

LABOR LEADERS, GUILTY

(Continued from Page One)

claim of unimpaired competency is based; persisting in contemptuous violation of the order, no defense is offered save these:

"That the injunction (1) infringed the constitutional guaranty of freedom of the press, and (2) infringed the constitutional guaranty of freedom of speech."

In connection with the consideration of the contention that the injunction invaded the right of free speech and of the press, the court held in part:

"The position of the respondents involves questions vital to the preservation of social order, questions which smite the foundations of civil government, and upon which the supremacy of the law over anarchy and riot verily depend."

In the opinion of the court, even where a tribunal had fallen into error in the determination of a cause which it was invested with jurisdiction to hear and determine, its duty as a court of obedience remained nevertheless the same.

DEPENDENTS' DEFIANCE.

In conclusion the court said in part:

"Before the injunction was granted these men announced that whether they nor the American Federation of Labor would obey it; since it issued they have refused to obey it; and through the American Federation of Labor disobedience has been successfully achieved and the law has been made to fall; not only has the law failed in its effort to arrest a widespread wrong, but the injury has grown more destructive since the injunction than it was before. There is a studied, determined, defiant conflict precipitated in the light of open day between the decrees of a tribunal ordered by the government of the Federal union, and of the tribunals of another federation grown up in the land; one of the other must succumb, for those who would unlaw the law are public enemies."

In passing sentence on the defendants, the court said:

"If would seem not inappropriate for such a penalty as will serve to deter others from following after such outlawed examples, will serve to vindicate the gravely power of official tribunals, and establish over this litigation the supremacy of law."

HISTORY OF THE CASE.

The Buck Company's prosecution of the officials of the Federation began in August, 1907. The original action was a test case wherein it was sought to compel the labor union from using the "unfair" and "don't patronize" lists in their fight against firms and individuals. Justice Gould, of the Supreme Court of the District of Columbia, issued an injunction which was later made permanent forbidding the publication of the company's name in these lists. President Gompers, in an editorial in "The Federationist" of last January, made known his intention to appeal the court's order, contending that the injunction issued was in derogation of the rights of labor and an abuse of the injunctive power of the courts. Gompers, Mitchell and Morrison subsequently were cited for contempt and this phase of the case has been before the court for many months, the proceedings taking the form of a hearing of testimony before an examiner and many arguments.

APPEALS TO ROOSEVELT.

Whether President Roosevelt will take any action as he has been urged to do in telegrams received from different labor organizations throughout the country in connection with Judge Wright's decision has not been decided. It was stated at the White House to-day that some action might be taken if he should be convinced that the sentence is unjust, if it should be affirmed upon appeal.

The Illinois United Mine Workers sent this telegram, signed by President John H. Walker, the vice president, secretary-treasurer and members of the executive board:

"In the name of 75,000 mine workers in Illinois we desire to protest against the recent decision committing to penal servitude these great commoners and representatives of the American labor movement, Samuel Gompers, John Mitchell and Frank Morrison. These men may be guilty of a breach of law but a law which denies the use of free press and full speech is a breach of the fundamental principles of our country. Such decisions only tend to create enmity and class hatred. We respectfully solicit your influence to prevent the incarceration of these men."

CORNER-STONE IS LAID.

Exercises yesterday at Lincoln in dedication of new graded school building.

Special to The Observer.

Lincolnton, Dec. 23.—The cornerstone of the new graded school building here was laid this afternoon, the actual operation of laying the stone being preceded by addresses by prominent men, songs by the school and the preparation of a box to be placed behind the stone. These exercises took place in the auditorium. The stone was placed at one side of the front entrance. First, there was placed in the receptacle prepared for the stone an iron box containing charters and grants by the kings of England to the Lords Proprietors, charters, grants of counties and documents relative to school districts, by the General Assembly, among them being the charter for the present Lincolnton graded school. Also were placed in the box relics of former buildings, rolls of teachers and students, a Bible, copies of the constitution of the college of the State and copies of the addresses delivered on the occasion of the laying of the cornerstone. The stone was placed by Rev. Dr. A. K. Foster, pastor of the Lutheran church here.

The present building is the third to be erected on the present location, the previous ones having been built in 1855 and 1864. The cornerstone to the present building bears the words "Lincolnton Graded School, 1907."

RECEIVER FOR BIG CONCERN.

Mills Campbell Lumber Company, of Newbern, Placed Temporarily in Hands of Receiver.

Special to The Observer.

Newbern, Dec. 23.—This afternoon, on the application of Mr. Maxwell, of Ohio, Judge G. H. Gibson appointed Mr. W. B. Hines of Newbern, temporary receiver for the Mills Campbell Lumber Company. The application for a receiver came as a surprise to the officers and stockholders here, who regarded the company in good condition and perfectly solvent. The company has a capital stock of \$250,000 and is a combination of the Newbern Lumber Company and the Mills Campbell Company.

THIS IS WORTH READING.

Las F. Zellinski, of 31 Gibson St., Butte, N. T., says: "I cured the most annoying cold ever I ever had with Chamberlain's Cough Remedy. I suffered with it some a day for two days, when every trace of the cure was gone." Heals all colds, croup, whooping cough, etc. Sold by W. L. Hoad & Co.'s drug store, 25 N. W. 1st St.

DEAD FISH DRIFT ASHORE.

Wrightsville Beach Strown With Barrels of Fish Cast Up By the Sea Sunday Morning—Probably Killed By Dynamite Used in Wrecking or By Discharge of Heavy Artillery at Fort Caswell—Fish Will Be Used For Fertilizer.

Wilmington Star, 23d.

No end of speculation as to the cause of the phenomenon has been created by the appearance of drifts of hundreds of barrels of manhaden or "fat backs" with other varieties of sea fish along the coast, both in the sounds and on the beach in the vicinity of Wrightsville Beach.

The fish first made their appearance on Sunday morning and when cast up by the water were either dead or so badly injured or diseased that they died after leaving their natural element. Hundreds of people who went to the beach Sunday and yesterday to witness the phenomenon are unable to account for the presence of the fish unless they were killed in schools as they passed up the coast by dynamite used by the United States revenue cutter Seminoles in blowing up some wreckage off Cape Lookout last week or were killed by the concussion of the big guns at Fort Caswell during practice at floating targets some miles off shore last Wednesday.

Still another theory is that in migrating southward with the change in the temperature of the water the fish were attacked by some fatal disease and were cast up by the tide. At any rate the fish appeared in such large numbers along the beach and in the sound at Wrightsville that the Tidewater Power Company and residents there became apprehensive lest when decomposition set in they would be a menace to health and they set to work with others who desired to use them for fertilizing purposes to clean them up with pitchforks and all other implements available. The fish were largely "fat backs" or menhaden which are unfit for domestic use, though there were among them a number of rounders and speckled trout. Three freight cars were loaded with the fish yesterday for commercial purposes and others were hauled away by residents on the sound for compost purposes on their farms.

Were the summer season in progress at present, the unusual story of the "flood of fish" would undoubtedly be credited to the vivid imagination of the press agent, but the situation Sunday and yesterday with residents and the Tidewater Power Company was one which they would have been very glad to have gotten away from.

The United States revenue cutter Seminoles was in port yesterday forenoon and it was stated that the officers on board did not believe the 77-hamming of the wreck would have caused such a wholesale destruction of the fish as wrecks are frequently blown up along the coast with no such results. The same was stated with reference to the practice with the big guns at the fort, a well-known local master stating that even if the fish had been killed by the concussion the current off Caswell is to the southeast and it would be hard to account for the drift further up the beach.

It is recalled by seafaring men that 10 or 12 years ago about Cape Lookout very large fish eight or ten feet in length, were thrown up by the tide along the beach, but no one seems to have a satisfactory explanation of the present phenomenon at Wrightsville Beach. The theory that the fish were killed and injured by dynamite is strengthened by the similarity of their appearance to that of fish killed in the same manner in small streams and lakes. There is a flock of blood at the gills and they appear to have been stunned. At any rate the "fish question" yesterday divided time with the preparations for the holidays in great shape.

SANTA CLAUS ON FIRE.

He Gets Gay at a Sunday School Christmas Entertainment and Almost a Panic Followed.

Greensboro Record, 23d.

The first Santa Claus accident happened last night, but fortunately little damage was done. The Presbyterian Mission Sunday school at Glenwood had a Christmas entertainment last night. In the center of the room stood a large cedar tree well laden with gifts and lighted by many candles. Santa was being watched for intently by the little folk and he arrived on time, but he got too gay, or at least careless, for in turning around his coat of inflammable material came in contact with one of the lighted candles and immediately he was ablaze. Persons close to him unthinkingly commenced trying to beat out the fire with their hats, which only fanned the blaze the more. Making the situation even more heated, a man in the audience jerked off his overcoat and knocked men right and left as he went, reached Santa and throwing his coat about him smothered the flames instantly and it was all over.

The only damage done was to one of the windows in the room. Some men perhaps up in years, concluded to take no chances and using the window as a ladder, dived through it, but the saul, not being fastened, came down on his back. This did not deter him, however, and he dived right ahead, taking the saul with him.

The children were badly frightened while Santa Claus came near being exposed.

Short Items of News From Davidson.

Special to The Observer.

Davidson, Dec. 23.—The exodus of students was pretty well completed to-day with the departure of the 5 p. m. train, the larger number having gone at midday. There are always, however, enough left-overs to keep each other company on the campus and the town has open doors socially to all of the boys that do not care to "hock by themselves."

Some of the town absentees for Christmas are Dr. and Mrs. W. A. Hinton and Little Miss Sarah, at Clarkston. Mr. Chalmers Knox is also in that section of the State enjoying with Dr. Wooten and Mr. Will Potts their annual fox-hunt. Mrs. W. A. Price and son, Armstrong, will spend the holidays at Columbia, S. C., with Mr. W. A. Price, Sr., leaving to-morrow.

Prof. W. A. Withers, of the A. B. Withers and Miss Louise Withers, of Peace Institute, are all members of a family reunion this week.

The senior class has presented to Dr. T. E. Harrison as a mark of its esteem and high regard a handsome and complete set of Robert Louis Stevenson's works.

Union Farmers Sowing Small Grain.

Marshallville Home.

It is said by those who have been traveling over this county that an unusually large crop of grain has been sown. With a proper system of rotation, such as is practiced by progressive farmers, the small grain crops, especially oats and rye, will be greatly increased in the South with a corresponding decrease in cotton production. We are entering upon a revolution in farming methods in the South, and those who get into the new way will have decided advantages over the stiff-necked planters who follow the old system.

AMUSEMENTS

"WHO'S YOUR FRIEND?"

The coming engagement of the great international, New York and London success, "Who's Your Friend?" with that odd comedian Mr. Harry Hersford in the leading role, will be the comedy event of this season's theatrical engagements.

No item has been omitted in the production or play from that originally seen in New York during its long engagement, and our theatregoers will have the pleasure of seeing an actual New York comedy success with the entire production and almost the same identical cast supporting Mr. Hersford.

BLANCHE WALSH.

Miss Blanche Walsh, who has scored a sensational success in Jules Eckert Goodman's powerful drama, "The Test," will begin her annual engagement at the Academy of Music next Monday night.

"The Test" has been pronounced by competent critics to be one of the strongest plays produced in America in many years. It deals with conditions which are the topic of the world to-day, and runs the gamut of human emotions. The author has gone into the very souls of men and women; their passions and their emotions, and has drawn a picture which stands out in splendor as a story of deep-heart interest to men and women in every walk of life. The scenes are laid on the East Side of New York, Miss Walsh, as Emma Eltyng, declares the part to be the greatest of her career as an emotional actress. Seats will be placed on sale this morning at Hawley's.

COMING THRO' THE RYE.

"Coming Thro' the Rye," the big musical comedy success, will be seen at the special New Year's attraction at the Academy of Music, giving two performances, matinee and evening.

"Coming Thro' the Rye" is one of the biggest musical shows that has been produced in years. In the company are some seventy-odd people, including the famous English Pony Ballet which scored such a tremendous hit here last year.

THE STORM AND THE POET.

Richmond's Bard Again in a Musical Storm Which Produces Lively Images in the Mind of the Hearer.

New York Sun.

Virginia's best beloved troubadour, Andrew Jackson Andrews of Richmond, has broken a long fast. "The rain had fallen, the post arose," sang Tennyson as if in an inspired forecast of Andrew Jackson Andrews emerging from a drunk and disorderly, though we trust indulgent, sentence in his native state. Andrews, in his genius the storm swept wreck of Birmingham in far off Alabama. We didn't know there had been a hurricane in Birmingham, but what of that? Andrew Jackson Andrews knew it. The messages of tragedy and catastrophe penetrate alike the bodier and the calaboose, and so the minstrel smites his lyre and sings to this effect:

"The stormy winds did blow,
Remorseless tears did flow,
From whither I don't know,
Where babies were killed right here.
By a ruthless cyclone sent
To destroy Birmingham was bent
On, on, this terrible tempest sped,
Melting hearts that was hard as lead.
The nation and maid killed
Dead right here.
Have I not said before
Soon we all must go
From this world of trouble,
That's merely a soap bubble,
Some day the storm of death
Will come
And point us to our awful doom.
Is life worth living?
I say no;
My pen is felt from shore to shore;
We are only sent here to stay,
To be snatched suddenly away.
This is not your home,
Remember, silly and wise,
But above in yond heaven
Eternal, the skies.
Eat, drink and merry, merry be,
To-morrow thy soul shall be required of thee.
When rambling this earth
As peaceful as a lamb,
Remember, gentle folks,
The storm of Birmingham."

With indescribable relief we find that Birmingham still exists. But the melodious, cruellest, dearest, most pathetic, poignant and compelling. The Bard of the Brushes, Miss Mattie Peterson, the inspired author of "Slater Murphy"—all these seem to fade away. For the moment, at least, we can think of nothing but the storm in Birmingham.

Cabaret Will Ask For a Medical Dispensary.

Concord Tribune.

Among other things that the Legislature will be asked to do for Cabaret is to pass a law to regulate the sale of liquor in the county by the means of a medical dispensary.

This movement is sanctioned by quite a number of citizens, while there are others who bitterly oppose any such a movement, claiming that the present regulations are adequate and sufficient for any town or city.

Delburg Mill Putting in Heating Apparatus.

Special to The Observer.

Davidson, Dec. 23.—The Delburg is installing a steam heating apparatus of approved and up-to-date style. More machinery has been ordered for the mill for early delivery. All the indications are that this plant is turning out the very best yarns and that with the return of prosperous times for the cotton manufacturers it will pay handsomely.

Found Year-Old Baby on His Porch.

Special to The Observer.

Durham, Dec. 21.—W. A. Hinton, a painting contractor, found to-night a healthy infant a year old in a basket on his porch and is unable to locate the parents. He has not the remotest idea who left the baby there.

Beware of Frequent Colds.

A succession of colds or a protracted cold is almost certain to end in chronic catarrh, from which recovery is never wholly complete. Give every cold the attention it deserves and you may avoid this disagreeable disease. How can you cure a cold? Why not try Chamberlain's Cough Remedy? It is highly recommended by Dr. M. White, of Butler, Tenn., says: "Several years ago I was bothered with my throat and lungs. Someone told me of Chamberlain's Cough Remedy. I began using it and it relieved me at once. Now my throat and lungs are sound and well." For sale by W. L. Hoad & Co.

Christmas Rates Via Seaboard Air Line Railway, 1908.

The Seaboard Air Line Railway will sell reduced rate holiday tickets on Dec. 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, 1908, and January 1st, 1909, good to return until January 5th, 1909, between all stations for further information call on your local agent or undersigned.

JAMES KEE JR.,

City Passenger Agent,

Charlotte, N. C.

WE MAKE PICTURE FRAMES

Torrence Paint Co.

10 NORTH TRYON.

Express paid by us on all orders of \$5 or over up to January 1st, 1909. No premiums will be given with these orders.

Write For Our Latest Price List.

ROANOKE WINE & LIQUOR CO.

LARGEST AND OLDEST HOUSE IN ROANOKE.

3 South Jefferson Street

Roanoke, Va.

WILLIAM FIFTH, PRES.

THE FRANK D. COMINS, Vice Pres. and Treas.

AMERICAN MOISTENING COMPANY

79 Milk Street, Boston, Mass.

J. S. COTHMAN, Southern Representative, 405 Trust Bldg., CHARLOTTE, N. C.

A DANGEROUS OPERATION.

Is the removal of the appendix by a surgeon. No one who takes Dr. King's New Life Pills is ever subjected to this frightful ordeal. They work so quietly you don't feel them. They cure constipation, headache, biliousness and malaria. Sold at W. L. Hoad & Co.'s drug store.

Rex Flintkote Roofing

The Best For Leaky Roofs.

For sale only by

CHARLOTTE SUPPLY CO.

(We carry everything in Mill Furnishings.)



WE SELL

Vehicles, Harness, Saddles, Robes, Blankets and accessory goods of every description.

HORSES AND MULES.

In our sales barn you will find about 100 good young Horses and Mules. We sell good goods at reasonable prices and on easy terms. Every item we sell must be as represented, small or large purchase.

J. W. WADSWORTH'S SONS' CO.

Our Carriage and Harness Repair Shops are the largest in the State.

A MERRY CHRISTMAS TO YOURSELF,
YOUR COUSINS AND YOUR AUNTS

The Mechanics' Perpetual B. & L. Assn. brings Christmas cheers to 29 mortgaged homes and 94 non-borrowing shareholders of the 40th Series in the announcement that, with the third payment of dues in January next the 40th Series will mature amounting to

\$83,500.00

of which

\$30,400.00

will be applied to the cancellation of 29 mortgages, and the management shares with you in the happy knowledge that in four weeks more, the mortgage on your "HOMES" will be lifted, and you can and ought therefore enjoy your Christmas Dinner in the happy consolation that no matter what may betide, that your wife and little ones will have a "Home" fully paid for, which, through no other agency perhaps than this one (of 26 years) tried Institution could or would you have owned your own home; and all the management asks of you in return is the verdict, "WELL DONE GOOD AND FAITHFUL SERVANTS."

Now, what about the 94 non borrowing shareholders of the 40th Series? To you we will pay in CASH on Tuesday the 19th of January next the princely sum of

\$53,100.00

How many of you would without the helpfulness of this Institution have anything more to show for this \$53,100.00. We imagine very few, if any, would have saved anything of this vast sum; so you too can feel extra cheerful this Christmas. We ask you to tender to us, the management of this concern your unstinted approval of "WELL DONE GOOD AND FAITHFUL SERVANTS" you have for 26 years been weighed in the scale of justice, fairness and honesty and have NOT been found wanting."

NOW A WORD TO THE PUBLIC.

We feel that you will note with satisfaction the statement that we now have in force 23,000 shares of a par value of \$2,300,000 and our weekly cash receipts are about \$9,000.00 and we have assets to-day of \$950,000.00 and are now racing for the \$1,000,000.00 mark which we expect to reach by July next, at which long looked for consummation the management will ask a kind and liberal public to join it in a public felicitation function, and we feel sure, aye, we know that the public will join us in celebrating that event.

BOOKS FOR THE FIFTY-THIRD SERIES WILL OPEN FEB. 1ST.

FOR THE MANAGEMENT.

R. E. COCHRANE, Secy, and Treas. S. WITKOWSKY, President