

Strikers Win Picket Rights

(By International Labor News Service.)

New York City, Aug. 7.—The Iron League has lost the first round of its injunction fight against the striking iron workers of New York.

Supreme Court Justice Lydon has refused to enjoin the workers from picketing, declaring that "picketing is lawful when lawfully conducted" and stating that the evidence submitted by the anti-union employers in support of their charge of personal violence by the union's pickets is "not only very weak but is substantially disposed of" by affidavits submitted by the union.

Justice Lydon, in an extended

opinion held that there was too much doubt about the right of the employers to an injunction to warrant granting a restraining order at this time. To issue an injunction pending trial would be tantamount, he said, to determination in advance of trial of the issues involved.

The suit to restrain the union was brought by fourteen firms of iron and steel erectors, all members of the Iron League, who alleged that they had \$10,000,000 worth of contracts in New York which they were prevented from completing or starting because of a strike called against them May 1. They sued for \$5,000,000 damages and asked that the union be restrained from picketing or interfering with strike-breakers they imported from other cities.

Union Files Counter Claim Asking Damages.
As already told by International Labor News Service, the union in

its answer denied the charges of the employers and filed a counter claim for \$10,000,000 damages, alleging a conspiracy by the fourteen firms, backed by the United States Steel Corporation, the Bethlehem Steel Corporation and other big steel companies to destroy the union.

These allegations, as stated by these affidavits, were made by Frank P. Walsh and Samuel Untermyer, counsel for the union, charged that in return for refusing to employ union labor the steel mills granted the members of the Iron League a differential rate in the purchase of steel to be used in New York City and vicinity. Though "Pittsburgh Plus," the practice just forbidden by the Federal Trade Commission, was not mentioned, it is understood that the steel companies forced employers friendly to union labor to pay "Pittsburgh Plus" charges on steel, while the anti-union em-

ployers were not forced to pay the "Plus" charges.

Judge Says Union Men Are Within Their Rights.

After declaring that picketing is lawful, Justice Lydon goes on to say of the charges of violence made by the employers:

"I do not find any charge in the affidavits which would support a finding that the pickets exceeded their rights as such. The members of the defendants' union have a perfect right to refuse to work with non-union men, and non-union men, on the other hand, have the right to work when and where they please.

"It is true that it has been held by the courts in certain cases where violence has been shown to have occurred, that even when the moving affidavits upon an application for an injunction are substantially denied by a defendant, that nevertheless the court will grant an injunction pendente lite, but in

this case the few instances of alleged violence have not been substantiated by proof of sufficient probable force."

Justice Lydon held that it may be that the union's contention that the employers do not come into court with clean hands may be sustained upon trial. The question as to whether the employers are as alleged by the union engaged in a conspiracy to destroy the organization is clearly raised by the papers in the case and if established would be decisive of the fact that the employers are not entitled to come into equity court for relief, the justice adds.

OLANDER SEES HELP FOR WEST IN FINDINGS

Chicago, Ill., Aug. 7.—"The decision of the Federal Trade Commission against the United States Steel Corporation in the 'Pittsburgh Plus' case will prove a great stimulus to manufacturing activities, mining and building especially, in the Middle West, providing the courts do not intervene in favor of the Steel Trust," said Victor A. Olander, secretary-treasurer of the Illinois State Federation of Labor.

"The corporate privileges without which the Steel Corporation would probably collapse of its own weight," continued Mr. Olander, "were largely created by and mainly exist under the shelter of judicial decisions. The partiality of the corporation officials toward the extension of certain court powers as exemplified by Gary's statement a few years ago when he advised the American Bar Association that the equity court should be given certain enlarged powers unrestricted by legislative enactment may be reciprocated in the judiciary by a willingness to uphold and extend corporate powers which the Steel Trust considers essential."

SENSE FROM CONGRESS

"Legislation and government can not work miracles. Many things that are seriously needed are beyond the reach of government, and to demand them of the government is to work perversion." — Representative Bill G. Lowrey, of Mississippi, in speaking on Post-War Conditions.

"We know, as the framers (of the Constitution) knew, that new occasions teach new duties and that constitutional modifications will be necessary in order to progress with science and civilization. If there were such a thing as science and civilization standing still, we could leave our Constitution as it is, and we would continue to exist forever as we do today. But that is impossible." — Representative William B. Oliver, of Alabama, in an address on the Federal Constitution.

"They (the farmers) are the victims of circumstances largely resulting from our superficial and chaotic economic system, where the unorganized and unprotected farming class becomes the prey of speculators, money sharks, land gougers, profiteers, and the victims of vicious and discriminatory legislation." — Representative George J. Schneider, of Wisconsin, in speaking on Farm Relief.

Since the enactment of factory laws in Japan and the adoption by that country of the rulings of the International Labor Conference, there has been a gradual tendency toward a shorter working day in Japanese industries. The average working hours range from a maximum of 15 to a minimum of 8 hours per day, including recess time. The average for all branches of manufacturing industry in the country is about 10 1/2 hours. This compares very favorably with a former average of from 12 to 14 hours, but it is evident that the country is still very far from the universal adoption of the eight hour day.

Your Opportunity to Save \$16.75

During August You Can Buy a No. 25 Hotstream GAS WATER HEATER for Only

\$5.00

If you purchase a New Cabinet Gas Range at our regular prices.

No home is complete without an abundant supply of HOT WATER—and GAS HEATED HOT WATER is the CHEAPEST—QUICKEST and BEST.

In order to have more of our customers enjoy the supreme comfort of GAS HEATED HOT WATER—we will sell a No. 25 Hotstream Heater for \$5.00 (the regular price being \$21.75) if a new gas range is purchased at our regular prices.

Come in—make your selection of a gas range—pay us \$10 and your range and water heater will be installed promptly—the balance payable in ten payments on your gas bill.

SOUTHERN PUBLIC UTILITIES COMPANY

Phone 2700