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RED CROSS IS PART OF ARMY

FOOLISH CRITICISM MAY LEAD
TO PUNISHMENT.

Federal Judge in Wisconsin Dis-
trict Makes A Ruling On The
Espionage Act.

A word of caution should be ac-
cepted by those who are inclined
to discredit the work of the Red
Cross, or who throw out disparag-
ing statements against the organiza-
tion, as the following incident will
show:

"I am through contributing to
your private grafts. There is too
much graft in these subscriptions.
No, I do not believe in the work
of the Y. M. C. A. or Red Cross for
I think they are nothing but a
bunch of grafters. No sir, I can
prove it."

"I won't give you a cent. The
Y. M. C. A., the Y. W. C. A. and
the Red Cross are a bunch of
grafters. Not over ten or fifteen
per cent of the money collected
goes to the soldiers or is used for
the purpose for which it is col-
lected."

"Who is the government? Who
is running this war? A bunch of
capitalists composed of the steel
trunk and munition makers."

Because he uttered the above
words as charged in an indict-
ment, Louis B. Nagler was tried
in the United States District Court
for the western district of Wiscon-
sin and he was convicted. The trial
took place at Eau Claire before
Judge Evans. For the first time
a court took definite position to
the effect that section three of the
espionage act applies to the Red
Cross. Section three provides that
whoever, when the United States
is at war, shall willfully make or
convey false reports or statements
with intent to interfere with the
operation or success of the military
or naval forces of the United
States shall be punished by a fine
of not more than \$10,000 or im-
prisonment for not more than 20
years or both.

At the trial Nagler was repre-
sented by some of the ablest legal
talent in Wisconsin. A motion
was made to quash the indictment
on the ground that it failed to state
facts sufficient to charge him with
the commission of a crime. In
denying the motion Judge Evans

held that the term "military or
naval forces of the United States"
can not be fairly defined or con-
strued so as to exclude either the
Red Cross or the Y. M. C. A. With
the defendant's assertion that this
result would lead necessarily to
the conclusion that a violation of
the act occurs when one speaks
falsely and with bad intent con-
cerning the Knights of Columbus,
the Salvation Army or the Jewish
Relief Organization, the court
agreed.

"No other conclusion would be
logical," said Judge Evans. "In a
Republican form of government,
like ours, with war conducted as it
is today, there should and can be
no refined or limited definition of
the term 'military or naval forces.'
The forces that actually fight on
the battlefield and the forces that
produce the food and arms and
munitions at home, are so related
and interdependent that it is im-
possible to say one belongs to the
military forces and the other does
not."

Answering argument of the de-
fense, the court held that there was
nothing in the Geneva treaty, even
if it were not in any way affected
by the acts of congress concerning
the Red Cross that justifies the
conclusion that the members of the
Red Cross are not a part of the
Army and Navy of the United
States. The argument that the
words spoken were not capable of
doing injury to the army and naval
forces, because no army or navy
camp existed in the vicinity of Ma-
dison at the time the words were
spoken would, if sustained, Judge
Evans declared, lead to most intel-
ligible and illogical conclusions.

"Can a man who contaminates
the spring at its source avoid re-
sponsibility because the resulting
damage occurs at the mouth of the
stream," asked the court. "Can a
resident of this country avoid re-
sponsibility for remarks, the effect
of which is to interfere with the
raising of funds by which the Red
Cross is maintained, when he would
be liable if he interfered with the
same organization in its field of
activity? Without funds the or-
ganization can not successfully car-
ry on its work. In fact, one of the
chief purposes of the organization
is to convey from the citizen at
home to the citizen in arms that
which means to the latter greater
comfort and great efficiency. This
is possible only by the judicious
use of the moneys donated by the
supporters of this war. To cripple
the force collecting the funds by
the spreading of false reports or
success of the work and is action-
able."

Nagler was convicted by a jury
drawn entirely from rural com-

munities, the members of which
were either farmers or general
merchants. Great care was exer-
cised by the defense in examining ju-
rors. Many of the questions pro-
pounded by the attorneys indicated
an interesting point of view.
Among the most important ques-
tions were, first, whether, in the
juror's opinion, a man could criti-
cize the government of the United
States and still be a loyal and
patriotic citizen, and, second,
whether a man could criticize the
Red Cross or Y. M. C. A. and still
be a loyal and patriotic citizen. Al-
most the majority of the prospec-
tive jurors answered both of these
questions in the negative.

GEORGE NOBLE HEARD FROM.

Did Not Accompany Regiment To
Siberia As Reported.

From advices just received
George Noble did not accompany
his regiment to Siberia as was re-
ported and as was in fact intended.
Other members of the regiment
went, and this is probably the same
contingent which Gen. March re-
ported a day or two since to have
arrived in Siberia. The reason
George did not accompany them was
because of a physical disability,
which necessitated surgical assist-
ance. The operation has been per-
formed and the patient is getting
along in good shape. Mr. Noble
is with the 62nd regiment of in-
fantry, now at Camp Fremont, Cal.

MAINE SAYS "GERMAN BLUEF."

The Federal food administration
for Maine points out that it is un-
wise to put too much faith in news
of food riots in Austria and Ger-
many, which emanates from the
enemy whose censorship is not
prone to omit the publication of
news which would give the allied
world a true idea of the state of
affairs in Hunland. Germany, has
spread stories to lure the allied
people into believing that she is
on her last legs. German propa-
ganda of this kind was responsible
for a lot of pacifists' talk in
England. We must not permit
these stories to lull the United
States into relaxing for a moment
its efforts to produce and save ev-
ery last ounce of food for our Army
and the allies.

The placing of too much faith
in food-riot dispatches might have
a tendency to discourage produc-
tion or encourage wastefulness
here. It is much better, there-
fore, to rate them as mostly Hun
concoctions.

K. OF P. ATTENTION.

At the meeting this evening
there will be election of delegates
to the grand lodge and other busi-
ness of importance. A full at-
tendance is desired.
By Order of
J. L. ROBERTSON, C. M.

ERROR IN FIGURES.

In the advertisement of Christie
& Amsden, published in the Ob-
server Saturday, was the quotation
"9 rolls of toilet paper, 25c." This
should have read "Six rolls for a
quarter."

New and second hand school books
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Reverse Action.
"One's aim is everything," remarks
a moralist. Don't know about that.
Many a man has gone to the bad trying
to be a good fellow.—Boston Tran-
script.

The Right Word.
"She's very high and mighty. I
don't like her attitude." "You mean
attitude?" "Attitude fits this case."
Interposed a third member of the
party.—Louisville Courier-Journal.

SHERRY'S

DANA PICTURE AT SHERRY'S

"Opportunity" Best Comedy Famous
Star Has Ever Done.

Viola Dana in her latest Metro
play, "Opportunity," highly enter-
taining picture of Edgar
Franklyn's story of the same name
that ran in the All-Story Weekly.
Showing for the last time today at
the Sherry Theater. Miss Dana's
new vehicle, which was scenario-
ized and directed by John H. Col-
lins abounds in funny situations
and romance of a very original
sort, and gives opportunities to re-
veal her celebrated comedy talents
at their best.

As Mary Willard, the mischiev-
ous hoyden who yearns to witness
a prize fight that she may learn
some new tricks for her own box-
ing bouts, Miss Dana has one of
the most captivating and diverting
roles she has ever played on the
stage or screen. Her genius for
whimsical comedy and pathos is
unrivaled and easily equals her
work in serious and powerful
drama. The complications which
ensue from her visit to the prize
fight in her brother's clothes de-
mand the cleverest sort of comedy
acting, and Miss Dana never fails
to take full advantage of every
amusing situation. Only an ac-
tress of her gifts and experience
could meet such demands.

People interested in New York
City and its celebrated hotels, clubs
and streets, will find the scenes in
which much of the action of this
picture takes place exceedingly vi-
vid and entertaining. A promi-
nent athletic club, where the prize
fight is staged with great realism,
many well known New Yorkers ac-
ting as spectators, and the lobby of
one of the most luxurious hotels,
are shown.

Hale Hamilton of "Get-Rich-
Quick Wallingford" fame and Ed-
ward Aheles, who created "Brew-
sters' Millions," Frank Currier, and
Sally Crute are the principal mem-
bers of Miss Dana's company. As
an attraction, "Opportunity," with
Miss Dana, is excellent, packed as
it is with good, wholesome fun, ad-
venture, mystery and romance. It'll
make people forget their troubles.
There is besides a two-reel com-
edy.

ARCADE

"SUNSHINE ANN."

Queer Types Are Shown in Pic-
ture At Arcade Theater.

Ann Pennington's latest Para-
mount picture at the Arcade "Sun-
shine Nan," abounds in queer types
of humanity which are portrayed
by a clever cast, including Rich-

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ard Barthelmess, Helen Tracey,
John Hines, Charles Eldridge and
others. There is, first of all, Sun-
shine Nan herself, skilfully de-
picted by Miss Pennington, next
comes her loyal defender Dan Ley-
la, who grows up to be her admirer
and later her husband; there is
Mrs. Snawdor, portrayed by funny
Mrs. Lewis McCord; her husband,
a disreputable derelict of a man,
which part is taken by Charles Bib-
lyn and others as amusing, Alice
Hogan Rice, the author, will be re-
membered for her "Mrs. Wiggs of
the Cabbage Patch," "Lover Mary,"
"Mrs. Opp," and others. Charles
Giblyn is the director, while Eve
Unsell has been responsible for a
good scenario, following closely
Alice Hogan Rice's story, "Calvary
Alley."

Great Faith in Chamberlain's Colic
and Diarrhoea Remedy.

"Chamberlain's Colic and Diarrhoea
Remedy was used by my father about
a year ago when he had diarrhoea. It
relieved him immediately and by tak-
ing three doses he was absolutely
cured. He has great faith in this
remedy," writes Mrs. W. H. Williams,
Stanley, N. Y. Adv.

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Its democratic college spirit.
Its successful graduates.

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