

WAGE REGULATION
LARGE DELEGATION

Pay of Railroad Men Held to Be Matter of Concern for Entire Public.

LABOR WARS DEPRECATED

Situation in Which Any Group of Men, Employers or Employees, Can Dictate to Country Is Declared Intolerable.

BY CHARLES R. VAN HISE, President of the University of Wisconsin.

Until within a few years the holders of railroad bonds and stock regarded the railroad as a public utility, a public property, with which they were free to do substantially as they pleased. The bonds were operated precisely in the same spirit as they are now.

Under this old regime, in which the railroad operators scarcely recognized the fact that the railroad is a public utility, railway labor controversies were usually conducted like those of the great industrial corporations. Each side made the best bargain that was practicable.

Balance of Power With Men. The balance of power in the control of wages, which was first with the railroad, has now shifted to organized railway labor. The railroad operators, under the control of National and state commissions and under the control of public opinion, are weaker than they were, without any control through commissions, are of course also affected by public opinion, but not so directly.

A railroad strike can no longer be considered as a matter which primarily affects the railroad operators and employees. It does affect them and affects them seriously; but the public is far more deeply concerned.

The interests of the public so far exceed those of the parties to a controversy as to render the former paramount. To the railroad operators and employees should submit. It is, therefore, imperative that some other way be found to settle the controversy between railroads and their employees than by strikes.

This position is sound and the railroad operators accept it, they are manifestly helpless when labor organizations ask for higher wages and threaten that they will strike, and that they will proceed to strike.

Situation Is Intolerable. From the viewpoint of the public it is an intolerable situation when any group of men, whether employers or employees, whether large or small, has the power to decide that the whole country shall undergo great loss of life, unemployment and loss of property beyond the power of description, through the stoppage of a necessary public service.

For the public utilities, however, there are not only two parties to the controversy—the railroads and the employees—but a third, the public. As already mentioned, the railroads, one of the parties to the controversy, are subject to National and state commissions, which commissions are entrusted with the special duty of protecting the public interests. Advance rates cannot be made without the consent of the proper commissions. The railroads are not only subject to the commissions, but are subject to them in regard to maintaining adequate service, the employees of the railroads are not subject to control through commissions, although in common with all organizations they are influenced by public opinion.

Wage Commissions Are Remedy. The above-mentioned disparity of status suggests the creation of National and state wage commissions on a labor commission, which should exercise functions regarding labor engaged at work in public utilities analogous to those now exercised by the public utility commission already in existence.

If such commissions are as suggested should be created, they would be provided with expert and statistical aid to enable them to undertake elaborate investigations of the facts bearing upon the economic condition of railway employees. When such commissions have been in existence for several years, they will have in their possession the necessary facts upon which to make awards in individual cases; or, at all events, they will have the machinery and equipment necessary for gathering the facts promptly and interpreting them accurately. There is no reason why such a commission could not proceed in the case of a labor difference with the same promptness that existing commissions exercise in the matter of railway rates.

Above all, the wage commissions proposed would represent the public. They would work in co-operation with the Interstate Commerce Commission and thus secure to railway employees just wages; and this without regard to whether the employees are fully organized. Under the existing situation, well-organized railway labor, illustrated by engineers, firemen, conductors, trainmen, etc., are able to secure from railroads not accorded to the classes of labor that are not so well organized.

It does not follow from the above that advances in pay to organized labor have been too frequent or too large, but merely that the situation is an advance for a given class of labor engaged in work upon the public utilities should not depend upon organization, but upon the merits of the case.

In the last analysis the only solution—unless we are to rely solely upon the restraining power of public opinion—is to qualify the principle of free contract in the railroad service. A strike in the Army or Navy is mutiny and universally punished as such. The same principle is applied to seamen because of the public necessity involved. A strike among postal clerks, as among the teachers of our public schools, would be unthinkable.

Rabbit Hats Delayed.

OREGONIAN NEWS BUREAU, Washington, April 1.—A strike among the Philadelphia hat makers has indefinitely postponed the experiment which was to be made, at the request of Representative Sinnott, to determine whether or not the fur of Eastern Oregon jackrabbits is suitable for the manufacture of felt hats.

LAND-GRANT BILL OFFERED HOUSE

Full Text of Measure as Finally Agreed On by Committee Is Presented.

AMENDMENTS ARE MADE

All Reference to Executive Contracts Omitted—Counties Get 30 Per Cent for Roads, State 20 for School Fund.

3 CHURCHES TO BUILD

FOURTH DENOMINATION AT CORVALLIS CLEARS OFF \$16,000 DEBT.

Baptists Will Spend \$10,000 and Congregationalists \$12,000 on New Buildings; Christians, \$6,000.

CORVALLIS, Or., April 1.—(Special.)—Two churches of Corvallis this Spring have purchased property on which to erect new churches and a third church has authorized a \$6,000 addition. A fourth church has raised \$16,000 clearing the organization of all indebtedness, not only on the church building built six years ago, but on street assessments.

The congregations that have announced their intention of building new edifices are the Baptists and Congregationalists. The Baptists have recently sold their old property and purchased 109x100 feet. With the money obtained as purchase price of the old church property and \$5,000 assistance given by the parent church board, the local denomination will erect a \$12,000 building.

The Congregationalists are moving nearer to the center of the residential population. Plans call for the erection of a church to cost approximately \$15,000, with a seating capacity of 750. Twelve thousand dollars of the money is on hand.

The Christian church, at a meeting of the congregation March 27, authorized the construction of a building to enlarge the seating capacity to 900.

Six years ago the Presbyterians installed a pipe organ costing \$25,000 and installed a pipe organ, the expense of which was not calculated at the time the church building was constructed. A gift of \$10,000 was made that the members subscribe the other \$6,000, led to the debt being paid off.

LAND IS NOT SATISFIED

CONFERENCE HELD WITH ATTORNEY ON LAND BILL.

BILL TO Grant Saddle and Humbug Mountains to State of Oregon for Park Wins Favorable Report.

OREGONIAN NEWS BUREAU, Washington, April 1.—John D. Resnik, Wilson's friend, seemingly is not satisfied with the action of the House published in the Oregonian in striking out of the Oregon & California land grant bill all reference to pending executive contracts, including his own.

The bill, as agreed on by the committee, was sent to the Attorney-General yesterday for further suggestion. Within two hours after the bill reached the department a long conference with S. W. Williams, the Attorney-General, who has represented the department since the bill was introduced by the public lands committee to favorably Representative Hawley's bill granting Saddle and Humbug Mountains, south of Astoria, with surrounding lands, to the State of Oregon for park purposes.

POWER SUIT TO GO OVER

ONLY SIX SUPREME COURT JUSTICES ABLE TO SIT.

Decision Expected to Go to Vitals of Federal Rights to Control in Public Land States.

OREGONIAN NEWS BUREAU, Washington, April 1.—The Attorney-General on Monday will move in the Supreme Court that argument on the Utah Power Company case and allied cases be postponed until the next term of court because at present there are only six Justices able to sit during the argument. There is one vacancy; Justice Day is ill and will not return to the bench this term, and Justice McReynolds, having acted in this case as Attorney-General, is disqualified.

This case goes to the vitals of the right of the Federal Government to control arbitrarily water-power development within the public land states, and which is designed to bring forth a ruling which will define the limitation of the powers of the Federal Government.

It is the most important water-power suit before the Supreme Court. The Department of Justice was careful to day to explain the ground on which it will ask postponement.

CLATSOP CRUSHER CLOSES

County May Receive Larger Machine and Resume in Two Weeks.

ASTORIA, Or., April 1.—(Special.)—The county rock-crushing plant at Tongue Point has been closed down as a result of the frame of the crusher breaking. The court is considering the matter in the next term of court, but has been used for a few weeks and if this is done the plant can resume operations within a couple of weeks. In the meantime all the employees are being discharged.

The prisoners are employed in breaking rock, but it is understood that four of them will be released when the parole board meets next week.

Lewis Land Sale Set for May 2.

CENTRALIA, Wash., April 1.—(Special.)—The next state land sale will be held at the Lewis County Courthouse on May 2, on a 160-acre tract near Independence, appraised at \$19,378, will be sold, in addition to five tracts of land. Two of these tracts are located near Onalaska, two near Winlock and one 23 miles east of this city.

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AMENDMENTS ARE MADE

All Reference to Executive Contracts Omitted—Counties Get 30 Per Cent for Roads, State 20 for School Fund.

OREGONIAN NEWS BUREAU, Washington, April 1.—The final draft of the Oregon & California land grant bill has been prepared and introduced in the House. Many amendments were made in full committee, after the subcommittee had concluded consideration of the measure. One feature of the bill as it now stands is the complete elimination of sections 7 and 8 of the original measure, including all reference to executive contracts.

The division of moneys derived from the sale of lands and timber is as stated heretofore—30 per cent the counties for roads and bridges, 20 per cent to the state for its school fund, 40 per cent to the Federal government and 10 per cent to the general fund of the United States Treasury.

The full text of the bill as introduced is as follows: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title to so much of the lands granted by the act of July 25, 1866, entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon,' as amended by the acts of 1868 and 1870, which patents have been issued by the United States and for which the grantee is entitled to receive national and state grants, and to so much of the lands granted by the act of May 4, 1870, entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the state of Oregon,' for which patents have been issued by the Oregon & California Railroad Company prior to July 25, 1866, and the same is hereby, vested in the United States; Provided, That the right of way to the extent of 100 feet width on each side of the railroad and all lands in actual use by said railroad company on December 9, 1913, and all lands in actual use and standing grounds, shall be treated as sold lands: Provided further, That lands under contract of sale by said railroad company prior to December 9, 1913, shall be deemed unsold lands and the title to the same is hereby, vested in the United States.

Three Classes Provided For. "Sec. 2. That the Secretary of the Interior, in co-operation with the Secretary of Agriculture, shall be and hereby authorized and directed, after due examination in the field, to classify said lands by the smallest legal subdivisions thereof into three classes as follows:

"Class one—Power-site lands, which shall include only such lands as are chiefly valuable for waterpower, which lands shall be subject to withdrawal and such use and disposition as the Secretary of the Interior may determine for other public lands of like character.

"Class two—Timber lands, which shall include lands bearing a growth of timber not less than 200 feet in diameter on each 40-acre subdivision.

"Class three—Agricultural lands, which shall include all lands not falling within either of the two other classes, and which shall be subject to the homestead laws, since the first day of December, 1913, and who has improved the land and who has resided therefor to agricultural use, and who shall have maintained his residence to this date of such application, shall have the same right as a settler under the act of September 30, 1913, (Thirty-eighth Statutes at Large, page 113.) Fifty cents per acre shall be paid at the time of the original entry is allowed and \$2 per acre when final proof is made. The provisions of section 2301 of revised statute shall not apply to any entry hereunder. No patent shall issue until the entryman has resided on and cultivated the land for a period of five years, proof of which shall be made at any time within seven years from date of entry.

Good Faith to Be Determined. "The area cultivated shall be such as to satisfy the Secretary of the Interior that the entry is made in good faith for the purpose of settlement and not for speculation; provided, that the payment of \$2.50 per acre shall not be required from homestead entrymen upon lands in class two when the same shall become subject to entry as agricultural lands in class three; provided further, that during the period fixed by the Secretary of the Interior for the admission of applicants to make entry under this section any person duly qualified to enter such lands who has resided thereon to the same extent and in the same manner required under the homestead laws, since the first day of December, 1913, and who has improved the land and who has resided therefor to agricultural use, and who shall have maintained his residence to this date of such application, shall have the same right as a settler under the act of September 30, 1913, (Thirty-eighth Statutes at Large, page 113.) Fifty cents per acre shall be paid at the time of the original entry is allowed and \$2 per acre when final proof is made. The provisions of section 2301 of revised statute shall not apply to any entry hereunder. No patent shall issue until the entryman has resided on and cultivated the land for a period of five years, proof of which shall be made at any time within seven years from date of entry.

Prospecting Is Permitted. "Sec. 3. That the classification provided for by the preceding section shall not operate to exclude from exploration, entry and disposition, under the mineral land laws of the United States, any of said lands, except power sites, which are chiefly valuable for the mineral deposits contained therein and the general mineral laws of the United States, extended to all of said lands (except power sites): Provided, That any person entering mineral lands of class two shall not acquire title to such lands thereon, which shall be sold as hereinafter provided in section 4, but he shall have the right to use so much of the timber thereon as may be necessary in the development and operation of his mine until such time as such timber is sold by the Secretary of the Interior.

"Sec. 4. That non-mineral lands of class two shall not be disposed of until the Secretary of the Interior has determined and announced that the merchantable timber thereon has been removed, and thereupon said lands shall fall into class three and be disposed of in the manner hereinafter provided for the disposal of lands of that class.

"The timber on lands of class two shall be sold by the Secretary of the Interior, in co-operation with the Secretary of Agriculture, or otherwise, for cash to citizens of the United States, or to associations of such citizens, and corporations organized under the laws of the United States, or any state, territory or district thereof, at such times, in such quantities and under such plans of public competitive bidding as in the judgment of the Secretary of the Interior may produce the best results; provided, that said Secretary shall have the right to reject any bid where he has reason to believe that the price offered is inadequate, and may accept the timber until a satisfactory bid is received.

Timber Patent to Be Separate. "Persons purchasing under the provisions of this section shall receive patents conveying to them the timber and expressly reserving the land to the United States. The timber thus purchased may be cut and removed by the purchaser, his heirs or assigns, within such period as may be fixed by the Secretary of the Interior, which period shall be designated in the patent and rights under said patent shall cease and terminate at the expiration of said period; provided, that in the event the timber is removed prior to the expiration of said period, the Secretary of the Interior shall make due announcement thereof, whereupon all rights under the patent shall cease.

The sales of timber herein provided for shall be made according to the



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for shall be made according to the smallest legal subdivision upon which the timber is growing and any bid may include one or more such tracts; but where more than one tract is included in a single bid such bid must contain a separate offer for each smallest legal subdivision included therein.

"All timber sold under this act shall be subject to the taxing power of the states apart from the land.

"Sec. 5. That non-mineral lands of class three shall be subject to entry under the provisions of the act of September 30, 1913, (Thirty-eighth Statutes at Large, page 113.) Fifty cents per acre shall be paid at the time of the original entry is allowed and \$2 per acre when final proof is made. The provisions of section 2301 of revised statute shall not apply to any entry hereunder. No patent shall issue until the entryman has resided on and cultivated the land for a period of five years, proof of which shall be made at any time within seven years from date of entry.

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The sales of timber herein provided for shall be made according to the

the amount of the taxes on said lands paid by the United States as provided in this act and which should in law have been paid by the said Oregon & California Railroad Company, and the amount thus determined shall be treated as money received by said railroad company.

"Section 8. That the title to all money arising out of said grant lands and now on deposit to await the final outcome of said suit commenced by the United States in pursuance of said joint resolutions of 1908, is hereby vested in the United States, and the United States is subrogated to all the rights and remedies of the obligee or obligees and especially of Louis L. Sharp as commissioner, under any contract for the purchase of timber on the grant lands.

Taxes Shall Be Paid. "Section 9. That the taxes accrued and now unpaid on the lands reavered in the United States whether situated in the state of Oregon or of Washington, shall be paid by the Treasurer of the United States, upon the order of the Secretary of the Interior, as soon as the same are approved of this act, and a sum sufficient to make such payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

"Section 10. That all moneys from or on account of said lands and timber in the United States whether situated in the state of Oregon or of Washington, shall be deposited in the Treasury of the United States in a special fund to be designated 'The Oregon & California Land-Grant Fund,' which fund shall be disposed of in the following manner: The Secretary of the Interior shall ascertain as soon as may be the exact number of acres of said lands and timber unsold, patented to the Oregon & California Railroad Company, or its predecessors, and the number of acres of unsold lands, which said railroad company is entitled to receive under the terms of said grants, and the value of said lands as \$2.50 per acre. From the sum thus ascertained he shall deduct the amount already received by the said railroad company and its predecessors in interest on account of said lands as determined under section 7 of this act, and a sum equal to the balance thus resulting shall be paid as herein provided to the said railroad company, its successors or assigns, and to those having liens on the land, and their respective interests may appear. The amount due the said railroad company, its successors or assigns, as evidenced either by the consent, in writing, of the railroad company or by a judgment of a court of competent jurisdiction in a suit brought by the said railroad company and the lien holders are parties. All payments shall be made from time to time, as the fund accumulates, by the Treasurer of the United States upon the order of the Secretary of the Interior: Provided, however, That, if, upon the expiration of ten years from the approval of this act, the proceeds derived from the sale of lands and timber are not sufficient to pay the full amount which the said railroad company, its successors or assigns are entitled to receive, the balance due shall be paid from the general funds in the Treasury of the United States and an appropriation shall be made therefor. After the said railroad company, its successors or assigns, and the lien holders shall have been paid the amount to which they are entitled as provided herein, an amount equal to that paid for accumulated taxes, as provided in section 9 heretofore, shall be deposited in the Treasury to the credit of the United States.

Division of Proceeds Made. "A separate account shall be kept in the maximum compensation allowed hereby, and the register shall receive no other compensation whatever for services rendered in connection with the sales of timber under the provisions of section 4 of this act.

"Section 7. That the Attorney-General of the United States shall be and hereby authorized and directed to institute and prosecute any and all suits in equity and actions at law against the Oregon & California Railroad Company or any other proper party which he may deem appropriate, to have determined the amount of moneys which have been received by the said railroad company or its predecessors from or on account of any of said granted lands, whether sold or unsold, patented or unpatented, and which have been charged against it as a part of the 'full value' secured to the grantees under said grant acts as heretofore interpreted by the said Court of Claims in making this determination the court shall take into consideration and give due and proper legal effect to all receipts of money from sales of land or timber, forfeited contracts, rent, timber depreciations, and interest on contracts, or from any other source relating to the lands, and the value of timber taken from said lands and used by said grantees or their successors or predecessors. In the aforementioned suit or suits the court shall also determine on the application of the Attorney-General

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close of each fiscal year during which the moneys were received. "Section 11. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and any person, or under the regulations issued by the Secretary of the Interior, shall be guilty of perjury and liable to the penalties prescribed therefor. "Section 12. That the sum of \$100,000 be and the same is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of the Interior, in co-operation with the Secretary of Agriculture, or otherwise, to complete the classification of the lands as herein provided, which account shall be immediately available and shall so continue until such classification shall have been completed.

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