruments, fine boxes and the framework of small houses. It is free from ravages of insects.—New York Tribune.

The Perfect Silence.

There is no sensation in the world like that which comes over you when walking through a dense grove of redwoods. Their trunks rise hundreds of feet into the air and are lost in the dense roof of foliage like the columns of an Egyptian temple grown to superhuman height. On the ground there is no underbrush, but only ferns of a size and shape that suggest a prehistoric period and fallen trunks that have lain unrotting for 3,000 years. There is no sunlight and no birds sing. If a storm arises, it is an hour before a drop reaches the ground. Here all is as it was since creation, and there is no time. It is the perfect silence.—Exchange.

A Question of Hearing.

The burly farmer strode anxiously into the postoffice.

"Have you got any letter for Mike Howe?" he asked.

The new postmaster looked him up and down.

"For who?" he snapped.

"Mike Howe!" repeated the farmer. The postmaster turned aside.

"I don't understand," he returned stiffly.

"Don't understand!" roared the applicant. "Can't you understand plain English? I asked if you've got any letter for Mike Howe."

"Well, I haven't!" snorted the postmaster. "Neither have I a letter for anybody else's cow. Get out!"—London Scraps.

The Attraction.

"You say you are in love with Miss Baggins?"
"I am sure I am."
"But I can't see anything attractive about her."
"Neither can I see it. But it's in the bank, all right."

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