

## Workmen's Compensation Law

By Judge Lawrence Welch

Part II

As stated in the former article the Workmen's Compensation only applies to a man or woman who had an accident and an injury while working for his employer. When such is the case, his employer must pay him medical and hospital expense and pay him two thirds of his wages, not to exceed \$15.00 per week, while he is disabled.

The Workmen's Compensation Law is not a local law which is operative only in the State of Nebraska. It is a law which will be found in almost every state of the United States and in most all of the European Countries.

In the early years before machinery was used to any great extent, an employee, when he was injured, had to pay all of his own medical costs and suffered the loss of his wages while he was disabled except in those few instances where the employer was conscious of a moral obligation to take care of his employees or where there was some ployer.

With the advent of the industrial revolution in the latter part of the 18th century and the development of machinery on a large, physically handicapped workmen were becoming quite prevalent and the various communities had to take care of them and their children.

In 1883 and 1884 Switzerland and Germany passed the first Workmen's Compensation Law. Legislators and civil leaders of that period reasoned that a workman was very similar to a

piece of machinery in as much as both were only a means for the output of work. They said, "when a machine breaks down the employer had to repair it at his own cost and charge it up to the industry." They said, "if a man has to repair his machinery at his own cost in case of an accident, he should likewise be required to repair his men in case of an accident and that the cost of the accidents of the men as well as the machinery should be charged to the industry causing them."

Upon this theory the first compensation law was based. After Switzerland and Germany passed the law it spread to almost all countries of Europe and finally into the United States. Today 47 out of the 48 states have this law. Nebraska passed this law in 1913 and it has been operative since that date.

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The workmen's compensation law applies to any person, firm or corporation employing one or more employees. However there are a few exceptions to this general rule. The state law specifically excludes employers of the household domestic servants and employers of farm laborers. Railroad companies engaged in interstate or foreign commerce are likewise exempt because they are declared subject to the powers of congress and not within the provisions of the state law.

It is rather difficult to explain why some of these occupations are not included in the law but the basic underlying principal seems to fall more on tradition than for any other reason. When

the law was first put into effect in the 19th century in Europe the lords and barons maintained a class of servants who lived within the walls of their master. As stated before this law was created fundamentally to apply to industrial workers. Since household work was considered not part of an employer's work or industry, the legislators of that period excluded household, domestic servants. Since that time, each compensation law, which has been patterned after the old European Laws, has excluded this particular occupation. However, in recent years a few of the states have expressly included this occupation within its laws. Nebraska has not as yet.

The exclusion of farm labor was perhaps based on legislative expedience for it may be stated that the farm industry is perhaps less able than others to add the cost of compensation insurance to the market price of its products and pass it on to the consumer because that price is as a rule fixed by those in control of distant markets and is perhaps also more quickly affected by the law of supply and demand than the products of most industries.

The law also excludes casual or occasional employment unless said occasional employment is done in the regular trade, business or occupation of the employer.

The next article will deal with the kinds of disabilities and the amounts the employer must pay to the injured employee.

## GETS HOUSING APPOINTMENT



Miss Portia M. Tribbit, 1939 graduate of the Atlanta University School of Social Work, has recently been appointed Investigator in the Tenant Selection Office of the Columbus Metropolitan Housing Authority, Columbus, Ohio. She is also a graduate of Ohio State University. Miss Tribbit, who is a native of Columbus is the daughter of Dr. and Mrs. R. M. Tribbit, a member of the Alpha Gamma Alpha Sorority, and has an excellent background of training and experience for the position to which she has been appointed.

story of the campaign against lynching which is being carried forward by forty thousand southern women, backed by two million members of social, civic and religious groups. A Texas journalist reports on the promise of better human relations which distinguishes this quiet but determined movement for "self-reconstruction."

## BIG NAACP, BENEFIT SHOW

A big, grand benefit minstrel show will be given at the Ritz theatre, Saturday night December 2, at 11:45 p. m.

## Hilson To Detroit

Rev. E. H. Hilson who has done much in the uplifting and religious life among Omaha to The King Solomon Baptist Church of Detroit Michigan which has a membership of 3,000.

### RECEPTION FOR HILSON

On Tuesday night a reception was held in honor of the Salem Baptist Church, which was largely attend by the ministers and prominent residents of the city.

After saying goodbye to his many friends and acquaintances, he left Omaha, Wednesday morning, accompanied by his wife and niece.

The Rev.'s new address is 575 East Kirby St., Detroit, Michigan.

go out to pastor Methodist churches throughout the country, followed Mrs. Lampkin into a reception room to express gratitude for the frank and honest way in which she approached the question of Negro rights. Mrs. Lampkin discussed the anti-lynching bill, the campaign to erase educational inequalities between the races in America as it affects teachers and students, and larger cultural goals of the association.

## Atlantic City Omega Holds "Achievement Week" Program

Atlantic City, Nov. 30 (ANP)—A special showing at a local theatre of the screen play "Way Down South," written by Langston Hughes and Clarence Muse was a highlight of the National Negro Achievement Week program, Nov. 12 to 18, sponsored here by Upsilon Alpha, youngest chapter of Omega Psi Phi fraternity. After the film presentation, Raymond G. Robinson, ex-grand basileus, spoke on the life of Hughes, famed poet and author, and an Omega frater.

The week long celebration began with a public meeting on Nov. 12, with 500 persons present. Speakers included Thomas L. Hunselton, executive secretary, Atlantic City chamber of commerce and J. Leroy Jordan, Elizabeth, N. J. On Thursday night, at the local PTA meeting, Nelson H. Nichols, Jr., addressed the group.

The celebration came to a close with two student assembly meetings: one at Indiana Avenue school, with Lloyd M. Wright and Milton R. Palmer as speakers, the other at New Jersey Avenue school, James A. Overly and B. Napoleon Gupton, speakers.

Officers of Upsilon Alpha chapter are: Lloyd M. Wright, basileus; James A. Overly, vice basileus; Walter I. Johnson, Jr., Keeper of records and seals; Milton R. Palmer, keeper of finance; B. Napoleon Gupton, keeper of peace; Harry W. Scott, chapter editor and Raymond G. Robinson, chaplain.

## U. S. TO HOLD EXAMS FOR EDITORIAL CLERK, OTHER POSTS

Washington, D. C. Nov. 30—(ANP)—The U. S. Civil Service Commission this week announced the following forthcoming examinations: Principal Editorial clerk \$3,000 a year and Editorial clerk \$1,800 a year, application deadline dates Dec. 11-14; Assistant Inspector of Shop construction (mechanical) \$2,600 a year, with U. S. Maritime Commission, ap-

## A. Phillip Randolph, Pres. Brotherhood Sleepin' Car Porters



THE HIGH SPOTS OF PRES. RANDOLPH'S FEW DAYS IN OUR CITY—Big Mass Meeting at Zion Baptist Church December 7, 1939— at 8 P. M., St. John Choir, will render a special program under the direction of Mrs. Pearl Ray Gibson, Dec. 8th at 7:30 P. M.—A Testimonial Banquet will be given in honor of the President and the Vice-President. December 7th and 8th at 12 O'clock Noon A Special Meeting will be held at The Urban League for Pullman Porters, Chair Car Porters of the U. P. and their wives also are invited.

plication deadline, Dec. 11-14.

The following positions in Air Corps Technical school for assignment to U. S. Army Air Corps, West Department, Chanute Field, Rantoul, Ill., Scott Field, Belleville, Ill. and Lowry Field, Denver, Colo., Instructor \$3,800 a year; Associate Instructor, \$3,200 a year; Assistant Instructor \$2,600 a year and Junior Instructor \$2,000 a year; application deadline, Dec. 11-14. For full information concerning exams, see local postmaster.

## JOE GEDDES TO HELP STEER BUSINESS

Memphis, Tenn., Nov. 30—(ANP)—Dr. J. E. Walker, president, National Negro Business league, announced today the transfer of Joseph P. Geddes regional vice president for Louisiana to membership on the Steering Committee of which Dr. F. D. Patterson of Tuskegee Institute is chairman.

To fill Mr. Geddes' place as regional vice president, George G. McDmonds, New Orleans member of the League's Executive committee was appointed.

"Our Steering Committee" said Dr. Walker, "is the League's planning committee and was able during our Oklahoma City convention to outline a program of activities which is largely responsible for the present widespread interest in the league."

Other members of the Steering Committee are: George W. Cox, Durham; J. B. Blayton, Atlanta; B. G. Olive, Memphis; Edward Simmons, Charleston, S. C.; and Carlton Gaines, Detroit.

## SOUTHERN RAILWAY TERMINAL SIGNS PACT WITH RED CAP BROTHERHOOD

Memphis, Nov. 30 (ANP)—The first agreement between the International Brotherhood of Red Caps and any southern railway terminal was signed here last week with the Memphis Union Terminal company.

Certified by the National Mediation board in July as the collective bargaining agency, the brotherhood was represented in the negotiations by International Secretary-Treasurer John L. Yancy and the local bargaining committee which included Fred Steele, Andrew Nash and H. B. White. Pres. R. M. Dozier and Terminal Supt. W. S. Gadon signed for the company.

Covering rules and working conditions for the 22 employees, the agreement establishes seniority, hours of service, leave of absence, grievance machinery, free transportation and many other improvements in working conditions and employer-employee relations.

## Extradition Case Hearing Nov. 30

New York, Nov. 30—The hearing on the attempt to extradite Willie Lee Butts, 14, from New York City to Georgia on a charge of rape was postponed from November to November 30. Attorney Donald Crichton is appearing for Butts at the request of the NAACP.

## Christmas Seal Campaign Starts November 30th

The thirty-third Christmas Seal campaign of the Nebraska Tuberculosis Association begins on Thanksgiving Day, November 30, and is of great importance to every man, woman and child in Nebraska. Funds raised through this annual drive will be used to continue the unceasing warfare against tuberculosis.

This Seal Sale, continued through Christmas, supports the Nebraska Tuberculosis Association. Ninety-five per cent of the fund remains in the state in which it is raised; five per cent goes to the National association for educational and research work.

Tuberculosis is still the leading cause of death in this country between the ages of 15 and 45, the most productive period of life. Thus it becomes necessary to inform the public that the early discovery of tuberculosis is imperative for a complete cure.

During the thirty-three years of Christmas Seal Campaigns, the death rate of the disease in the United States has been cut more than two-thirds. In 1907, the first year of the Seal Sales in this country, there were 179 deaths per 100,000 population. Now the death rate is approximately 49 deaths per 100,000. Hence the Christmas Seals have been the chief instrument during the succeeding years in saving over 2,000,000 lives.

Initiated by a woman, Emily Birsell, the campaign continues to owe much of the success to women. In this state, a great many of the Christmas Seal Sale chairmen are women and much of the preparation for the 1939 campaign has been done by women who volunteered their services.

## Chicagoans Aim at \$1,000 Goal in Red Cross Drive

The Nebraska Tuberculosis Association hopes to continue the work being done to eradicate the White Plague in this state. No home will be safe until all homes are protected. More money is needed to carry on this great work. Generous purchases of Christmas Seals will make this possible.

## Chicagoans Aim at \$1,000 Goal in Red Cross Drive

Chicago, Nov. 30 (ANP)—A group of prominent Chicago women, headed by Mrs. Annie L. Pleasant, chairman, have organized a committee to canvass the Southside in the drive for American Red Cross memberships. They are trying to raise \$1,000 by the end of the month, Nov. 30 the date set for the close of the campaign. This is the first time in recent years that an organized effort for Red Cross funds has been made in the colored district.

Assisting as co-chairmen are: Dr. Wilhemnia Bowles and Mrs. La Ursa Snelson-Hedrick, who is also committee secretary. Captains of the various teams are: Mesdames Millie Hobson, B. Monroe, A. Blanche Williams, Cora Arnet, Annie E. Oliver, M. E. Bluit, Emmett Williams, Irene McCoy Gaines, Annie Malone, Pauline J. Lawrence and Dr. Mary F. Waring.

## TWO NEGROES AMONG 65 CANDIDATES FOR TEXAS LEGISLATURE

Fort Worth, Tex. Nov. 30 (ANP)—At last Friday's deadline for the filing of applications it was learned that two Negroes were numbered among the 65 candidates officially in the race for the post of flatorial represen-

tative to the State legislature from Denton and Tarrant counties.

The number of candidates is said to set an all-time record for the state, and it is reportedly the first time a Negro has ever sought public office in either county. The colored candidates: Phil R. Register, editor Fort Worth Eagle Eye, weekly paper and Jay Ford, Fort Worth laborer.

## Missouri Law School Meets Bar's Approval

St. Louis, Nov. 30 (ANP)—The new Lincoln university law school opened in September in the old Poro college building, has complied fully with American Bar association requirements and is therefore an accredited institution it was announced to the Lincoln board of curators last week by Will Shafroth, adviser to the section of the association on legal education and admissions to the bar.

Praising the administration of Dean Louis E. Taylor, Shafroth said he found the library physical equipment, number of full-time teachers, admission requirements, length of course and number of students "entirely satisfactory" and asserted the institution was not makeshift in any respect.

## SURVEY GRAPHIC REVIEWS SOUTH'S WAR ON LYNCHING

New York, Nov. 30 (C)—"Ladies and Lynching" is the arresting title of a very revealing article on the South's great shame, by Lewis F. NORDYKE in the November issue of the SURVEY GRAPHIC, monthly magazine of social interpretations. The editors describe Mr. NORDYKE's contribution as a "remarkable

## Chicago's Provident Hospital Gets Charter For Insurance Plan

Chicago, Nov. 30 (ANP)—A charter has been granted by the state to the Southside Hospital Service Plan, Inc., which will cooperate with Provident Hospital. Provident will furnish hospital accommodations to those enrolling in the plan, it was announced by Dr. John W. Lawlis, medical director.

## Virgin Islands Judge Home for Xmas Holidays

Chicago, Nov. 30 (ANP)—Chicago friends of Federal Judge Herman Moore of the Virgin Islands received word from the jurist that he will spend the Christmas holidays at his home here. His brief message said he would arrive in Chicago about Nov. 25 and remain until after the Yule season. He sailed from the Islands aboard the S.S. Borinquen of the Porto Rico Line.

## White Students At Southern Methodist Uni. Hear Daisy Lampkin Give Talk

Dallas, Tex. Nov. 30—White students of Southern Methodist University's school of religious education, here turned out in full force to hear Mrs. Daisy Lampkin, field secretary of the National Association for the Advancement of Colored People, who spoke at the university November 17, on the organization's fight to win full citizenship rights for Negroes in the United States.

Following her speech, the students, many of whom will soon

# Elks 33rd Annual Grand Ball, Monday, Dec. 4th---Public Invited LLOYD HUNTER'S ORCHESTRA-lead