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A FRIEND TO THE PEOPLE.

Oliver Wendell Holmes, the new member of the United States Supreme Court, took the oath of office at the convening of the court on December 8. In this man the common people of our country have a powerful advocate. His sense of equity and unquestioned integrity, and knowledge of law, adds assurance of virtue to that great tribunal. His attitude towards organized labor when he was Chief Justice of the Supreme Judicial Court of Massachusetts, confirms the statement herein made. In the case of *Vegeahn Guntner*, 44 N. E. Rep. 1077; 167 Mass. 102; 35 L. R. A. 722, the Massachusetts court held that the maintenance of a patrol of two men in front of plaintiff's premises, in furtherance of a conspiracy to prevent, either by threats and intimidation, or by persuasion and social pressure, any workman from entering and continuing in his employment, will be enjoined, though such workmen are not under a contract to work for plaintiff. From this decision Justice Holmes dissented. In his opinion he makes a strong argument as to the rights of organized workers, a part of which is as follows:

"The policy of allowing free competition justifies the intentional infliction of temporal damage, including the damage of interference with a man's business, by some means, when the damage is done not for its own sake, but as an instrumentality in reaching the end of victory in the battle of trade. I have seen the suggestion made in the conflict between employers and employed is not competition. But I venture to assume that none of my brethren would rely on that suggestion. If the policy on which our law is founded is too narrowly expressed in the term free competition, we may substitute free struggle for life. Certainly the policy is not limited to struggles between persons of the same class competing for the same end. It applies to all conflicts of temporal interests. It is plain from the slightest consideration of practical affairs, or the most superficial reading of industrial history, that free competition means combination, and that the organization of the world, now going on so fast, means an ever-increasing might and scope of combination. It seems to me futile to set our faces against this tendency. Whether beneficial to the whole, as I think it, or detrimental, it is inevitable, unless the fundamental axioms of society, and even the fundamental conditions of life, are to be changed. One of the eternal conflicts out of which life is made up is that between the efforts of every man to get the most he can for his services, and that of society, disguised under the name of capital, to get his services for the least possible return. Combination on the one side is patent and powerful. Combination on the other is the necessary and desirable counterpart, if the battle is to be carried on in a fair and equal way."

THE COAL INVESTIGATION.

The more evidence introduced into the anthracite coal investigation, the greater the shock to the finer sensibilities of those who read. The outside world has been indulgently fostering the coal barons in their inequities and tightening the cinch about the poor miner and his family. On the first page we publish all the important testimony before the commission during the past few days, and some of the tales are so touching in their pathetic simplicity that even the Commissioners were astounded and at times moved to tears.

President Roosevelt evidently knew the weight of his argument when he said the way to regulate the trust is to give them greater publicity. He has confidence in the American people that when they find a radical wrong they will make a radical right. Here is an example of what publicity will do. For years the coal operators have carried on an industrial hell. They have starved the children, robbed the mothers and enslaved the men. The emancipation of the black men did not uncover a worse scene. The light of investigation makes them squirm, and an effort was made, and it is believed is being made now, to effect a conciliation outside the court. The independent operators balked the combine's scheme. They were at the mercy of the railway companies anyway, and an outside settlement would only embarrass them the more. They had rather the whole story would come to light than be left entirely to the mercy of those with whom they associated. And so the threads of their infamous skein are being unraveled day by day.

It is only to be regretted that so much valuable time is necessary to prove the piratical methods of these industrial Shylocks. But when 'tis done 'twill roll back the draperies from Baer's inferno and the light of heaven can then enter in and purge the place.

The world-renowned pugilists, Fitzsimmons and Jeffries, have come and gone. It was an exhibition of a giant and a freak. Jeffries, in form and look, suggests the giant slave to Lydia in "Quo Vadis?" He is a powerful mass of flesh and muscle, but his expression and face are disappointing. Fitzsimmons appears to better advantage intellectually, but is far from being a handsome man. He tapers from a big pair of shoulders down to almost a lady's foot in size. His legs look like strings suspended from a shoulder of beef. His skin is smooth and devoid of hair, but he has a sharp eye and keen wit. That he is a wonder his record proves, but it simply seems incredible that he could so nearly have vanquished his stalwart adversary in their fight last July. The odds appear to be too great. Yet it is true, and Fitzsimmons stands today the peer of all pugilists. Yet of what consequence can the visit of these two champions to our city be? They don't help anything, nor add to the progress of our community. The exhibition was a farce, and even though it had been for championship honors, the show is but a few degrees removed from the death battle of the Roman gladiators. High stakes were played upon the lives of the contestants, and high stakes are played upon the defeat of the contestants now. It has simply kept up with the procession of human advancement, but just far enough behind to keep within the limits of the law.

A dispatch from New York City, November 6, stated that the crushing power of the coal trusts was not realized in New York until yesterday. When the rush on the retail dealers began those who were forced to purchase coal realized that, whether the miners were on strike or at work, the power of the trust is the same. The charge was made openly by many small retailers that the present condition of the coal trade is due solely to the trade methods of the trust and its endeavors to break down the retailers' system and establish a community of interest system that shall enable the coal mining and carrying companies to adopt the rapidly growing method of dealing from mine to consumer. The sudden break in the weather and the necessity for an immediate increase in the supply of coal brought with it the realization that a nominal price had been established for coal. The price of coal has been raised \$1 a ton by the wholesale dealers, and this has given the retail dealers the required excuse for lifting the price to their customers \$1.50 or \$2. The trust list price remains \$6.50, but this was regarded as a glaring jest, in view of the fact that coal can be bought only at \$11 or \$12 a ton, and then only in ton lots.

In the Superior Court at Tacoma on November 9 Judge Thad Huston decided the Longshoremen's Union was entitled to take the body of William F. Brink, who died from injuries received on the Oriental liner Yang Tse while unloading at that port. Mrs. Lillian Leeninger, who claims to have been engaged to marry Brink, insisted on the right to bury him as his next friend, and secured a temporary injunction last Saturday night against the longshoremen conducting the funeral. After hearing the evidence Judge Huston decided that, as deceased had no relatives, the Longshoremen's Union stood as his next friend, and had the best right to direct the funeral arrangements, and this was in harmony with the expressed wish of the deceased. All four local unions of the longshoremen will attend the funeral.

Senator David B. Hill has been engaged by the Painters' Union of Schenectady, N. Y., to defend them in a controversy with William Potter, an expelled member. Potter appealed his case to the court, who granted an injunction restraining the union from considering him as not a member. The union has not as yet complied with the court's order, and reinstated Potter to membership, and the officers state that no such action will be taken. It is understood that if Potter is not restored at once, application will be made for the arrest of Frank C. Sheffer, the president, and other officers of the union, on the charge of contempt of court.

More than 200 saloon-keepers of San Francisco have organized themselves into the "San Francisco Retail Liquor Dealers' Charitable Association," whose purpose is to extend charity. The custom of giving away the usual holiday package on Christmas will be dispensed with, and the money in stock expended in this manner will be given to the poor. Already \$2000 has been subscribed by the members, and a committee of 18 members were appointed to make a canvass among the liquor dealers to urge that Christmas packages be discontinued in favor of contributions to a fund to be disbursed for the benefit of the needy.

The Freeman's Labor Journal, of Spokane, has changed hands. W. J. Walker and W. J. Jolley have been succeeded by E. L. Boardman and D. A. Cartano. The paper is an individualistic enterprise, but is indorsed by the labor unions. The former proprietors, while much thought of in the ranks, took almost too great a part in politics, which brought forth a protest from the Typographical Union and others. It is not stated whether this had anything to do with the change, but the statement of the new management would imply as much.

The increases in freight rates which are soon to be applied on the roads running from the Mississippi River and points beyond to the East and South, will be investigated by the Interstate Commerce Commission, which has

fixed December 16 next as the date for a hearing, to be held at the offices of the commission in Washington. The commission has issued an order requiring the attendance at that time of the chief traffic officials or other representatives qualified to give information of the various roads, as to why the advance in freights is to be made.

T. E. Latimer and A. E. Fowler, of Seattle, are in Portland for the purpose of starting a socialist paper. The initial number will make its appearance between now and the first of the year—about December 24. It will be a six-column, four-page weekly paper, and its political policy will be purely socialist. Mr. Latimer will have charge of the editorial and news department, and Mr. Fowler, who is a cartoonist, and a member of the Cooks' Union, will take care of the business end.

The taking off of Thomas B. Reed removed from our National beehive an intellectual giant. Back of his mental strength was an indomitable will and superb physique. He was a hard master at times, but he always followed the path of his own conviction and spared none who impeded his progress. He was too honest and open-handed to be a successful politician or he might have filled the Presidential chair. Like Blaine, he was brilliant, aggressive, eloquent, but unfortunate.

The San Francisco Labor Council has directed that all unions in the city be invited to meet the first Monday in January to formulate plans whereby every labor organization in San Francisco shall affiliate with the central body, thus securing harmonious and united action in all matters affecting organized labor. The "centralization of power" policy is felt to be as necessary in the Golden Gate city as Portland. It is the only way to accomplish results.

As has been expected, the trusts have already taken up the cudgel against Mr. Roosevelt's candidacy for the Presidency in 1904. His fearless policy of regulating trusts and the dissolution of dishonest combinations has landed like a bomb into their secret fastness. It is to be expected that they will oppose Mr. Roosevelt, and they would do as much for any other candidate as fearless and honest. It may shape up with the people and Roosevelt against Baer and the trusts.

George B. Markle, the independent coal operator of Pennsylvania, has the imprint of his rascality on the memory of many a thrifty Portlander. It was he who shut the doors of the Oregon National Bank in 1893 upon \$300,000 deposited by Penumbra Kelly, who was then Sheriff, and \$50,000 belonging to the city. Besides this, the deposits of hundreds of individuals. The defunct bank never paid a penny. Markle went East and went into the coal business.

The Murphysboro, Ill., Unionist, says the laws of Kansas provide that labor unions shall form a state organization to be known as the "State Society of Labor and Industry," and this society shall meet in convention and appoint the Labor Commissioner for the state. This enables the union to have one of their own members hold this position.

A bill was introduced in Congress on November 8 by Mr. Lodge making railroad companies liable for damages on account of the injury or death of employees, notwithstanding the injury or death may have been due to contributory negligence on the part of the employee.

It has not yet been cold enough to snow. Our Eastern neighbors would undoubtedly cheerfully give a few days of 20 degrees below for a little Web-foot rain.

One of our roses in bloom at this time of the year is worth all of the snowfalls east of the Cascade Range.

Oregon seems more beautiful and verdant than ever when we read of the frost and blizzards in the East.

LABOR NOTES.

The striking puddlers at Lebanon, Pa., have won their contest for higher pay.

New York, Ohio and New Jersey all have laws preventing the night work of children.

The International Labor Editors' Association was organized in New Orleans during the A. F. of L. convention.

The "Regent" and "Argyle" shirts are made in the Michigan penitentiary by convict labor. Union men take notice.

By means of a label campaign, the sale of nonunion shoes in the state of Illinois decreased 75 per cent in the last six months.

The turn over of 2000 co-operative societies in Europe last year was \$400,000,000. In 1893 it amounted to only \$450,000,000.

The building trades of Stamford, Conn., have forced the largest contractor in the city to capitulate, after a bitter fight for three years.

Through the persistent objection of the Seattle W. C. L. U., the telegraph companies have replaced the little messenger girls with boys.

The Reuter brewery of Boston has announced that all its nonunion men have been paid off, and that union men only will be put to work hereafter.

The Central Trades Council of Des Moines, Ia., has been enjoined to prevent giving aid to the telephone operators. It is the first one issued in the state.

Miners' wages in silver mines in the United States range from \$2.50 to \$3 in gold per day of eight hours, while in Mexico miners' wages are 75 cents in silver per day of 11 hours, which at the present rate of exchange (\$1.40 premium) makes the Mexican labor cost 31 2/3 cents in gold per day.

The Russian Finance Minister, De Witte, has recommended that strikes should be legalized in Russia. At present a labor strike is dealt with as a rebellion.

The Illinois State Federation of Labor will make a fight to have the Legislature pass measures looking toward taking convicts out of competition with free labor.

The Painters' Union, of Astoria, has received the unanimous approval of employers for an eight-hour day, and the new schedule will go into effect January 1.

The strike of the shopmen on the Wabash railroad system is over. An order of a cents per hour has been accepted by the men. The strike has lasted seven weeks.

Notice has been served by the American Tobacco Trust to 15,000 of its employees that they will grant a wage increase as soon as the new wage schedule has been completed.

The Indiana Supreme Court has decided that the weekly pay law is constitutional. This will compel manufacturers in this state to pay their men weekly whenever it is demanded.

Since the failure to effect a conciliation between the American Federation of Labor and the American Labor Union at the New Orleans convention, the latter organization will resume its battle against the A. F. of L.

Between May and November 1, 1902, 1410 persons were registered as visitors to the Union Printers' Home at Colorado Springs. The large majority were tourists from nearly every state in the Union.

The new child labor law has been violated by the Overland Cotton Mills Company, of Denver, Colo., and the State Society for the Protection of Children and Animals is bringing prosecution in the courts.

The New York State Board of Mediation and Arbitration has recorded 60 fresh disputes in April May and June, involving 21,500 workmen, who lost in the aggregate 30,000 days' work. Of the 21,500 strikers, only 2000 were employed in the Union.

There is a strike of the stokers at Marseilles, and work at the quays is at a standstill. Thirty-eight steamers lie deserted at their docks. Crews of steamers which have arrived have left ships in sympathy with the strikers at Marseilles.

First Vice-President Hawkes, of the I. T. U., has effected a settlement of the long-standing differences between the Typothetae and Kansas City Typographical Union, and the job offices of that city are now working under I. T. U. rules.

The contest since last February between the brewers of Cincinnati, Covington and Newport and the United Brewery Workers' Union ended December 3, when both signed an agreement. The trouble was settled through a conference commission of the American Federation of Labor.

Labor unions of Milwaukee favor a more stringent child-labor law, a compulsory education bill, an increase of factory inspectors, and a convict labor law similar to that in New York. They will use every effort to have these laws passed during the coming session of the State Legislature.

The executive council of the American Federation of Labor has revoked the charter of the Amalgamated Society of Engineers, it having failed to comply with the International Association of Machinists' Brotherhood of Blacksmiths, and the Pattern Makers' League over trade jurisdiction.

Salesmen in the employ of independent tobacco companies have formed a union with headquarters at Chicago, Ill., and chartered by the A. F. of L. The object of the union is to perfect and maintain a mutual and concerted action by the salesmen of the independent factories against the trust products.

A meeting of the Farmers' Union of Western Montana, held at Missoula November 15, a scale of prices for farmers' products was agreed upon. The farmers find their organization of benefit to them in many ways, not least being that it enables them to combine shipments and to take advantage of car rates.

The Delaware, Lackawanna & Western Railroad Company proposes a substantial increase of pay to employees in the various departments notwithstanding the rates paid by this road since 1898 have not been exceeded by any road in the East. All branches of the service and practically all the employees will be affected.

Judge Ford, of the Common Pleas Court, of Cincinnati, O., has granted a perpetual injunction against the Waiters' Union and the United Trades Council, restraining its members from picketing or distributing handbills to would-be customers at the restaurants of John Mulholland. The injunction practically affects every union man in the city.

The strike of the French dockworkers at Marseilles appears to be about over. Many sailors and others went to work today, and the quays began to resume their customary aspect of activity. The situation, however, still involves possibilities of danger, as the radical element has received assurance of support from the dock laborers of nine of the leading ports of France.

The strike of the Electrical Union against the telephone company is still in effect, although the company is now giving a partial service with nonunion operators. The strike, however, many of the instruments and some sublines are out of repair. Several conferences between the directors of the telephone company and the union representatives have so far failed to effect an arrangement whereby the strikers will return to work. An outcome of the controversy is the application to the City Council this evening of 20 prominent business men for a charter for a new telephone company.

The circular announcing the plan for pensioning employees of the Harriman railroad system, which is to go into effect January 1, gives the following particulars: In general outline, the plan is the same as that of the Pennsylvania, Illinois Central and the Chicago & Northwestern roads. Employees who have attained the age of 70 and have been in the service 20 years or over are to receive pensions on the basis of 1 per cent per annum of the average salary received for 10 years previous to pensioning for each year of service. For instance, an employee whose pay averaged \$1000 per annum for 10 years prior to retirement and had been in the service of the company 30 years, would receive a pension equal to 30 per cent of \$1000, or \$300 per annum. Between the ages of 61 and 70, employees incapacitated for further work may be retired by a pension, provided they shall have been in the service 20 years or more. The employees make no contributions to the fund, pensions being paid by the company in full and without any conditions. The employees, being at liberty to engage in other business after being pensioned, should they see fit.

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