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PORTLAND, FRIDAY, JANUARY 17, 1913.

SETTLEMENT MADE IMPOSSIBLE.

An amendment to the three-year homestead law introduced in the Senate by Senator Borah and in the House by Representative French, of Idaho, proposes a change that is of vast importance to the growth of Western Oregon and the timbered sections of other Western states. A timely article on the subject, written by B. F. Jones, Register at the United States Land Office at Roseburg, printed in The Oregonian today, discusses the subject in detail.

The present law requires the homesteader to have cultivation at the end of the three-year period twenty acres of land. All who are familiar with the labor and cost attending the clearing and grubbing of brush and timber land in Western Oregon must realize the impossibility of the burden thus imposed. For the settler who has little or no money, subjugation of twenty acres of timber or brush land to the point of cultivation within a period of three years is a physical impossibility. The condition is made more onerous by the fact that the settler who looks up a homestead under the five-year law must now prove up under the provisions of the three-year act.

Relinquishment of their claims by scores of homesteaders and their departure for Canada, where the timber is more plentiful, to the settler, present a vital issue that must be remedied at once. Senator Borah and Representative French would put clearing, grubbing, fencing and planting of orchards on the same plane as cultivation, requiring the improvement of a representative acre outlay of \$150 per acre a year.

This would require the improvements to be of an average value of \$720 in three years on a homestead of 160 acres. One hundred dollars an acre is a low estimate of the cost of timber land for cultivation. Thus the homesteader is now supposed to go on timbered land, support himself and family and expend the equivalent of \$2000 in three years. This, too, must be in addition to the fencing, building and certain other improvements that are always contemplated in the life of livestock and his own proper existence.

The three-year homestead law has doubtless been a boon to the settlers in the untimbered public land areas, but in its application to the timbered areas it is not encouragement, but a discouragement to the settler. It is hardship, retrogression and reservation.

COMPENSATION ACT IS LIBERAL.

It is the opinion of some of the labor organizations that, inasmuch as the present liability law in Oregon is working to their better interests, the compensation, or state insurance, law drafted by the commission appointed by the Governor should not be enacted. These organizations have discerned one of the vital principles of liability and compensation acts. Such laws should be designed not only to compensate for injuries, but to prevent injuries as well.

But it is a mistaken idea that the proposed law does not do this, and it is equally incorrect to assume that its enactment would change the provisions of the present law relative to safeguards in industrial establishments.

No employee need accept the provisions of the compensation act if he does not desire to do so, for it is elective in form. If he declines to accept its provisions his recourse in the event of injury is under the terms of the present liability act. Moreover, for him who accepts the compensation act there is a strong measure of protection against accident. Regardless of what imposes increased payments to the insurance fund on the individual employer whose workmen suffer accidents.

Still another safeguard for the workman is found in the sections which permit the employer either to take compensation or seek to recover by law under the liability act in the event his injury has been caused by failure of the employer to install the safeguards required by law.

The proposed law, it would seem, comes in the way of the employer, for its optional provisions in behalf of the employer. If employers would consider their best interest as a class rather than as individuals, the bill would be accepted as a good groundwork from which might be built up an act that would in compensation act as limited experience in this country will permit at this time.

The impressive character of injuries renders no degree of fairness in awards for injuries. One workman receives more than he deserves and another receives less. Regardless of the liability of the existing liability law, workmen as a class would receive compensation more uniformly just than at present, even if the law were compulsory rather than elective. Very likely, in view of labor opposition to the bill in its present form, a compulsory act is not to be hoped for at this time. But with some few amendments in other particulars the compensation bill could be made a statute that would doubtless ultimately demonstrate the superiority of complete automatic compensation.

still, the sport which faculty neglect allows to thrive descended to offensive forms of commercialism. Now a reaction has set in and the colleges are resuming the parental attitude which is so much better both for teachers and students. Youth does not develop well in an atmosphere of moral indifference.

WEST'S VOTES IN THE LEGISLATURE.

Governor West is indifferent to the fate of the fifty-eight measures he sought to slaughter by his wholesale vetoes nearly two years ago. He says so himself. He informs the Legislature through an accredited voice that he will keep his hands off. We have it from the same exalted source that he has no war to make on State Treasurer Kay. He seeks harmony. He is not mad at anybody. All he wants is to be let alone, for he loves all mankind.

What the Governor seeks just now is peace and what he needs is help. He has provoked many controversies and proposed many innovations, but the net result is that he has done nothing. He is utterly unable to justify before the Legislature or the people the greater part of the vetoes of the 1911 session. Some of them were inspired by personal animosity toward their respective authors; others were recorded hastily and without due regard for the consequences; others had the taint of political bias; and others appeared to be written in a mere boyish spirit of spectacular display or executive pique. Others, like the district and county fair appropriations, had merit, undoubtedly; but they were by no means the larger number.

The veto power was not placed with the Governor of Oregon for use arbitrarily, or capriciously, or for the sake of himself or his high reasons of state. It is no plaything; nor ought it to be the instrument of pique or revenge, or the vehicle for the expression of personal whim or fancy.

Governor West has vetoed, with or without cause, more legislative bills than any other Oregon executive. Probably the Legislature will pass over his head—as it should—the meritorious measures that fell under his disapproval, giving him the unique record of having vetoed unavailingly more bills than any other Oregon Governor.

ANOTHER BAKER STORY.

The New York World has embarked on the unique enterprise of bringing about the election of William F. McCombs, the Democratic National chairman, and a resident of New York, to the United States Senate from Arkansas, vice the late Jefferson Davis. The World argues plausibly that McCombs is a native of Arkansas and "there is nothing in the Constitution to prevent his election," and it would be a "refreshing change after Jeff Davis." Then it plunges into historical precedents with the following amazing recitation:

The election of Colonel Baker, of Ball's Bluff fame, to the United States Senate from Oregon is a case in point. A friend of the late Jefferson Davis, he had moved to California in 1851 and soon became a leader of the San Francisco movement to annex California. He was invited to address the State Legislature at a time when it was deadlocked over the annexation of California. The impression he made was so great that, dropping the active candidates, the Legislature chose Baker as its visitor to the neighboring state, to be Senator from Oregon. He was serving both as Senator and as Chairman of the Senate from New York and Philadelphia when he fell on the battle field in 1861.

The World sought to have better authority for its citation from Oregon history than mere hazy romance. Colonel Baker was a qualified elector of Oregon—not a mere visitor—when he was elected to the United States Senate. He had had a brilliant career in California, but no political success. He responded to an invitation from Oregon to come here and accept the undisputed leadership of the young Republican party. Colonel Baker came in February, 1860, established his home at Salem, and made many political speeches throughout the state. The result was that the Legislature was wracked from control of the Lane Democrats, though no party had a majority; and in the Fall of 1860, when the Legislature met, through a combination of the Union Democrats and the Republicans, Colonel Baker (Rep.) and Colonel James W. Nesbit (Dem.) were elected to the two Senate seats. It was a glorious conclusion to a well-planned coup by the loyal Republicans, aided by the loyal Democrats, of Oregon.

LOCATING THE AUDITORIUM.

The reasons for selection of the Market block as the auditorium site are (1) availability and (2) cost. The city owns the property, and it is another matter to use for it. Whatever necessary adjacent property it may be necessary to purchase may be had, probably, with means at hand. The people have refused to vote more money for the auditorium or site, and the commission is therefore under direct orders to do the best it can with \$600,000. The best is clearly the Market block. The \$600,000 is plainly the limit.

The Oregonian thinks that those enthusiastic East Siders who propose a referendum on the auditorium site are due for a rude awakening. They are overlooking the intervening legal obstacles and get their project referred. The auditorium does not belong there. It belongs where it will be most convenient to all the public, in the civic center, which is also the transportation, theater and hotel center. The question shall be submitted to popular vote. The Oregonian has no doubt at all that the Market block will win over all others.

The East Side advocates might well show their good faith and public spirit by donating a site, so as to equalize their offering with the Market block. Obviously, the intervening legal obstacles will surely be further and needless delays, and nothing else, except the consequent vexations.

PROFESSOR PATTEN'S HERESY.

Persons who abuse Professor Simon N. Patten, of Pennsylvania University, for preaching the doctrine of extravagance may not know that they are abusing Shakespeare at the same time. They would not care, perhaps, if they did not know it, but the fact is indisputable. Patten advises his son Laertes to wear as "costly raiment as his purse can buy," and that is exactly what Professor Patten told the shop girls at the Spring Garden Unitarian Church. His reasoning was that if they wore good clothes the employer would not notice that they were dressed with taste and dignity, and straightway raise their wages.

form to his appearance. The surest way to starve is to go about looking as if you had never eaten a square meal. To him that hath shall be given and from him that looketh as if he had not shall be taken away even that he hath. Many sages besides Professor Patten have mentioned the wisdom of spilling the best years of life to provide for a decent old age and a respectable funeral.

They argue that it does not matter very much what happens to a person when the years have stricken him and his faculties are dull. He cannot enjoy his money even if he has it by the million and by the same token he cannot suffer much. He is half dead at best and is oblivious to both pain and pleasure. The time to enjoy oneself is in the years when the body is vigorous and the senses acute. Thus they specifically mention the same direction as Professor Patten, though he does not go quite to their lengths. He means the same thing, however. Lying behind his insidious remarks is the subtle plea that it is the business of society to take care of people when they are old and infirm, in the same direction as Professor Patten, though he does not go quite to their lengths. He means the same thing, however. 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