SALEM BEGINS OBSERVANCE OF 100TH BIRTHDAY

SALEM, Ore., Aug. 1 (UP)—Salem began yesterday a five-day observance of its 100th anniversary with ceremonies depicting its progress from the little mission village of 1840 to the present city of over 31,000.

The centennial, an enterprise participated in by nearly everyone in the capital, has transformed the city from bustling 1940 to the 1840-1860 period.

The hard concrete of sidewalk and streets rings to the booted heel of whiskered pioneer and is swept by the ample skirts of pioneer women. The shining plate glass fronts of the business houses have been covered by slabwood in simulation of the log cabin stores and trading posts of the early Oregon merchants.

Horses and horse-drawn vehicles have taken their place in the city's traffic and everything that is old and treasured has come out of attic and trunk to be placed on public display. The city has turned back 100 years to honor its pioneer founders.

Four large parades, one each evening of the first four days of the centenary, have been scheduled. Each will have a different theme. The first one was listed as a fun parade, Thursday's will be for the youngsters, Friday's will feature horse drawn vehicles and marching groups in the costumes of their forbears and Saturday, a three-hour grand centennial parade based on a modern military preparedness theme, will be staged.

On a huge stage constructed in front of the state fairgrounds grandstand nearly 3000 Salemites will participate in the centennial pageant. Four performances, beginning last night, will depict the events leading up to the founding of the city by the Methodist missionary, Jason Lee, and his followers and the progress from that time to the present with a forecast of the future.

The musical background will be furnished by a 60-piece symphony orchestra and a 200-voice mixed choir. Horsemen and horse-drawn vehicles will cross the block-long setting to add their part in the procession "From Wilderness to Wonderland."

Thirty-five bands and drum corps have been signed up for the celebration and concerts and dances each evening form a large part of the daily program. Tours to historic and industrial attractions have been arranged for visitors. Open house at pioneer business establishments, churches and Willamette university have been planned for each day of the centennial.

River ceremonies and a daily forum participated in by state and national leaders are expected to attract the interest of many attending the celebration.

The five-day observance will close Sunday with a number of pioneer family reunions and church gatherings.

Observe Golden Wedding

Mr. and Mrs. T. J. Durfee, longtime residents of Bieber, Calif., recently observed their golden wedding anniversary.

NEW AIRPLANE VISITS KLAMATH

Aviation fans were attracted to the Klamath airport Wednesday by a tiny blue and grey airplane speeding through the air over the city. It is a Culver cadet, the first of its kind to visit the local port, owned by Jerry Coigny of Medford.

Coigny, an instructor at the Medford airport, flew the plane here to spend the day giving dual instruction in Piper planes to members of local flying clubs. The two-place ship has a wing-spread of only 28 feet and a cruising speed of 135 miles per hour.

WEATHER

NORTHERN CALIF.: Fair tonight and Friday, but considerable cloud or fog on coast; normal temperature; moderate northwest wind off coast.

OREGON: Fair tonight and Friday, but some cloud or fog on coast, normal temperatures; moderate northwest wind off coast and gentle variable wind over inland waters of Washington.

A college tennis star has studied four years for the diplomatic service. In deference to the anti-appeasement trend, he will avoid the word "Love."

PINE TREE - SUNDAY
Turnabout
ADOLPHE MENJOU CAROLE LANDIS JOHN HUBBARD

How Come the Wagner Act?

JOE BOYD — Educational Director, Lumber and Sawmill Workers, A. F. of L.

Some workers in the Klamath Basin ask, "What can we get by going union"? Some employers say, "What does the union have to offer our men?" These are short sighted questions, and can be answered in a short sighted manner. However, the purpose of this article is to show a more fundamental reason for bringing unions into the lumber industry.

NATIONAL LABOR RELATIONS ACT

Sec. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

Sec. 8. It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: . . . . . .

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this Act, ... shall preclude an employer from making an agreement with a labor organization . . . . to require as a condition of employment membership therein. . . . .

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act.

(5) To refuse to bargain collectively with the representatives of his employees. . . . .

Union and Democracy

IT IS THE POLICY OF THE UNITED STATES TO ENCOURAGE COLLECTIVE BARGAINING. Our industrial system is based on the notion of "freedom of contract": that is, a worker is free to accept or reject employment, and the employer is free to hire or fire. This is a theory. Mr. Justice Holmes of the Supreme Court gave protection to trade unionism at this point when he said unions gave workers "equality in bargaining power." He maintained that there can be no true freedom in making a wage contract without equality in bargaining strength.

Unionism and democracy are closely related. There are no unions in totalitarian states. In America we have political democracy, but democracy has not come to industry. We face the possibility of an economic dictatorship within a political democracy. The owners of American shops, mills and factories have not brought the principles of democracy into industry and have not shown a social responsibility for the power placed in their hands. Otherwise, how do you account for the long list of federal and state legislative acts to bring the owners to some passable sense of social accountability?

Background-in-Brief

Workers were slaves; men owned the bodies of other men. Then, workers were serfs; men were attached to the land of a feudal prince. Then, workers were "freedmen"; men were free to own land of their own or enter into contracts for wages. For a time skilled workers controlled tools and raw materials in "guild" associations. Progressively, however, tools and raw materials passed into the hands of owners. Owners entered into "combines"; gigantic corporations grew which gained strong legal support in the courts. Today, mass production is a fact. The frontier, the free lands are gone. Workers have no other future before them other than to be somebody's employees. Our jobs, in a democracy, is to keep the employee a free man, and not allow him to become helplessly attached to a mass production industry where he cringes in fear or bows weakly in disgusting gratitude for the chance to work.

In England

The first laws in Britain were to suppress, not protect, workers. All forms of trade unionism were made illegal by the Combination Acts of 1800. These laws established a definite bias toward workers which has been extremely difficult to eradicate. THERE BECAME FIXED IN THE MIND OF THE PEOPLE THE ASSUMPTION THAT THE ORGANIZATION OF WORKERS IS A MENACE. THIS ASSUMPTION PERSISTS TO THIS DAY. ALL EARLY LEGAL DECISIONS in America grew out of the preconception that labor unions were undesirable. In recent years legislation has been predicated upon the recognition of the social desirability of labor unionism. THE COURTS IN THE UNITED STATES HAVE REVERSED AND ABANDONED FORMER ATTITUDES. TOO OFTEN, EMPLOYERS AND EMPLOYEES ARE STILL THINKING IN THE OLD TERMS.

Born of Need

Collective bargaining is a necessity. It was born of need. It did not come with the New Deal, alone. There has been a long standing problem in American industry and the right to bargain collectively came to the American worker out of a long struggle.

The doctrine of conspiracy. The first legal steps in the U. S. followed the line of suppression in Britain. It was a crime for two or more workers to combine for the purpose of changing wages and working conditions.

1842. The right of workers to associate for economic action was recognized in the case of Commonwealth vs. Hunt. However, there was no decision of the court to order employers to refrain from interfering with that right.

Anti-union tactics. Owners began at once to resist unionization, sought relief in the courts, and found it. Trade unionism became a permanent factor in America following the Civil War. The Knights of Labor entered into collective bargaining agreements but their activities were ruthlessly attacked by organized business.

The injunction. The first injunction against unions in the U. S. was secured on the plea of the attorney that the activity of a union was a "menace to society." This occurred in 1806. It was based on the theory of conspiracy, namely, that an **individual** worker had a right to ask for money or conditions, but the same request, made **jointly** by two or more workers, was conspiracy. The injunction was used with tremendous effect. In the Pullman strike as late as 1898 the court restrained workers from even discussing the strike. Boycotts and strikes and picket lines have been enjoined by the courts as violations, as well, of the anti-trust acts. The Sherman Anti-Trust Act, aimed to hedge in the power of corporations, was used to attack labor organizations. Both Democratic and Republican platforms of 1908 recognized this abuse and the Clayton Act was later passed to exempt labor from such injunctions. Still the abuse of injunctions continued. We now have the Norris-La Guardia Act which is, in effect, "an injunction against injunctions," which effectively curbs the use of the injunction against labor. Sometimes non-union minded persons cite the fact that only a small percentage of American workers are organized. The marvel is, with the weapon of injunction against American workers, that unions grew at all.

Other tactics. Men were required to sign statements, as a condition of employment, that they were not and would not become union members. This device was called the "iron clad" or the "yellow dog contract." "Company unions," organizations dominated by management, were created to shut out legitimate labor organizations. "Citizens Leagues," volunteer associations of business and professional people to resist so-called "radicalism," were formed. "Black lists," lists of the names of union-minded workers, were circulated among employers. All of these devices to crush labor grew out of the prejudice of the employers that unions were a menace, which prejudice was upheld by the courts.

A Change In Attitude

Means and Ends. Gradually the courts introduced a new doctrine as a substitute for the doctrine of conspiracy. It became recognized that the objective to change wages and condition is acceptable, provided that the means are also legal. Picketing must be peaceful. The strike must not be violent.

The minority in two important cases before the Supreme Court stated that there was **nothing in the Constitution to prevent the government from protecting the rights of workers to organize.** The majority decisions were unfavorable to labor, but a new line of thinking started. This happened in 1908 and again in 1915.

Before the War

The courts under the insistence of organized business were anti-labor in their thinking. "Investigating Commissions" to study labor problems date back to 1876. There were other commissions up to the Pullman Strike when a commission condemned the yellow dog contract and urged employers to recognize unions. President Theodore Roosevelt's Coal Strike Commission reported the cause of the strike was "the desire for recognition" of the union. Under an Act passed under the Taft administration an Industrial Relations Commission stated **the need for collective bargaining was recognized on the ground of inequality between the individual worker and his employer and stated that labor unrest was due directly to efforts of employers to defeat the organization of workers.** These many commissions were appointed by different administrations, over a period of time and were made up of different persons. Their general conclusions justified collective bargaining and encouraged strong unionism as a matter of governmental policy.

This change in attitude was reflected in the opinion of Chief Justice Taft: **"A single employee (in the Tri-City case) was helpless in dealing with an employer. He was dependent ordinarily on his daily wage for the maintenance of himself and his family. If the employer refused to pay him the wages he thought fair, he was nevertheless unable to leave the employ and to resist arbitrary and unfair treatment. Union was essential to give laborers opportunity to deal on equality with their employer."**

During the War

The first statement of the War Labor Board, based upon the above cited experience, stated: **"The right of workers to organize in trade unions and bargain collectively, through chosen representatives, is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever."** Over one thousand plants with about 700,000 workers were protected by this policy during the war with splendid results.

The Railroads

Labor law became stabilized in the Transportation Act of 1920 and the Railway Labor Act of 1926 and the 1934 Amendments. All of this legislation is based on the frank acceptance of the principle of collective bargaining. Representatives of the public, labor and industry have shared in building this experience. Collective bargaining is protected by making it mandatory upon the employer to bargain with representatives of workers, by outlawing company dominated unions, and by extending and enhancing the use of agreements.

Organized Business

In spite of the trend of the public mind and in spite of the war experience American employers still resisted organization and came forward with the "American Plan" or the so-called "Open Shop." It was pointed out to employers that in order to keep outsiders away and frustrate the organization of workers each employer should insist upon "dealing with employees as individuals" and decline to "deal with them through the medium of any organization." Bulletins containing such information were circulated by employers associations.

N. R. A.

When depression and collapse faced American industry this long standing issue of collective bargaining found its way into the N. R. A. Every code of fair competition contained this statement: **"Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection."**

The Wagner Act

When the National Labor Relations Act (Wagner Act of 1935) was signed, it was accompanied with a statement that read in part: "This act defines, AS A PART OF OUR SUBSTANTIVE LAW, the right of self-organization of employees in industry for the purpose of collective bargaining, and provides methods by which the Government can safeguard that legal right."

This Act states in positive fashion the growing conviction, expressed by labor and shared by government, that there is a fundamental INEQUALITY of bargaining power in making a wage contract between INDIVIDUAL workers and their employers. It stresses the fact that collective bargaining is an imperative need growing out of modern conditions of employment. It challenges workers and employers to move forward to a better way of doing things in the interest of our fundamental democracy. HERE IS A NEW PUBLIC POLICY WHICH STATES THAT COLLECTIVE BARGAINING IS NOT ONLY REASONABLE AND FAIR BUT, BY IMPLICATION, AN INDISPENSIBLE NECESSITY FOR PUBLIC WELFARE.

Section One of the Act reads: **"It is hereby declared to be THE POLICY OF THE UNITED STATES to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by ENCOURAGING THE PRACTICE AND PROCEDURE OF COLLECTIVE BARGAINING AND BY PROTECTING THE EXERCISE BY WORKERS OF FULL FREEDOM OF ASSOCIATION . . . . . ."**

"If you want to have autocratic rule as you do in Germany, Italy and Russia, keep on fighting unions—keep on with the policy of trying to avoid entering into collective bargaining agreements!"—ORDWAY TEAD, Columbia Univ.

"If we look abroad, we find that the suppression of the rights which the Labor Act seeks to preserve and defend was almost inevitably the first step of those dictators who have supplanted democracy with the totalitarian states."—SENATOR ROBERT F. WAGNER.

The policy of the Labor Board, which administers the Wagner Act may, and probably will, be amended from time to time. But the principle of collective bargaining embedded within the Act itself will not be changed. The Act has been upheld by the Supreme Court of the United States. It is here to stay.

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THE NEXT STEP IN AMERICAN INDUSTRY IS COLLECTIVE BARGAINING