

Decisions of Courts Affecting Labor

The United States Bureau of Labor Statistics has just issued its annual review of court decisions affecting labor as its Bulletin No. 169. Approximately 265 decisions are summarized, dealing with the application and construction of the laws, or with the application of the principles of the common law to the rights and relations of the worker.

Decisions of outstanding importance which are reviewed in this Bulletin include the final opinions of the appellate and Supreme Courts of the United States in the famous *Dunbar Hatters' Case*, holding members of unions personally liable for damage from boycotts; the dissolution of the famous injunction in the case of *John Mitchell* against the *Hitchcock Coal & Coke Co.* of West Virginia; an "holding labor union legal"; and the Supreme Court's opinion in the *Coppage* case, overruling the law of Kansas which undertook to protect workmen in their membership in labor organizations.

In the last named case the dissenting opinion, which defended the constitutionality of the act, is also given. The largest group of cases on a single subject is that relating to the new form of legislation known as workmen's compensation laws. The decisions on this subject range from questions of constitutionality, decided adversely in the case of the *Kentucky* statute and favorably in other state courts, to the determination of definitions or of single points of dispute. In considering occupational diseases, for instance, the Massachusetts courts hold lead poisoning to be within the state act, providing for compensation for "personal injuries arising out of and in the course of employment," while the Michigan courts, under the provisions of a state law similarly expressed, hold that a case of lead poisoning is not entitled to compensation. An optic neuritis induced by inhaling poisonous gases was also compensated in Massachusetts, while in New Jersey the court disallowed a claim on account of eczema said to be caused by acids used in a bleaching. Other decisions relate to the mode of computing benefits, the definition of the term "casual employment," what constitutes dependency, wilful act, incapacity, etc. Taken in connection with an earlier Bulletin on the same general subject, the Bureau of Labor Statistics has here presented one of the most complete collections of cases on American compensation laws in existence.

Another important group of decisions in a related field is of those determining the application of the Federal liability statute to different classes of railroad employments. Several cases are found which turn

on the nature of the employment of the injured person, i. e., whether in interstate commerce or not. The courts are not uniform in their construction of this statute, but among the employments found to be within the act were those of a blacksmith repairing cars used in interstate commerce, a telegraph lineman engaged in repair work, workmen installing block signal systems, a carpenter building an addition to a freight shed, a laborer carrying coal to heat a shop in which interstate cars were being repaired, etc. Employments, which according to the decisions were excluded, were workmen constructing cut-offs for shortening interstate trackage, a hostler killed by the explosion of the boiler of a locomotive whose last run was interstate, and a switch engine fireman who was at the moment handling only interstate cars, though his work regularly involved the handling of both classes of commerce indiscriminately.

Other classes of Federal laws that receive considerable attention in the court decisions are those limiting the hours of service of railroad employes, an requiring the supply and maintenance of safety appliances. Other interesting cases are one that grew out of the textile workers' strike in Massachusetts, in which the accountability of the collector of a fund intended for the relief of strikers' families was affirmed; one connected with the bridge workers' campaign against non-union employes, involving the transportation of explosives in interstate trains; a murder trial growing out of the incitement of a strike leader urging his followers to prevent arrests in the hop pickers' strike in California; and a question of the validity of a sentence of a military court during the disturbances among the miners of Silver Bow county, Montana.

The power of an employers' association to enforce its rules is maintained in a case in which such an association was held by the court to be entitled to recover from one of its members the sum of \$5,000 as damages for his defection in a struggle against closed shop contracts. In connection with this may be mentioned a case deciding the illegality of a combination in restraint of trade undertaken and carried on by an association of retail lumber dealers by blacklisting wholesale dealers who sold directly to the consumer.

The minimum wage law of Oregon is noted in this Bulletin as the first law of this class to receive judicial consideration, being upheld by the Supreme Court of that state. From this decision an appeal has since been taken to the United States Supreme Court.

you become all tired out, for then the play is dangerous. Everyone needs some play, but not too much. You can't work all day and dance and carouse all night and keep your health. Sooner or later the strongest constitution will break and the resistance to disease will become so low that the onset of tuberculosis or other disease cannot be avoided.

A FEW OF HIM WOULD MAKE A MUCKLE

A reader dug the following letter out of Brother Victor Rosewater's Omaha "Bee," and sent it in to us in a recent morning's mail:

To The Editor of The "Bee": "It is a sad thing to see poor, silly people of the twentieth century complaining of the high cost of living and saying they can't live on salaries of \$600 all the way up to \$6,000. For fifteen years my salary has ranged from \$30 to \$60, and I have a good sum of money in the bank, a wife and six children. I manage things on a common-sense basis. No foolishness. Nickels spent on moving pictures and candy and ice cream are wasted. Money spent on finery is wasted.

"In my family we have nothing in the way of luxuries. Just the plain everyday food. I do the buying myself. Cereals, oatmeal, and similar foods form the bulk of our diet. We buy one pound of steak a week. I have a piece of it every day because I need meat to sustain my strength for my work. The rest of the family do not need meat—in fact, are better off without it. The only luxury we buy is tobacco, and the cost of that comes to only forty cents a week. We save much on buying bread that is a day old, thus increasing the buying power of the money 100 per cent. Cheese I find a good substitute for butter and more nutritious, as well as costing only half as much. It is a very simple thing to raise a family on a small salary if a man just had common sense and doesn't leave the buying to his wife, and sees to it that tradesmen give him a dollar's worth for every dollar he spends. I have only been in Omaha a year, but I guarantee I have made my money go further than any other workman in the city, and I can prove it if necessary." A. B. Mickle.

Our stenographer passed this in to us with the following comment: "People read this sort of thing and then wonder why some of us prefer to remain old maids!"

Well, there's a good deal to be said on that. In the first place, if our stenographer were Mrs. Mickle, we think something sudden and surprising would happen in the Mickle family. In the second place, a home and six children, even with Mr. Mickle thrown in, are better than being an old maid. Finally, we want to know more about Mickle. Maybe he wrote the letter in irony. Maybe he doesn't exist. Maybe one of the "Pee's" bright young men invented him to add to the gayety of nations. Won't Brother Rosewater be kind enough, at our request, to send one of his reporters out to see Mr. Mickle and tell the world about him? If he is a real human being, there are a lot of things we should like to say about him, and not all of them to his discredit. His ideas are not all bad. When he eats all the meat in the family he is doing the rest of the family a real service. The main point in which he is all wrong is his distrust of his wife in the matter of buying. His case may be an exception, but in nine cases out of ten the wife is a better buyer than the husband. After all is said and done, the outstanding fact about Mickle is that he went and did it. He did marry and he did raise a family. For that achievement, compared to him, all the whining young men who complain they can't afford it are merely objects of varying degrees of contempt.—*Collier's Weekly*.

ORGANIZE CASUALTY COMPANY

The new Pennsylvania compensation law is effective the first of next year and manufacturers are preparing for this event by organizing a casualty insurance company. Thomas S. Dando, who favors the plan, says that employers in this country last year paid to casualty companies more than \$31,000,000 in premiums, while the losses paid by the companies amounted to \$9,500,000. Unionists point to these figures as the reason why opposition is shown against workmen's compensation legislation.

The World Wide War Trust

By Congressman Clyde H. Tavenner.

The question has been raised as to the patriotism of those who insist upon the Government manufacture of all munitions of war, including battleships. I can not see how it can be contended that it is any more patriotic to advocate two battleships to be built by private contractors, with huge profits to the builders, than it is to advocate two battleships to be constructed by the Government, which expended for battleships we will get a dollar's worth of battleship, and that the men who actually do the work of building the ships will receive higher wages and work under far better conditions than if the contracts are given to the Shipbuilding Trust.

The "big-navy-to-be-built-by-private-contractors" policy will meet with the approval of the armor ring, ammunition ring and the Shipbuilding Trust. It will also be eminently satisfactory to the Navy League of the United States, which organization has from the first been an adjunct of the house of Morgan, and is constantly agitating a larger and larger navy, but mind you, not a larger navy to be built at the lowest possible cost with a Government armor plant, and in Government shipyards, but a larger navy to be built by the armor ring, the ammunition ring, and the Shipbuilding Trust.

Ever since I have been a member of Congress I have been receiving literature from this "big navy" lobby, and finally I determined to call the attention of its officers to the fact that their pleas for a larger navy are tainted, and will continue to be tainted until they advocate the Government manufacture of all munitions of war. On January 16 of last year I addressed a letter to Mr. A. H. Dammun, the secretary of the league, in which, among other things, I said:

"Assuming that you are in good faith in this agitation and really desire the largest possible navy for patriotic reasons, I am going to take the liberty of suggesting to you that if you will inaugurate a movement for the Government manufacture of all munitions of war, including all battleships, your campaign will strike a much more responsive chord with both members of Congress and the people.

"In other words, if the Government is to do all of the manufacturing of munitions of war, including battleships, the point can not then be successfully raised that the agitation is for the benefit of the armor ring, the ammunition ring, and the Shipbuilding Trust.

"But if you do not advocate the Government manufacture of all munitions of war, including battleships, you can not successfully deny that you are carrying on a propaganda which means millions and millions of dollars of extortionate profits to the above-mentioned interests."

I hardly expect readers to fall out of their chairs in amazement when I report that the Navy League has not accepted my suggestion.

Many Prominent Patriots Identified With the Navy League.

I desire now to present some information as to who is behind the Navy League:

Mr. J. Pierpont Morgan was until his death one of the directors, and intensely interested in the league's work, to which he was a liberal contributor.

ATTACK ON SEAMEN'S BILL

It is stated in a magazine published in the interest of the shippers of this country that the Chamber of Commerce is again active with the "referendum" in an endeavor to secure the repeal of the La Follette Seamen's Bill. The magazine says that the members of the Chamber of Commerce know nothing of the shipping business and that their methods are "amateurish."

Further, the article says that Andrew Furuseth deserves great credit for his masterful knowledge of the subject. Notwithstanding the enormous amount of money expended to secure its defeat, the bill was never in danger because the opposition was espoused by flim-flam write-up sheets and men who were insufficiently versed in the subject to stand any chance with Furuseth before a committee.

STATE UNIONISTS TO MEET

Officers of the Nebraska state federation of labor have issued a call for the eighth annual convention of the organization to be held in Omaha, beginning Tuesday, September 14.

LONGSHOREMEN RAISE WAGES

Members of the Longshoremen's union at San Pedro, have secured a wage increase as the result of conferences with employers.

Mr. Herbert L. Satterlee, general counsel for the league, is a son-in-law and heir of Mr. Morgan. J. Pierpont Morgan, Jr., is one of the active directors of the league.

Gen. Horace Porter is president of the league. He was for many years an officer of the Pullman Co., which is a Morgan corporation.

Mr. Charles G. Glover is treasurer of the league. He is president of the Riggs National Bank, which is closer to Wall Street than any other bank in Washington.

Col. Robt. L. Thompson is chairman of the executive committee of the league. He is an eminent financier of New York, whose great interests generally coincide with the colossal undertakings of the Morgan group. He is also the head—being chairman of the board—of the International Nickel Co., and holds the honorable post of president of the New York Metal Exchange.

HOW SAVINGS GROW

In order to illustrate the rapid growth of savings with 4 per cent compound interest added, we have prepared the following table:

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1 00	pounded twice a	293	650	1614	5,177
2 00	year, January 1	585	1301	3228	10,355
5 00	and July 1.	1462	3252	8070	25,888

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What Tuberculosis Costs in Wages

EDITOR'S NOTE.—This article has been prepared for the Portland Labor Press by the National Association for the Study and Prevention of Tuberculosis. Others will follow, giving more detail as to what you should know about tuberculosis.)

Workingmen are always aroused when an employer or a group of employers suggest a reduction in wages. How many of the men who read this article ever stop to think of the enormous sums of money they are losing in wages every year due to one preventable disease, TUBERCULOSIS.

A careful study of 500 Boston men who had consumption, and most of whom died with it, has revealed the fact that these 500 men alone lost over \$425,000 in wages as a result of this disease. The investigators in this study were not guessing; they actually looked up the wages that the various men had been getting when they were taker sick; the length of time they were sick, and thus the amount of money they lost could easily be figured up. Each of these men lost on an average in hard cash nearly \$1000 in wages alone, to say nothing of the enormous loss to his family and the community and the uncomputed suffering that this disease caused. It was found that out of 500 men, 495 had to give up their work because of tuberculosis, and that the average number of weeks of complete disability when they could do nothing, ranged from 58 to 89, depending on whether the men were living or dead at the time of investigation. The average rate of wages was about \$11.50 and the total loss amounted to \$426,039.

A most conservative estimate would place the number of deaths of workmen from tuberculosis last year at 50,000. If, on an average, every one of them lost \$1000 in wages, the total wage loss would amount to \$50,000,000 in one year. The actual loss is probably considerably larger than that sum, a number of writers placing it as high as \$150,000,000. It will be plain, however, to every workman from these figures that an attack of tuberculosis means a ser-

ious loss in money, happiness, and health. How can this disease be warded off? Just a few suggestions may save you money. Read them carefully.

1. Live in the fresh air as much as you can. You may have to work inside, but by keeping a window open and by getting a few deep breaths of outdoor air at frequent intervals, you can help to insure your health. If you are at home, keep the windows open, and always sleep with plenty of fresh air circulating through the room. Outdoor play and exercise are to be preferred.

2. Eat all the good, plain food you can digest comfortably. Eat a variety of foods, not all meat or all vegetables, but some of various kinds, such as fruit, meats, fish, vegetables, milk, eggs, etc. Your stomach, bowels, liver and other digestive organs require three things primarily, nourishing foods, liquids, particularly water, and bulk. Many things you eat, such as some vegetables, do not nourish the body but they are needed for bulk in your intestines to prevent constipation. What you eat will determine to a large extent your ability to resist attacks of tuberculosis and other diseases.

3. Rest is as necessary to health as is food or air. Some people require more rest than others, but every working man or woman should try to get at least 8 hours of rest every night or day in bed. Besides this, everyone should find opportunity to rest and relax while at work or between periods of work. One may relax without stopping work, simply by changing or shifting one's position or task. If you work hard with your hands during the day, a certain amount of mental work at night may be a recreation. It is monotonous work, doing the same thing over and over, day in and day out in the same way that kills. Anyone can break the monotony if he tries.

4. This leads us to suggest recreation or play or exercise as a part of your daily life. Don't play so that