

STRIKE ORDER FOR BROTHERHOOD MEN

Text of Instructions Delivered to Railroad Trainmen to Govern Their Action.

BAN PUT UPON VIOLENCE

Washington, Aug. 29.—Following is the strike order issued to members of the four rail-a-brotherhoods, fixing Labor day, Monday, September 4, as the tentative date for the walkout of the 400,000 trainmen.

"Sirs and Brothers: This is to advise that the vote of the employees in train and engine service on the eight-hour day and time and one-half overtime proposition was overwhelmingly in favor of a strike.

"Notwithstanding this, your representatives have been unable to effect a satisfactory settlement and a strike, under the laws of the respective organizations becomes effective on September 4, 1916, at 7 a. m.

"No man in road service involved in the strike will perform any service after the hour set to strike unless he has already begun a trip and has actually left the terminal.

"Every man should understand that the laws of the land must be obeyed. Acts of violence of any nature will not be tolerated by the organizations."

PRESIDENT PUTS RAIL STRIKE UP TO LAWMAKERS

trover failed, and the means of arbitration, for which the law provides, were rejected. The representatives of the railway executives proposed that the demands of the men be submitted in their entirety to arbitration, along with certain questions of readjustment as to pay and conditions of employment, which seemed to them to be either closely associated with the demands or to call for reconsideration on their own merits.

"The men absolutely declined arbitration, especially if any of their established privileges were by that means to be drawn again in question. The law in the matter put no compulsion upon them. The 400,000 men from whom the demands proceeded had voted to strike if their demands were refused; the strike was imminent. It has since been set for September 4 next. It affects the men who man the freight trains on practically every railway in the country.

"Just so soon as it became evident that mediation under the existing law had failed and that arbitration had been rendered impossible by the attitude of the men, I considered it my duty to confer with the representatives of both the railways and the brotherhoods, and myself offer mediation, not as an arbitrator, but merely as spokesman of the nation, in the interest of justice, indeed, and as a friend of both parties, but not as judge, only as the representative of 100,000,000 men, women and children who would pay the price, the incalculable price, of loss and suffering should these few men insist upon approaching and concluding the matters in controversy between them merely as employers and employees, rather than as patriotic citizens of the United States looking before and after and accepting the larger responsibility which the public would put upon them.

"It seemed to me, in considering the subject matter of the controversy, that the whole spirit of the time and the preponderant evidence of recent economic experience spoke for the eight-hour day. It has been adjudged by the thought and experience of recent years a thing upon which society is justified in insisting as in the interest of health, efficiency, contentment and a general increase of economic vigor. The whole presumption of modern experience would, it seemed to me, be in its favor, whether there was arbitration or not and the debatable points to settle were those which arose out of the acceptance of the eight-hour day, rather than those which affected its establishment. I, therefore, proposed that the eight-

hour day be adopted by the railway managements and put into practice for the present as a substitute for the existing ten-hour basis of pay and service; that I should appoint, with the permission of congress, a small commission to observe the results of the change, carefully studying the figures of operating costs not only, but also the conditions of labor under which the men worked, and the operation of their existing agreements with the railroads, with instructions to report the facts as they found them to congress at the earliest possible day, but without recommendation; and that after the facts had been thus disclosed, adjustment should in some orderly manner be sought of all the matters now left unadjusted between the railroad managers and the men.

"These proposals were exactly in line, it is interesting to note, with the position taken by the supreme court of the United States when appealed to to protect certain litigants from the financial losses which they confidently expected if they should submit to the regulation of their charges and of their methods of service by public legislation. The court has held that it would not undertake to form a judgment upon forecasts, but could base its action only upon actual experience; that it must be supplied with facts, not with calculations and opinions, however scientifically attempted. To undertake to arbitrate the question of the adoption of an eight-hour day in the light of results merely estimated and predicted would be to undertake an enterprise of conjecture. No wise man could undertake it, or if he did undertake it could feel assured of his conclusions.

"I unhesitatingly offered the friendly services to the railway managers to see to it that justice was done the railroads in the outcome. I felt warranted in assuring them no obstacle of law would be suffered to stand in the way of their increasing their revenues to meet the expenses resulting from the change so far as the development of their business and of their administrative efficiency did not prove adequate to meet them. The public and the representatives of the public, I felt justified in assuring them, were disposed to see nothing but justice in such cases and were willing to serve those who serve them.

"Representatives of the brotherhoods accepted the plan, but the representatives of the railroads declined to accept it. In the face of what I cannot but regard as the practical certainty that they will be ultimately obliged to accept the eight-hour day by the concerted action of organized labor, backed by the favorable judgment of society, the representatives of the railway managements have felt justified in declining a peaceful settlement which would engage all the forces of justice, public and private, on their side to take care of the event. They fear the hostile influence of shippers, who would be opposed to an increase of freight rates (for which, however, of course, the public itself would pay); they apparently feel no confidence that the Interstate Commerce commission could withstand the objections that would be made. They do not care to rely upon the friendly assurances of the congress or the president; they have thought it best that they should be forced to yield, if they must yield, not by counsel, but by the suffering of the country. While my conferences with them were in progress, and when, to all outward appearances these conferences had come to a standstill, the representatives of the brotherhoods suddenly acted and set the strike for September 4.

"The railway managers based their decision to reject my counsel in this matter upon their conviction that they must, at any cost to themselves or to the country, stand firm for the principle of arbitration, which the men had rejected. I based my counsel upon the indisputable fact that there was no means of obtaining arbitration. The law supplied none; earnest efforts at mediation had failed to influence the men in the least. To stand firm for the principle of arbitration and yet not get arbitration seemed to me futile, and something more than futile, because it involved incalculable distress in some respects worse than those of war, and that in the midst of peace."

"I yield to no man in firm adherence, alike of conviction and of purpose, to the principle of arbitration in industrial disputes; but matters have come to a sudden crisis in this particular dispute and the country has been caught unprovided with any practicable means of enforcing that conviction in practice (by those fault we will not now stop to inquire). A situation had to be met whose elements and fixed conditions were indisputable. The practical and patriotic course to pursue, as it seemed to me, was to secure immediate peace by conceding the one thing in the demands of the men, which society itself and any arbitrators who represented public sentiment were most likely to approve, and immediately lay the foundations for securing arbitration with regard to everything else involved. The event has confirmed that judgment. I was seeking to compose the present in order to safeguard the future; for I wished an atmosphere of peace and friendly cooperation in which to take counsel with the representatives of the nation with regard to the best means for providing, so far as it might prove possible to provide, against the recurrence of such unhappy situations in the future—the best and most practicable means of securing calm and fair arbitration of all industrial disputes in the days to come. This is assuredly the best way of indicating a principle, namely, having failed to make certain of its observance in the present to make certain of its observance in the future. But I could only propose. I could not govern the will of others, who took an entirely different view of the circumstances of the case, who even refused to admit the circumstances to be what they have turned out to be.

"Having failed to bring the parties to this critical controversy to an accommodation, therefore, I turn to you, deeming it clearly our duty, as public servants, to leave nothing undone that we can do to safeguard the life and interests of the nation. In the spirit of such a purpose I earnestly recommend the following legislation: "First, immediate provision for the enlargement and administrative re-

organization of the Interstate Commerce commission along the lines embodied in the bill recently passed by the house of representatives and now awaiting action by the senate; in order that the commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are, with its present constitution and means of action, practically impossible.

"Second, the establishment of an eight-hour day as the legal basis alike of work and wages in the employment of all railroad employees, who are actually engaged in the work of operating trains in interstate transportation.

"Third, the authorization of the appointment by the president of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads, its effects in the matter of operating costs, in the application of the existing practices and agreements to the new conditions and in all other practical aspects, with the provision that the investigators shall report their conclusions to the congress at the earliest possible date, but without recommendation as to legislative action, in order that the public may learn from an unprejudiced source just what actual developments have ensued.

"Fourth, explicit approval by the congress of the consideration by the Interstate Commerce commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day, and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

"Fifth, an amendment of the existing federal statute which provides for the mediation, conciliation and arbitration of such controversies as the present by adding to it a provision that in case the methods of accommodation now provided for you should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

"And sixth, the lodgment in the hands of the executive of the power, in case of military necessity, to take control of such portions and such rolling stock of the railways of the country as may be required for military use, and to operate them for military purposes, with authority to draft into the military service of the United States such train crews and administrative officials as the circumstances require for their safe and efficient use.

"National Defense Important. "This last suggestion I make because we cannot in any circumstances suffer the nation to be hampered in the essential matter of national defense. At the present moment circumstances render this duty particularly obvious. Almost the entire military force of the nation is stationed upon our territory against hostile raids. It must be supplied and steadily supplied, with whatever it needs for its maintenance and efficiency. If it should be necessary for purposes of national defense to transfer any portion of it upon short notice to some other part of the country, for reasons now unforeseen, ample means of transportation must be available and available without delay. The power conferred in this matter should be carefully and explicitly limited to cases of military necessities, but in all such cases it should be made clear and ample.

"There is one other thing we should do if we are true champions of arbitration. We should make all arbitrary awards, judgments by record of a court of law, in order that their interpretation and enforcement may lie, not with one of the parties to the arbitration, but with an impartial and authoritative tribunal.

"These things I urge upon you, not in haste, nor merely as a means of meeting a present emergency, but as permanent and necessary additions to the law of the land, suggested, indeed, by circumstances we had hoped never to see, but imperative as well as just, if such emergencies are to be prevented in the future. I feel that no extended argument is needed to com-

ment them to your favorable consideration. They demonstrate themselves. The time and the occasion only emphasize their importance. We need them now, and we shall continue to need them."

To Meet the Leaders. President Wilson will tonight discuss the legislative program to meet the strike situation with Speaker Clark, Democratic Leader Kitchen, Republican Leader Mann and Chairman Adamson of the interstate commerce committee.

The committee of twenty-four brotherhood leaders met soon after hearing the president's address congress. They declined to make any comment.

Arrangements were made for all of the committee except the four brotherhood heads to leave for their homes in order that they may be among their men if the strike order goes into effect.

There was approval from both sides of the joint session at suggestions from the president of legislation to prevent strikes or lockouts pending investigation.

The entire assemblage arose when the president concluded, after speaking twenty-three minutes. There were several rousing cheers as he left the chamber.

Throughout the address the expressions of approval came mainly from the democratic side, republicans sitting and listening in silence.

The two houses then returned to separate regular sessions. The senate interstate commerce committee met immediately to consider bills already framed to carry out the president's suggestions and in the house leaders discussed the probable action while awaiting developments.

It was impossible to get a quorum at the meeting of the senate committee and it was postponed until tomorrow morning, when consideration of legislation suggested in President Wilson's message will be undertaken.

Ultimate Cost Enormous. "The eight-hour day without punitive overtime involves an annual increase approximating in the aggregate \$60,000,000, and an increase of more than 20 per cent in the pay of men, already the most highly paid in the transportation service. The ultimate cost to the railroads of an admission in this manner of the principle under contention cannot now be estimated; the effect upon the efficiency of the transportation of the country, now already under severe trying and at a time when more instead of less effort is required at public welfare, would be harmful beyond calculation.

"The widespread effect upon the industries of the country, as a whole, is beyond measure or appraisal at this time, and we agree with the insistent and widespread public concern over the gravity of the situation and the consequences of a surrender by the railroads in this emergency.

"In like manner we are deeply impressed with the sense of our responsibility to maintain and keep open the arteries of transportation which carry the life blood of the commerce of the country and of the consequences that will flow from even a temporary interruption of service over the railroads, but the issues presented have been raised above and beyond the social and monetary questions involved, and the responsibility for the consequences that may arise will rest upon those that provoke it.

"The questions involved are, in our respectful judgment, eminently suitable for the calm investigation and decision by the public through the agency of fair arbitration, and cannot be disposed of to the public satisfaction in any other manner. The decision of a commission or a board

of arbitration having the public confidence will be accepted by the public and the social and financial rearrangements made necessary thereby will be undertaken by the public, but in no less deliberate nor orderly manner.

"The railroads of the country cannot, under present conditions, assume this enormous increase in their expenses. If imposed upon them, it would involve many in early financial embarrassment and bankruptcy and imperil the power of all to maintain their credit and the integrity of their securities. The immediate increase in cost followed by other increases that would be inevitable, would substantially influence the present purchasing power of the railroads and disable them from extending and improving their facilities and equipment, to keep abreast of the demands of the country for efficient transportation service.

Counter Proposals Made. "For these reasons we are with regret unable to accept the suggestion made by the president of the United States.

"We propose, however, as a basis of settlement the following: "A—The railroads will, effective September 1, 1916, keep the time of all men represented in this movement upon an eight-hour basis and by separate account, monthly, with each man, maintain a record of the difference between the money actually earned by him on the present basis and the amount that would have been earned upon an eight-hour basis—overtime on such basis to be computed pro rata. The amount so shown will be subject to the decision of the commission provided for in paragraph C of this memorandum and payable in money as may be directed by said commission in its findings and decision."

"(b) The Interstate Commerce commission to supervise the keeping of these accounts and report the increased cost of the eight-hour basic day, after such period of actual acceptance as their judgment approves, or the president may affix, not, however, less than three months.

"(c) In view of the far-reaching consequences of the decision made by the president, accepting the eight-hour day, not only upon the railroads and the classes of labor involved directly in this controversy, but to the public, and upon all industry, it seems plain that before the existing conditions are changed the whole subject in so far as it affects the railroads and their employees should be investigated and determined by a commission to be appointed by the president, of such standing as to compel attention and respect to its findings. The judgment of such a commission would be a helpful basis for adjustments with labor and such legislation as intelligent public opinion, so informed, might demand.

Will Accept Findings. "The railroads will accept the findings of such a commission upon the issue of an eight-hour basis of pay, as well as upon any other matters now in controversy that may be submitted to it by either party.

"The commission should consist of not less than five members and should also be authorized to hear and determine all questions that may arise in the application of the findings of said commission or in the working

out of such plan as it may propose. "The presidents of the railroads are prepared to continue negotiations on the subject with genuine anxiety, within the limits above expressed, to find solution to the question."

Nicholas Oil company, said he had a supply of gasoline to last his trade for two months.

"I do not believe the strike will last thirty days at the very longest," was his opinion.

Plenty of Milk. Treasurer Dyball of the Alamogordo Dairy company, believes a railroad strike would effect the butter supply more than milk and cream. "Most of the dairy products are brought into Omaha by train, although much milk is transported by auto trucks. If rail transportation should be cut off I suppose there would be an increased use of motor vehicles to nearby points, assuming there would be enough gasoline for the motor vehicles," said Mr. Dyball.

Mr. Dyball does not care to speculate much on the effects of the prospective railroad tie-up.

Plenty of Gas. "We are in good shape," said Superintendent Taylor of the Omaha Gas company, when asked regarding the possible effect of a general railway strike upon the gas company's operations. "We have enough coal and coke for at least four or five months. As for the oil we use in the manufacture of gas, we have a sufficient supply on hand to last about sixty days. After that in an emergency we could use coal oil if necessary, and I know where I can get a considerable supply of that."

OMAHA IS READY TO FACE STRIKE OF RAILROAD MEN

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self indefinitely without the aid of rail transportation, so far as food is concerned. Meat might cost a little more, but the supply would not run out."

W. H. Yohe, president, and general manager of the Uppike Milling company, said: "There is enough grain stored right in Omaha now to make flour to run the city a couple of years, if we could get it switched to the mills. Of course, in an extreme emergency, it could be hauled in wagons, and so the town is really well supplied so far as grain and flour is concerned. Omaha, South Omaha and Council Bluffs consume about 20,000 barrels of flour a month."

Douglas county has only twenty-five tons of coal in the basement of the court house. It requires 300 tons every month during the winter to heat the building.

L. V. Nicholas, president of the

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Turpin's School of Dancing. First beginner's class, Monday, September 11th, 8 p. m. First advanced class, Tuesday, September 12, 8 p. m. Applications received now. Harney 5143. Private lessons any time. 28th and Farnam Sts. First High School class starts September 30th, 8 p. m. Children's class begins Saturday, October 7th, 2:30 p. m.

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