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The John Street Welfare Association

President Johnsing Elaborates On The Possibilities of Municipal Ownership as Concerns The Afro-American of Today.

"Among them there political buds we have with us, Ah arises to remark that munc'pal is AA 1 X in principle," stated President Erastus Johnsing of the John Street Improvement, Welfare, Uplift and General Do-Your-Neighbor-Good Society, at its regular weekly meeting Friday night.

"Taking sides in politics is like taking a soul-mate. A feller can't take one of them things lessen he takes a powerful lot o' argument free, gratis, fo' nuthin' along with it. But when it comes to this heah munc'pal ownership game, there ain't no argument a tall. We niggers is strong fer it.

"Of co'se yu all is done heard Brother Bigelow gyrate on all ouah prominent tho'fars and you know all you got ter do is ter sign yer cross mark ter a scrap o' paper and if the Rev'rend gets 'nough scraps o' paper we niggers gits red lights fer six cents a hour. So on ev'ry fo' lights, us shines saves 'nough to pu'chase a shot at th' booze camp down-stairs. Theahfo' Ah passes a resolution ter recommend munc'pal ownership ter all Afro-Americans whether they has ter work or has healthy wives. Not only will th' John Street Welfare Association register a vote o' thanks to Rev'rend Bigelow, but Ah requests Brother Smiff ter repo't th' good woik ter the Friendly Sons o' Saint Booker, at th' nex' conclave.

"Notwithstandin th' fact that Parson Bigelow is a patriot and th' step-father o' th' country in gin-ral and Cincinnati in partiklar, we all know as how he misquotes hisself on 'cassions. Ez Ah remarked befo', ef th' Rev'rend gent'man exuded gas instid o' hot air, Mistah Freeman would have ter study th' woikin' o' Mike Keefe and try fo' ter land hisself another job. So ef theah was no othah so'ce o' information th' corob'ration an' substantiation than th' em'tent sky pilot, we Afro-Americans might have ouah doubts. But we ain't got no doubts, is we? An' whyfo'?

Brethren, theah ain't no less a man than Charley Sawyer that has done spoke his little piece fo' munc'pal ownership. Fren's, Afro-Americans an' Fellow John Streeters, we is all in favah o' munc'pal

ownership, ef th' Democrats gets it an' lets th' Republicans run it, under the able direction o' one Rud Hynicka, him as was one o' th' brightest spots o' th' formah all-powerful glory-be Republican trey-spot, that bossed ouah fair city wit' a cast-iron hand.

"When Brother Bigelow lights on a topic o' conversation on th' street corner its cuz he needs a text befo' he kin pass th' hat but when ouah fren' Rud takes up somethin' fo' th' benefit o' th' common 'peepul,' we all knows that he do it out o' th' fulness of his heart. Cons'quently when Rud solemnly lays his foahpaws on a petition and devoutly says 'Ah do,' then we niggers kin drink wit' a steady hand, cuz we knows what evah a gin'rous hearted gent'man says, he do. A motion is in ordah ter place Brother Rudyard's name on th' Glory List o' th' Immortal Fren's o' th' Colored Race, along with Booker T. and Jim Conley.

"Mah Fren's, great as six cent light is, its only th' outeroppin' of a greater principle. Think of a municipal street car line. Ef th' city owned th' street cars, th' John Street Organization would call on all the Afro-American element ter make 'em run ev'ry car in ouah munc'pal confines up and down John street. We'd establish a Carlisle Avenue Line fer real. We'd see ter it that th' niggers gits theah shore o' jobs on th' back platform and that all cash registers be removed. Also that ef we can't spit on th' floor, we kin at leas' spit on th' back o' th' seat in front of us.

"Sad fer ter relate, th' only munc'pal owned thing in town is th' water woiks. Howsomevah watah ain't good fer much outside o' usin' it fer chasers an' in a pinch we could do without that.

"Nevatheless they is great possibilities in a munc'pal owned saloon. Wit' no license ter pay a gent'man could git pifflicated fer half price or twict as often. Theahfo', we, the John Street Improvement Association is fer munc'pal ownership, first, last and forevah, straight across the boards, honest Injun, cross our several hearts. You all is adjourned."

Building Trades Council

(Continued from page 1.)

lations with them or from causing or procuring any person to cease employment with them. Or from sending any word by mail or otherwise, to any person which would in any way hinder their patronage or business. These are only a few of the things which they asked the Court to do.

"Ex-Judge A. Z. Blair was the chief counsel for the plaintiffs, the Master Plumbers' Association, and the case was tried by Judge James W. Tarbell, of Georgetown, Ohio. Judge Thomas of the Scioto Court of Common Pleas, refused to sit because of the shoe workers' strike, which occurred in Portsmouth a few years ago, in which he was sitting as presiding judge when the matter came into his court. Judge Blair was assisted by Attorney Kimble of Portsmouth, and the counsel for the unions were Attorney Edgar G. Miller and myself. Part of the case was heard at Portsmouth, and it was finally argued in Cincinnati, after various briefs had been filed on various points.

"In behalf of the unions, we based our entire fight on the Clayton Act, passed by Congress, the purpose of which is to relieve organized labor from the effects of the Sherman antitrust law, in which I am here quoting in part for the benefit of the readers of the LABOR ADVOCATE:

"Sec. 6. That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof be construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws.

"Sec. 20. That no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employes, or between employes and employes, or be-

tween employes, or between persons employed and persons seeking employment, involving, or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant, or by his agent or attorney.

"And no such restraining order or injunction shall prohibit any person or persons, whether single or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peacefully assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States."

"This was the first test in the United States of the operation of the Clayton Act, as above mentioned, and therefore it is of great interest to organized labor at large. Judge Tarbell decided the case at Portsmouth, Tuesday afternoon, August 24, 1915, and organized labor won a complete victory. He refused to enjoin anything. He dismissed the petition of the plaintiffs and threw the case out of the court completely. The Judge, in doing so, decided that the employers must come into court with clean hands. It is an old maxim in equity, that 'he who seeks equity must first do equity,' and

another maxim is, 'he who comes into a court of equity for relief, must do so with 'clean hands.' The Court evidently saw that the Employers' Association did not have 'clean hands,' for they violated their contract, broke their agreement and locked out their men and tried to separate and dissolve the unions, so as to make them ineffective and to make their power nil.

"The Court also decided the Clayton Act was good law. That labor unions did not come under the Sherman antitrust law.

"That strikers have the right, in the conduct of a lawful strike, to use peaceable means to induce customers or prospective customers of their employer to withdraw their patronage from him and give it to others.

"That workmen have the right either severally or in a body to quit work, and by reason or argument induce others to stand with them in their demands, even as against a specified employer of labor, and they may use means to keep others from seeking employment with such employer.

"The right of a union man to refuse to work on a job for the reason that a non-union man of some other craft is engaged thereon.

"That a union man can quit or refuse to work on a job for the reason that a non-union man of some other craft is employed, is without question.

"That a contract between an individual employer and a labor union, in which the employer binds himself to employ only workmen who are members of the union, and only such members that are in good standing, is not against public policy and is valid."

During the trial, Attorney Nicholas Klein, in behalf of the unions of Portsmouth, addressed the Court in part as follows:

"The medical man does not hesitate to apply a new discovery regardless of what some great ancient doctor may have proscribed otherwise at another time. What would you say of a man trying to travel by oxen team in this age of electricity and steam and rapid transportation? What would you think of a man trying to disseminate communication by ancient courier methods in this age of telephones and wireless telegraphy? These questions answer themselves, and yet courts have sought to apply legal doctrines—culled out of ancient times when master and servant worked side by side, when master and servant were practically on a par as individuals, capable of contracting with each other as free agents without one having advantage over the other by reason of any concerted accumulation of either capital, or opportunities, or men—times when we have great big workshops, employing under one roof thousands of men toiling in the making of fabulous sums of wealth, where things are so systematized and where work is so subdivided that the employe becomes but a machine attache, a man without a trade, and is removed from the real owner of the business by the intervening of innumerable superintendents, foremen, and assistant foremen, and where seldom are his demands brought to the man who is financially most interested in the business.

"Of what worth is it to the State to permit one to enjoy property, life, liberty and the pursuit of happiness under the conditions, where thousands of workmen are ill-fed, ill-housed and over-worked to the detriment of their health and morals? Is a person under such circumstances a free agent? Can we in all fairness, without merely theorizing, after looking into the conditions of the workers, say that a workman, in dealing with such a concern, is a free agent, and can freely contract for the sale or hire of his labor?"

"When we see that unions have grown in numbers and have increased in membership, and have done a world of good to humanity and are still striving for those things in spite of past oppression, in spite of unfavorable court decisions and injunctions and punishments for contempt, it must make us pause to think that the march of progress can never be thwarted by persecutions and prosecutions in any form.

"When unions have been obliged to go to other sources than the courts for relief for the great mass of mankind that labor and toil for their livelihood, is it any wonder that the sentiment exists that the court is not labor's ally?"

"Unions seek no greater rights during a strike than they have at other times, but they do believe the courts should not be so hasty in aiding their industrial enemy by becoming a party to their controversies, giving aid to thus assist in breaking up their efforts in their struggles for the things for which they are striking without first attempting to solve the merits of the strike.

"Perhaps I have mingled with the unions and their members as few members of the bar have done. I know their sentiments and their expressions. The greatest ambition I entertained is that courts will some day come to see labor and its struggles, not from a distance,

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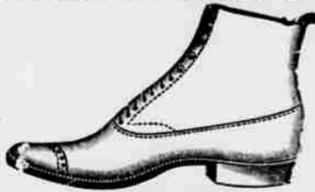
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