

SENTENCE STANDS AGAINST GOMPERS

Appeal Court Affirms Order That Labor Federation Men Go to Jail.

CHIEF JUSTICE DISSENTS

Majority Holds Labor Unions Must Obey Courts, but Sheppard Says Injunction Violates Freedom of Speech.

WASHINGTON, Nov. 2.—The District Court of Appeals today affirmed the decree of the Supreme Court of the District of Columbia, adjudging President Samuel Gompers, Secretary Frank Morrison and Vice-President John Mitchell, of the American Federation of Labor, guilty of contempt of court in the Buck's Stove & Range case.

Chief Justice Sheppard dissented from the opinion of the court on constitutional grounds. The court held that the fundamental issue was whether the executive agencies of government should be obeyed or defied. The mere fact that the defendants were the officers of organized labor in America, said the court, lent importance to the cause and added to the gravity of the situation, but it was not permitted to influence the result.

All Must Obey Courts. "If an organization of citizens, however large," the court said, "is subject to the mandates of the court, the same reasoning would render them subject to individual defiance. Both are subject to the law, and neither is above it. If a citizen, though he may honestly believe his rights have been invaded, may elect when and to what extent he will obey the mandates of the court, and the requirements of the law, as interpreted by the court, instead of pursuing the orderly course of appeal, not only the courts but Government itself would be reduced to a state of anarchy."

Free Speech Violated.

Chief Justice Sheppard in his dissenting opinion held to the view that the decree should be reversed because he was convinced the lower court was without authority to make the order which the defendants could be said to have disobeyed. The Chief Justice says: "As regards the conclusion that this proceeding must be regarded as criminal solely, and in consequence that the evidence on which the conviction rests can be considered, because not presented in a bill of exceptions, reserved on hearing, I will content myself with saying that I am not clearly convinced that it must be so regarded."

"I have heretofore expressed the opinion that much of the injunction order was null and void because opposed to the constitutional provision concerning freedom of speech and of the press. Subsequent reflection has confirmed this view. I concede that the court had jurisdiction of the subject matter of the controversy and of the parties, but I cannot agree that the decree was in accordance with the power of the court—a power limited by express provision of the Constitution."

Ignored Anti-Boycott Order. The action of the Supreme Court of the District of Columbia in sentencing Gompers, Mitchell and Morrison to twelve, nine and six months imprisonment, in jail, respectively, the result of full trial of these three defendants to obey the order of the court directing them to desist from placing the Buck's Stove & Range Company, of St. Louis, on their boycott against the corporation.

While the name of the corporation was removed from the unfair list of the Federation, Messrs. Gompers and Mitchell continued to keep alive the boycott by frequent reference to it in the Federation's official organ, the Federationist.

Pending an appeal, however, defendants were allowed to give bail for their reappearance. Last March the Court of Appeals modified the decree granted by the Supreme Court of the District of Columbia by adding to the injunction the words "in furtherance of said boycott."

The modification was looked upon by attorneys for the defendants as materially affecting the proceedings for contempt. They claimed that had those words appeared in the original injunction, the contempt proceedings never could have been decided against them.

Right of Appeal in Doubt.

When the decision was rendered, neither the labor leaders nor their counsel were present. As forecasted by Mr. Gompers in a recent issue of the Federationist, an attempt will be made to appeal the case to the United States Supreme Court. The right of appeal, however, is a matter of controversy. Some attorneys hold that as this decision is a matter of contempt, the Court of Appeals would have the last say in the matter, as it has of all criminal cases in the District of Columbia. Others hold that as this is a constitutional right of free speech and liberty of the press is involved, the labor leaders may prosecute an appeal. No action will be taken toward the arrest of the men until the matter of the appeal has been determined.

BUCK'S FIGHTING FOR COURTS

Stove Company's Battle Made to Uphold Rights of Law.

NEW YORK, Nov. 2.—James M. Beck, of counsel for the complainant, Buck's Stove & Range Company, of St. Louis, said today: "I want to impress the fact that these contempt proceedings were not sought by the Buck Company or its counsel primarily or principally to protect personal rights, but to vindicate the power of the courts to enforce their decrees. "If such a decree could be defied, as in this instance, by men of great power, there would be an end to the maintenance of the law, and that means anarchy."

GOMPERS PROMISES BATTLE

Labor Leader to Go to Jail Fighting for Free Speech.

NEW YORK, Nov. 2.—President Gompers issued the following statement in regard to the decision today in the Buck's Stove & Range Company case: "With all due respect to the majority of the court, I cannot surrender constitutionally guaranteed rights because a Judge will issue an injunction invading and depriving these rights. "Chief Justice Sheppard's dissenting

opinion is in defense of the constitutional and inherent rights. Minority opinions of courts in the past, when human rights were invaded, have ultimately prevailed, become the law of the land and the generally accepted rule of life, and I have an abiding faith that the rule in this case will prove no exception.

"If I must go to jail, I shall have the consciousness of the fact that other men have in the past been compelled to suffer in defense of justice and right in the cause of humanity and for the maintenance of human liberty."

Mr. Gompers said an appeal would probably be taken to the United States Supreme Court. "We will fight to the last ditch," Mr. Gompers added, "and then beyond that."

VAN CLEAVE EXPLAINS STAND

Says Assault Was Plotted in Cold Blood Against Company.

ST. LOUIS, Nov. 2.—J. W. Van Cleave, president of the Buck's Stove & Range Company, issued a statement today concerning the case of Messrs. Gompers, Morrison and Mitchell. He said: "The assault upon me by the American Federation of Labor in 1906 was plotted in cold blood. I was assaulted, not as an individual, but as president of the National Association of Manufacturers, the most influential organization of business men on the globe. The Federation did this in order to show its power. It aimed to strike terror into everybody outside its own ranks, and to coerce the President of the United States, the Congress and the Courts, Federal and State, to do its bidding."

"As a law-abiding citizen, I appealed to the courts to protect me in my constitutional rights. Supposing the leaders of the Federation would desist from their attacks upon our business when enjoined by the court, especially when the injunction was made permanent, I was surprised when they refused to obey and I was amazed when, to disobedience, they added open and ostentatious defiance. "And, let it be remembered, these violators of law and these assailants of the courts, were not individual offenders, but acted in the name of 2,000,000 of persons whom they claim to be members of their league."

"It must be remembered these men are not convicted because of their attempt to destroy the business of the Buck's Stove & Range Company, but because they openly defied the order of a Federal Court."

DROPS STARTING WEIGHTS

Wilbur Wright Leaves Ground in 12-Mile Wind.

COLLEGE PARK, Md., Nov. 2.—Taking his airplane into the air in a 12-mile wind and without assistance of the starting weights, was the feature of Wilbur Wright's flight in the Government aviation field today. Just before 5 o'clock Mr. Wright made the first trip of the day, remaining in the air only about two minutes. A second flight of about the same duration was made just as darkness was coming on, Wright taking with him Lieutenant Lahm.

Ascending to a height of 75 feet the engine was stopped and the airplane gracefully glided to the earth.

LAHM LEAVES SIGNAL CORPS

Army's Balloon Expert Forced to Return to Cavalry.

WASHINGTON, Nov. 2.—Lieutenant Frank P. Lahm, who gained fame by winning the James Gordon Bennett cup for Europe last year for the longest flights in a dirigible balloon, has been relieved from detail in the Signal Corps and ordered to report to his cavalry regiment. His place will be taken by Lieutenant Walter C. Jones, of the Thirteenth Infantry, now stationed at Fort Lavenworth. Lieutenant Lahm's retirement from the Signal Corps is compulsory under Section 46 of the Army regulations.

During the last two or three weeks Lieutenant Lahm has been engaged at the new aeroplane station at College Park, Md., in giving instructions to other officers of the Signal Corps.

Rougier Ascends 800 Feet.

ANTWERP, Nov. 2.—M. Rougier, the French aviator, made a flight today in which he attained a height of 800 feet.

FRAUD PROMOTER CAUGHT

Captain Graham Says He Was Scapegoat in Mining Schemes.

LOS ANGELES, Nov. 2.—"I have been used as a scapegoat," said the statement made by Captain Angus A. Graham, mining promoter, who reached this city in custody tonight, having been brought back from Seattle to answer an embezzlement charge. The accusation against him is that he organized a company of ten men to investigate Mexican mining property, collected \$250,000 from each member and disappeared. After the police had bulletined him for five months in all the larger cities of the United States as a fugitive from justice, he was arrested in Seattle on October 22. Captain Graham is well known in Chicago, San Francisco and Denver.

CARRIES HER THROUGH FIRE

Theatrical Man Saves Woman at Cost of Own Life.

COLOGATE, Okla., Nov. 2.—In a fire which destroyed the Newport Hotel here today, Charles W. McEwen, theatrical manager of Birmingham, Ala., was perhaps fatally burned. Late tonight the doctors said he was dying. Walter Mayor, of Cologate, in mingling, and it is feared he may have been burned to death. Miss Frances Gerhardt, of Kansas City, and John Martin, of Chicago, were also burned. McEwen suffered his injuries in saving the life of Miss Gerhardt. He was attracted by her screams while he was escaping. He returned to the burning hotel and carried her through the flames to the street. Then he fell unconscious.

HAWAIIAN LEGISLATURE MEETS.

HONOLULU, Nov. 2.—The Legislature met in special session today to consider recommendations to Congress for the amendment of the territorial organic act under which Hawaii is governed. In his message to the Legislature, Governor Walter F. Freer submitted a plan to change the land laws of the territory for the purpose of encouraging home-steading.

Money Fails to Win.

Thomas Taggart was very active in behalf of Gauss and the Democratic candidate had unflinching funds back of him. Throughout the state the liquor interests seem to have met with more success. South Bend was captured by the "liberals," and in Michigan City, Fred C. Mills, proprietor of the "Buck's of Blood" saloon, is elected

Skinner's Satin Costs \$1.50 a Yard and Is Guaranteed to Wear Two Seasons Olds, Wortman & King Buy a Tailored Suit at \$23.98

Umbrellas Reg. Vals. \$3.50 Special at \$2.48

Taffeta Umbrellas—Men's and women's, silk and lisle, fitted with ebony, mission, La Tour and fancy trimmed handles. Regular \$3.50 values, at \$2.48 on sale Wednesday at.

Women's Novelty Elastic Belt—In plain or in jet studded effects. The colors are black, navy, brown, green, tan and light shades. Values up to 12c per inch, special price. 5c

Ostrich Feather Boas, in black, white, brown or evening shades; 1 1/2 or 2 yds. long. Price from \$15.00 to \$20.00, each, special at only \$9.98

Women's Neckwear—A special display at a low price; all the new styles in Wash Stock Collars, Lace Stock Collars, Rabats, Venise Lace Stocks and Novelty Pieces; regular 35c values, at only 25c

Fit yourself out with one of the jaunty stylish, ultra-correct tailored costumes we are selling at twenty-three ninety-eight. Superb materials, extra well made and well finished; hand tailored. The fabrics are plain colors, serges and chevriots or the season's best styles in fancy wool mixtures. A wealth of choice; every size; good color assortment, and val. to \$48.50 ea., at only \$23.98

NEW ARRIVALS IN DRESSES FOR WOMEN AND MISSES. Light weight serges, broadcloths, diagonals, voiles, taffeta silks, etc. New Night or Half-Fitting Coats for Women, the most swagger models. Women's and Misses' Military Capes. Women's Raincoats in great assortment. Women's, Misses' and Children's absolutely Rainproof Capes.

Men's \$1.25 Underwear 89c FOR WINTER WEAR \$4.00 HANDBAGS \$2.85

A stirring special from the wide-awake Men's Section for Wednesday—Cotton Ribbed Underwear in heavy weights; come in blue or pink; all sizes; shirts with silk fronts and pearl buttons; drawers with strongly reinforced seams; sateen faced; perfect fitting garments that wash and wear well and do not shrink; regular \$1.25 value, only 89c

A handbag that is in the most correct style and of leather that will give more than satisfactory wear. They're the popular colors, tans, black, brown or green; they're leather lined, fitted with extra coin purse; several styles and sizes; superb \$4 values, but bought at a special saving, so we are sure you will be enthusiastic over them at only \$2.85

Wednesday's Hosiery and Underwear Specials

Misses' Hose, fast black, medium weight, ribbed lisle, in sizes 5 to 9 1/2, reg. 35c values, special for today at, the pair. 19c

Boys' Hose, heavy weight, fast black cotton, splendid for school wear, sizes 6 to 9 1/2, regular 25c values, special for today. 15c

Women's Mercerized Hose, medium weight, sizes 8 1/2 to 10, regular 50c values, special for today, the pair, for. 29c

Women's Union Suits, medium weight ribbed swiss, low neck, umbrella knee, lace trimmed, regular \$1.15 value; special for Wednesday sale, at, the garment. 79c

Children's Underwear, medium weight, elastic ribbed cotton pants, vests and drawers, sizes 18 to 34, size 18, garment. 15c

Size 20, garment .18c Size 22, garment .20c Size 24, garment .23c

Size 26, garment .25c Size 28, garment .28c Size 30, garment .30c

Size 32, garment .33c Size 34, garment .35c

Venise Allover Laces, in white, cream or ecru, fine for yokes, sleeves; \$3 val., yd. \$1.98

Chiffon Automobile Veils, 40 in. wide, 90 inches long, large selection of colors, \$2.50 and \$3 values; special, each. \$1.48

\$5 Shoes FOR WOMEN \$2.49 Pr.

Not all \$5 values, but many worth this much and a splendid lot of good styles in \$3.50 grades to help out sizes in the higher priced kinds. We include in this lot 2700 pairs of Pingree Gloria Shoes, 800 pairs of La Bonte \$3.50 Shoes and many pairs of short lines in \$4.00 and \$5.00 grades. This makes a complete assortment of styles and sizes, a lot that contains patent leathers, calf leathers, button styles, lace shoes, etc. In all there are 400 pairs in the lot, but even this large number will reduce quickly before the onslaught that will be made upon it. Your choice for

Women's Shoes in Odd Ends of shoes worth from \$3.50 to \$5.00; no two pairs alike, mostly small sizes and narrow widths, your choice of any pair in this lot today at this low price. \$1.00

Black Petticoats at 98c

Women's Black Percale Petticoats, made with shirred flounce, under-founce and dust ruffle. Regular \$1.35 values to be had during this sale at, each. 98c

Children's Outing Flannel Gowns, small sizes, made of striped outing flannel; yokes finished with fancy stitching; values to 75c each; during sale at only. 37c

Corset Covers, made of fine quality nainsook, trimmed with lace and medallions; values to 65c, at. 49c

Corset Girdles, made of tape; \$1.00 quality, to close out are marked at. 37c

Children's Bath Robes, in eiderdown or double-faced blanketine, plain or figured effects; ages 1 to 6 years; regular \$2 values at this low price. \$1.49

Regular \$2.75 values at. \$2.19—Regular \$3.75 values at only. \$2.98

Boys' Knickerbocker Suits, velour or cream serge. The velours come in brown, navy or dark green. Ages 2 to 6 years; regular \$11 values, sp. \$7.98

BREWERS LOSE OUT

Indianapolis Gives Victory to Prohibition Forces.

REPUBLICAN MAYOR WINS

Liquor Interests More Successful Throughout State—Both Sides Bluffed at Gary—Militia Kept on the Job.

INDIANAPOLIS, Ind., Nov. 2.—(Special.)—Samuel Lewis Shanks, the auctioneer candidate of the Republicans, who began business as driver of a delivery wagon, was elected Mayor of this city today by a majority of 1560 over Charles Gauss, his Democratic opponent. Judge Fremont Alvord, independent, does not appear to have polled any votes of consequence. The election of Shanks probably means the entire Republican ticket has pulled through. The result is a distinct victory for the prohibition and reform element, as it was considered that the brewers would control the city in the event of Gauss' election.

Money Fails to Win.

Thomas Taggart was very active in behalf of Gauss and the Democratic candidate had unflinching funds back of him. Throughout the state the liquor interests seem to have met with more success. South Bend was captured by the "liberals," and in Michigan City, Fred C. Mills, proprietor of the "Buck's of Blood" saloon, is elected

FEUD CAUSES DEATH

Battle at Breathitt County Polls Is Fatal.

ARSON DESTROYS BALLOTS

Thwarted in Seizing Ballots, Faction Burns House Where They Are Guarded—Other Ballots Seized and Hidden.

JACKSON, Ky., Nov. 2.—Elden Blanton today killed Demosthenes Noble, after an election quarrel in which Noble had crippled Blanton's right arm with a bullet. Noble had previously, according to Blanton, placed a pistol at the breast of two of Blanton's brothers. Noble was a former employe of James Hargis, and complications are expected.

Blanton, whose father was the Democratic candidate for County Attorney, was acting as challenger, and his story is that Noble was induced to raise a disturbance by discomfited Republicans.

Reports from Crockettville and Sebastian's Branch early today were that two attempts, one successful, had been made to steal ballots near Crockettville precinct, at the mouth of Long's Creek. The home of Mary Dealin, who held the ballots for that precinct, was destroyed by fire and the ballots were burned. At Sebastian's Branch precinct the Democrats are reported to have seized the ballots and hidden them.

According to their political beliefs Jackson and Breathitt County men stigmatize the firing of the Dealin home as incon-

FEUD CAUSES DEATH

Battle at Breathitt County Polls Is Fatal.

ARSON DESTROYS BALLOTS

Thwarted in Seizing Ballots, Faction Burns House Where They Are Guarded—Other Ballots Seized and Hidden.

JACKSON, Ky., Nov. 2.—Elden Blanton today killed Demosthenes Noble, after an election quarrel in which Noble had crippled Blanton's right arm with a bullet. Noble had previously, according to Blanton, placed a pistol at the breast of two of Blanton's brothers. Noble was a former employe of James Hargis, and complications are expected.

Blanton, whose father was the Democratic candidate for County Attorney, was acting as challenger, and his story is that Noble was induced to raise a disturbance by discomfited Republicans.

Reports from Crockettville and Sebastian's Branch early today were that two attempts, one successful, had been made to steal ballots near Crockettville precinct, at the mouth of Long's Creek. The home of Mary Dealin, who held the ballots for that precinct, was destroyed by fire and the ballots were burned. At Sebastian's Branch precinct the Democrats are reported to have seized the ballots and hidden them.

According to their political beliefs Jackson and Breathitt County men stigmatize the firing of the Dealin home as incon-

FLASH

Recommended by Physicians and Surgeons. FLASH ANTISEPTIC HAND CLEANER is a new disinfectant that is meeting with unbounded success and is being demanded all over the world in place of soap.

FLASH is different from other similar preparations in that it contains no acids or lye, as it is not a soap, but is composed of glycerine and other antiseptic healing oils in conjunction with finely-ground Pumice and a small percentage of chemically-pure soap stock, very beneficial to the skin.

Everything in it is pure and healthful and guaranteed not to irritate the most delicate hands. It is made to do what soap cannot do and has become THE HAND CLEANER for cleaning and preserving the hands of all the people, in every class, and at every place.

It is becoming popular with the housewife, cleaning woodwork, sinks, bath tubs, floors, paint, kitchen utensils and everything about the house. In fact it is a household necessity.

Do not accept imitations. Insist on FLASH in red tins. All drug stores, grocers and automobile supply houses.

Fine for the taste—better for the digestion. Why not? It's made from pure fruit and

grain—such a pleasant and healthy drink for children. All grocers.

Talks on Teeth

BY THE REX DENTAL CO. Book About Teeth Free

Only a few people know why teeth decay, loosen and fall out. It is a subject that deserves close study.

We have written a book which goes into the subject of teeth in general—but the particular object we had in writing this book was to tell about the ALVEOLAR method of supplying missing teeth without the aid of plates and bridge-work.

When we first began to advertise this ALVEOLAR method people were incredulous. They failed to see how the work could be done. It meant a revolution of existing methods. Dentists said it couldn't be done. But thousands of men and women in this city and throughout the country will gladly testify that it CAN be done, and in their cases HAS BEEN DONE.

They used to say pyorrhea (Bleeding disease) was incurable, but we have been curing it right along and making loose teeth tight and firm in the gums. Dentists and laymen have had to acknowledge that there was no one going behind the returns—THERE WERE TOO MANY PEOPLE READY TO TESTIFY IN FAVOR OF OUR METHOD.

Most of our patients have come to us through reading these books. We want to send them to you if you have teeth troubles of any kind, and particularly if you are wearing a partial plate or "false teeth."

The ALVEOLAR teeth do away with plates and bridge-work. All we ask is two or more teeth in either jaw—don't ask that they be firm in the gums—see what we will fix that. If you cannot only just write to us—the books will be sent to you absolutely free. WHEN YOU READ THEM YOU WILL ARRANGE TO COME TO OUR OFFICE TO HAVE NEW TEETH PUT IN YOUR MOUTH—TEST AS THOUSANDS HAVE DONE AND ARE DOING EVERY MONTH IN THE YEAR.

THE REX DENTAL CO. Dentists, 311-313 Abington Bldg., 196 1/2 3rd St.