

STATE LABOR ARBITRATION.

Extent of Legal Machinery Created to Settle Disputes.

THE RESULTS OF AGITATION.

What Has Been Accomplished by Boards of Labor Commissioners in Several States During the Recent Years.

Our Labor Laws.

New York, June 30.—(Special to the Bee.)—The labor agitation of recent years has had a much larger influence on the shaping of laws than is generally thought—especially in the direction of providing machinery for arbitration. Six states within four years have established tribunals to conduct arbitration. Most of those have been created within two years, and two states within the latter period, have established state boards with salaried members and important powers. The rapid extension of this form of industrial regulation and the decided tendency it is already manifesting to become an actual interference with the employer's management of his own business, is likely to prove the most radical measure yet made since the time-honored policy of religiously maintaining the separation of state and industry. If the present tendency to regulate the economic activities by government becomes an accepted policy, it will be because, with natural resources appropriated and a great working population depending wholly on wages, industrial conditions have themselves undergone a radical change. The only question the average voter will ask about state arbitration and the amount and kind of power the board of arbitration should exercise will be the purely practical question HOW DOES IT WORK?

The tribunals so far created are of three types and of various degrees of authority. The simplest type is a local board brought into existence in an official way for a specific, temporary occasion, with which it expires. The local board provided for by the New Jersey law of 1885 is the best example of this type. It is constituted by the agreement of an employer and his own employees, each party selecting one arbitrator and those two third. It arbitrates the single case for which it was formed and then expires unless it is selected to hear some other dispute also. Its decision is final on the questions submitted and binding. Another type is the local board created for a certain period and authorized to hear any case properly brought before it within that time. The Ohio law of 1886 provides for tribunals of this kind, each continuing in existence one year from the date of the license creating it and being empowered to take jurisdiction of any dispute between employers or workmen within that time, whether brought before it by the parties that originally petitioned for the tribunal, or by others, or even by parties from another county where no such tribunal exists. The third type is the permanent state board, composed of salaried members appointed for definite terms and empowered to hear cases anywhere within the commonwealth. Such boards were created in New York and Massachusetts in 1885. Local boards also are provided for in these states.

In Pennsylvania, Kansas, New York and Massachusetts the local tribunals approach either the New Jersey or the Ohio type, with some distinctive features in each state. In Massachusetts the local tribunals are constituted by the mere agreement of the parties interested. In the other states named it derives its authority from a county or other local authority. The Pennsylvania boards are formed, according to the Wallace act of 1885, under licenses issued from courts of common pleas upon the petition of five employers and fifty workmen. The procedure is similar in Kansas and Ohio, but in New York the local tribunals are appointed by the county court. The composition of the board is in all cases prescribed by law. In Pennsylvania, Ohio and Kansas there must be an equal representation of employers and workmen, the names of the persons selected being given in the petition to the court. In New Jersey there is no such requirement. The case goes to an umpire the law wisely providing that the umpire shall be named before the arbitration begins. In Massachusetts as in New Jersey each party selects an arbitrator and those two a third. New York recognizes the latter method, but the parties to the board consist of five persons. When the employer represents are members in good standing of an organization that is represented by delegates in a central body (like the Central Labor union of New York city) that body names two arbitrators. If the employees belong to no organization they choose their two arbitrators themselves by a majority vote. Two arbitrators are named by the employer or employees and the four so selected choose the fifth. There is a close relation between the degrees of

PREMUNANCY THESE TRIBUNALS are expected to enjoy and the magnitude of the cases presumed to come before them. In Massachusetts, for example, where a single employer or as many as twenty-five men may join with them in creating a local tribunal the tribunal ceases to exist when it renders its decision. In Pennsylvania, on the other hand, the expiration of the license does not lawfully prevent the tribunal from being re-created only to deal with disputes involving large interests, such as five employers and fifty workmen must join in the petition to the court and when the tribunal is created it may continue to arbitrate for the same parties indefinitely. In Ohio the petition may be signed by forty workmen and four employers, or by four employers employing not less than ten men each, or by one employer and at least four workmen. In New Jersey, as we have seen, exists for a year.

None of these boards have any power to act until a case is brought before them, with specifications in writing, by the parties to the dispute. Then the procedure is with legal formality; such cases are heard in public, the issues examined and the facts demanded. The decision is final and binding in New Jersey, Ohio and Kansas. In the petition to the county court whence judgment and process may issue to enforce it. In Massachusetts a decision has whatever authority it has been agreed on before hand. A Pennsylvania umpire's decision is binding in all matters but future wages, that becomes binding if the decision is accepted by the parties and may then be enforced by the courts. In New York an appeal lies from the local to the state board.

WHAT HAS BEEN ACCOMPLISHED by all this elaborate legal machinery? As yet not a great deal except in Pennsylvania where arbitration under the law without dispute has satisfactorily settled a number of bad differences. Voluntary arbitration in the Hoehle valley with the Hon. Allen G. Thayer for umpire, by which wages were advanced sixty cents a ton at the close of 1885, and the joint arbitration of the operators and miners of Ohio, Indiana, Illinois, Pennsylvania and West Virginia established in February 1885, have resulted so well that possibly there will yet be a respite to the entire country. Ohio. The existence of state boards in New York and Massachusetts with power to hold hearings in any town, account for the failure to resort to local tribunals in those states. The New York board which was intended to be an appellate tribunal, found itself obliged to exercise original jurisdiction from the first.

It is the state boards that promised too valuable work, and threatened at the same time to abridge the absolute freedom employers have enjoyed to be a law unto themselves in all industrial relations. The useful results are to come about, apparently, in a different way from what the promoters of arbitration looked for. It will be less by actual arbitration in response to petition, and more by mediation, a word of advice in time and the appeal to public opinion through an exposure of the facts, that industrial peace, on a basis of just relations, will be promoted.

THEY FAVOR ARBITRATION. CHICAGO, June 30.—The National Federation of Trades Councils reassembled this morning, and after adopting resolutions favoring the appointment of an arbitration committee to settle the strike with the master builders association, adjourned until the third Tuesday in September, when a meeting will be held in Chicago.

A Co-operative Failure. CHICAGO, June 30.—The sheriff took possession of the property of the Knights of Labor Publishing company this morning on confession of judgment for \$8,000. A receiver has been appointed and the publication of the Evening Star will be continued.

Cattle Plague in New York. New York, June 30.—Pneumo-pneumonia, which has been raging in the upper part of Westchester county, has attacked cattle at Thurston's. A strict quarantine has been established, and the infected animals will be killed.

Boodle Expires Feel Bad. MONTREAL, June 30.—The "boodle" aldermen appear very much disconcerted over Sharpe's conviction. They refused to see reports, but their friends say they feel badly, as they consider their stay as indefinitely prolonged here.

Glass Works Close Down. PITTSBURGH, June 30.—All glass factories in the county will suspend operations tonight for the summer months.

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DAVIS AND THE FLAGS.

Another Letter by the Arch Traitor On the Incident.

BALTIMORE, June 30.—The Sun has a long letter from Jeff Davis, in reference to the return of the southern battle flags. He thinks its object now would be to unite the people of the north and south. Every sign of the past conflict should as far as practicable be obliterated. To retain as a point of pride the captured flags would be equivalent to renewed exultation. "Our men," says he, "fought for a principle, and that they have not surrendered, but rather hopelessly and bravely, and the good people of the northern men revert to the teachings of their sires, and reestablish the government according to the constitution which was framed by their fathers, the only victory which would be to them and their children, a thing to be prized and gloried in." One element of value in the proposition to return to both north and south the flags now in the war department, Davis says, is that the restoration would be a declaration such as the old Romans made, that there should be no triumph for victory won in civil war. He thinks the excitement over the matter very much like a tempest in a teapot.

Iowa Supreme Court Decisions.

DES MOINES, Ia., June 30.—(Special Telegram to the Bee.)—The supreme court rendered the following decisions today: State of Iowa vs. Jasper N. Clouser, appellant, convicted of murder and sentenced to life, Miss District, Reversed. A. West vs. J. C. Fitzgerald, and D. C. Lamb, et al., appellants, appellees, Anna District, Dismissed. S. S. King vs. The Council Bluffs Insurance Company, appellant, Harrison district, Affirmed. Augusta Schmidt, appellant, vs. Jacob William, Lyon district, Reversed. E. J. Jolly vs. Des Moines & Northwestern Railway Company, Dallas circuit, Reversed. The supreme court granted a stay of execution of the case of the rival street railway of this city, and will give a rehearing next term, leaving both companies for the present free to operate.

Iowa's Insurance Statement.

DES MOINES, Ia., June 30.—(Special Telegram to the Bee.)—The annual report of the insurance department was issued by the state auditor, Charles C. Johnson, and shows that the insurance companies, twenty-nine life and one accident insurance company are doing business in the state, together with twenty-nine assessment or co-operative associations. The auditor comments severely upon the way in which the bankrupt Monarch insurance company did business, and asks the general assembly for a law to prevent hereafter such companies from doing an underground or brokerage business in other states while ostensibly under the protection and oversight of the Iowa authorities.

Davenport Indignant.

DAVENPORT, Ia., June 30.—(Special Telegram to the Bee.)—To-day the revenue collector's office, which has been here since 1862, was removed to Burlington under Cleveland's late order consolidating the two districts. Dr. Stewart, who has held the office but two weeks, is indignant, and overhauled Morse in an alley. Morse drew a knife and cut Neu in the head and escaped with a diamond ring and a gold watch. Neu is the third person who has given similar testimony against Morse.

BADLY BEATEN.

Fred Tschantee, a puddler employed at the smelting works, was brought into the central station last evening badly cut about the head and bruised about the body. He had been in a fight with F. Himebaugh, a teamster, who was also brought in and locked up. The city physician dressed Tschantee's wounds, after which he was sent home. He is supposed to be dangerously hurt. The two men live in the same house near the south end of the Sixteenth street viaduct. Tschantee is a small man and is in poor health. He has been in the country to recover, but Himebaugh followed him and the Himebaughs quarrelled, and each other's clothes and did similar neighborly acts. When Tschantee returned he and Himebaugh had words and finally fought. Himebaugh, who is a large man, seized a billet of wood and a brick and beat Tschantee terribly. He has a long cut across the forehead, his arm is broken and he is otherwise pretty badly hurt.

Complexion Powder is an absolute necessity of the refined toilet in this climate. Pozzoni's combines every element of beauty and purity.

Storekeeper Pratt Resigns. C. M. Pratt, storekeeper of the Union Pacific road has resigned his position, and will retire from the employ of the company, to except another position in another which has been placed at his disposal. It is understood that he will be succeeded by Charles H. McKibbin, who for some time past has filled the position of engineer of tests in the employ of the same company. Mr. Pratt has been one of the most energetic, popular and successful storekeepers which the road has had in many years. His retirement will enable him to enter upon duties in another and equally congenial calling.

Charged with False Pretenses. A warrant was issued and served yesterday upon J. J. Neligh, charging him with obtaining money under false pretenses from J. M. Guild. It is claimed Neligh represented that a man named Oscar Brown owned a horse, and he gave Guild an order for \$1, which Brown refused to recognize. Neligh declares the arrest is a case of persecution, and he will make somebody sweat for it.

A Good Appetite is essential to good health, but at this season it is often lost, owing to the poverty or impurity of the food, derangement of the digestive organs, and the weakening effect of the changing season. Hood's Sarsaparilla is a wonderful medicine for creating an appetite, toning the digestion and giving strength to the whole system. Now is the time to take it. Be sure to get Hood's Sarsaparilla.

Assaulted the Cook. E. Burdick, a bartender at King's saloon, Douglas street, near Thirteenth, was arrested yesterday for assault on a battery on Henry Anderson, a cook in the restaurant. The cook, under the influence of liquor, broke a glass and also fell against the cigar case and broke it.

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A joint meeting of representatives from all labor organizations was held last night at Metz's hall for the purpose of discussing the present labor situation of the city. Owing to the inclemency of the weather, however, there was not so full and representative a meeting as anticipated. Mr. William Drinn was called to the chair and having explained the objects for which the meeting had been called together invited a discussion. W. J. Hunt, of the painters' union, was sorry the meeting was not stronger and more representative. The situation in Omaha appeared to him to be that if the laboring men did not get to work and organize and associate their rights, they must go to the wall. It was necessary now more than ever for the men to insist upon receiving a fair compensation for their labor, and that the different unions must work together. If they did not look out for themselves the capitalists with their ten, fifty and one hundred thousand dollars would never make any move in their favor. The chairman said that in all his experience he had never known a city where organized labor was in such an unsatisfactory state. There were several labor organizations in Omaha, and these, instead of working together for the common good of all, did all in their power to crush and annihilate each other. The time had come when the Knights of Labor, the Central Labor union and the other trade organizations should go hand in hand. The city at the present time was overrun by scab painters, and this was a state of affairs that would not be allowed in any other city where organized labor existed. Now were offered a premium to stay in Omaha. [A voice, "That's about the size of it."] In Chicago a union painter would not work with a scab painter, and vice versa. The card system should be put in force to a greater extent. Unless something was done to stir the men up in Omaha, organized labor would go down in the unions unless they formed into one solid body. An association had been formed lately in the city for the purpose of downing the painters, but they had not done it yet and they never would. [Applause.] A number of other speakers addressed the meeting and expressed themselves in favor of better organization. Before the close of the meeting Mr. W. C. Holder, who is engaged adjusting the painters' strike on behalf of the Knights of Labor, stated that certain things had transpired lately for which he was able to say that in all probability the painters' differences would be settled satisfactory to the men before the end of the week.

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