

The Oregonian.

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TODAY'S WEATHER—Occasional rain, with brisk to high southwest winds. YESTERDAY'S WEATHER—Maximum temperature, 57; minimum temperature, 31; precipitation, 0.12 inch.

PORTLAND, WEDNESDAY, OCT. 22.

A SPECIAL SESSION.

A special session of the Legislature is now being held in the Taxpayers' League—a body of such good record and reputation that this hitherto fatherless project can now count on support that is entitled to respectful consideration. We congratulate the league upon its tenacity. The accredited view of Legislatures is that they are too much in evidence as it is. There are too many laws, too many sessions. The fewer the better. To propose an extra one is to court the most determined possible opposition. Most persons feel that if the state can't get laws enough passed at the biennial sessions already in vogue, it should make itself somehow to do without them. It is perfectly clear that no adequate basis for a special session would exist if it were not for the complications of the Senatorial election which will almost certainly dominate and embarrass every undertaking at the regular session. This is not to say that action in advance of the regular session is not a desirable on certain subjects. But this desirability of early action would have no possible show of popular acceptance and approval, if it were generally expected that the Legislature would be able in January to reach prompt action on the questions involved, unencumbered with the operations of Senatorial aspirants.

We take it, for example, that an act putting the initiative and referendum in force and prescribing the mode of procedure, passed January 15, would be as effective and salutary in practice as one passed November 15. The enactment of the Portland charter January 15 would be as good in every respect as its enactment November 15. What time could be gained by the Lewis and Clark Centennial between November and January would not compensate for the cost of the special session. Promptness in such things is desirable, but another thing equally or more desirable is care in use of the public money. Every member of the Legislature is responsible to the constituency that elected him and to no one of the several interests asking for a special session.

We shall not seek, however, to minimize the dangers in which every legitimate concern of legislation stands from the Senatorial fight, or to blink the seriousness of the possibility of failure which is thereby involved for every one of the undertakings in question. Little was done at the session of 1895; nothing whatever at the session of 1897; the record of 1898 is a very thin volume, and at the session of 1901 scarcely a topic of real importance to the state had any careful or conscientious attention. All these miscarriages of lawmaking were due to fierce fights over the Senatorship, and the present outlook is not promising for anything better.

If there is to be a special session, we should not be called upon to confront yet we can expect to confront nothing else than a situation bordering upon an impasse for every project, meritorious or otherwise, whose advocates do not bow the knee to the faction in control of either house. The Lewis and Clark Centennial, the Portland charter, the Portland drydock, the State University, assessment and taxation laws, the state institutions at Salem and elsewhere, the Agricultural College, the Normal Schools, and every appropriation, every object of local as well as general concern and importance, will be held up at the dictation of one or other group of Senatorial manipulators. It is this most melancholy and humiliating spectacle which the Taxpayers' League, as we understand its purposes, desires to minimize.

It will occur to the most superficial observer, however, that the special session, if called, would itself be in grave peril of running shipwreck upon these same rocks of political ambitions. The membership is the same, the ambitions are as keen now as they will be then, and it is difficult to conceive any of the alert and indefatigable gentlemen already in the field as voluntarily foregoing advantages which might accrue to them from aid or hindrance to any undertaking whatever. The organization of each house will instantly become the prize of Senatorial combinations. A vote on the Lewis and Clark appropriation can be traded in November for repayment in January as readily as in January for repayment in February. If it were possible to hold a special session entirely dissociated from Senatorial complications, much good might come of it. Otherwise, otherwise.

These suggestions are set down here for the consideration of the Taxpayers' League, the Legislature, the people, and the Governor, upon whom the final, and the most important, responsibility must rest. The matter is one not for Portland, but for the state at large, which is concerned in the Lewis and Clark Centennial, and which is entitled to a fair and untrammelled vote

in the Legislature upon the appropriation for that object. A special session that does all the good expected of it and avoids the evils feared will be well. A special session that does the reverse of this will redound to the perpetual discredit of its participants and its authors.

SAVED BY GOOD LUCK.

The recent great strike lasted over five months, and the estimated general losses caused amount to \$300,000,000. This great industrial struggle, which has lifted the price of fuel to over 20,000,000 of people to \$15 to \$30 a ton, was not terminated by the intervention of law. It was terminated by the intervention of a great citizen, President Roosevelt, who did not pretend that his interference was official in any sense direct or indirect; he simply offered his personal good offices as a mediator between the parties to this great controversy, for which he was courteously thanked by the representative of the strikers and insulted by the mine operators. These mine operators yielded subsequently because J. Pierpont Morgan ordered them to do so. Morgan had brains enough to see that public opinion was so strongly behind President Roosevelt that it would be had public policy for capital to show less willingness to submit to the arbitration of the President than labor. In other words, we are out of a terrible struggle by good luck.

President Roosevelt's action blinds nobody but himself. If he should be re-elected, probably there would be no more of this kind of emergency, because the operators could not afford to. They know what to expect of Roosevelt. They have had all the intervention they want from him. But suppose in 1904 the disgruntled plutocrats of both parties get together and say to the leaders of the Democratic party, "Make your platform what you please; nominate anybody you think you can elect, and we will furnish you all the support in shape of money you desire." The Democratic party are nothing but transient war cries that die of exhaustion after election. Any man you can elect will be preferable to Roosevelt, because Roosevelt means what he says, while nobody that you can elect can possibly be as intractable as he. With us it is "anything to beat Roosevelt."

Suppose Roosevelt is defeated in 1904, or suppose the defeat of the Republican party does not come until 1908, or suppose the Republican elected is a man of equal honesty but of distinctly different temperament from Roosevelt, what then? Why, then, a formidable strike in the anthracite region, for lack of a man like Roosevelt, able and willing to deal persuasively with a man like Mitchell, would be suffered to proceed to the grimmest possible extremity. Under the circumstances of the recent strike we do not go for a Republican lawyer like Benjamin Harrison, or a Democratic lawyer, like Groves Cleveland, would have taken the initiative as Roosevelt did in offering himself as a mediator between striking labor and its employers. Officially Harrison or Cleveland would have interfered promptly if asked for aid by the Governor or to enforce the laws of the United States, but neither of these men would have departed from the limit of their official duties and powers, nor would they use their personal prestige to quell a great strike. Some great and good men, from strict notions concerning the good policy of such unofficial intervention and mediation, would not attempt it, and some equally good men might attempt it and fail.

It is clear, therefore, that we cannot afford to trust to a repetition of our recent good luck to relieve us from periodic business distress and political disturbance. It is always convenient upon a great strike that is long and hard, we have learned by experience what dire distress can be inflicted upon twenty millions of people at the East who are dependent upon anthracite coal for fuel, by a great strike, and we are bound in obedience to sound public policy to protect this great public from a recurrence of such coal famines. We cannot rest to good luck. We must intrude the principle of public law to hinder the law. Some of the soundest jurists in the country fairly plead that while trade-unions exercise a great power they ought to be legally incorporated; and Carroll D. Wright says that the official programme of federations of labor favors both State and National incorporation of labor organizations. Sound jurists say that while employers are liable, can be sued, can be arrested, and can be held to their contracts, can be cast in damages, and can be held in obedience to sound public policy to protect this great public from a recurrence of such coal famines. We cannot rest to good luck. We must intrude the principle of public law to hinder the law. Some of the soundest jurists in the country fairly plead that while trade-unions exercise a great power they ought to be legally incorporated; and Carroll D. Wright says that the official programme of federations of labor favors both State and National incorporation of labor organizations. Sound jurists say that while employers are liable, can be sued, can be arrested, and can be held to their contracts, can be cast in damages, and can be held in obedience to sound public policy to protect this great public from a recurrence of such coal famines. We cannot rest to good luck. We must intrude the principle of public law to hinder the law. 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