COMPENSATION ACT HAS GOOD POINTS BUT ALSO HAS SEVERAL BAD FLAWS

IN these days preceding the general election in Arizona, there is great agitation over the proposed workmen's compensation law, an initiative measure to be submitted to the voters as an amendment to the state's constitution. The fight is nearly all within the ranks of organized labor. One faction favors the measure, but a larger faction opposes it violently. When it was brought up for discussion at the recent convention of the Arizona Federation of Labor, endorsement was withheld. It was rejected by a vote of 55 to 5.

Opposition seems to have been based partly on the assertion that the measure was framed by the corporations of the state, an assertion which has gone unchallenged, but which has nothing to do with the merits or otherwise of the proposed law. Its defendents explain that at one time a joint committee of employers and labor representatives was formed to frame a compensation law, but its work was disrupted by changes in the Arizona Federation of Labor which also brought about a change of attitude on the part of that organization. The employers' representatives then went ahead, secured copies of compensation laws drafted for 17 other states, Texas included, and wrote what they considered a stronger law, more favorable to the working man, than any of the patterns.

The measure is now before the voters for consideration. Some of its chief sponsors are John L. Donnelly, former president of the Arizona Federation of Labor; Folsom Moore, organizer for the American Federation of Labor for the district of Tucson; state senator William P. Mahoney, of Mohave county; J. E. Curry, secretary of the Arizona chapter of the American Mining congress; N. A. Nickerson, manager of the Saginaw Manistee Lumber company, and Andrew Kimball, president of the state board of trade. The present president of the Arizona Federation of Labor, T. J. Crosff, and other labor leaders allied with him, are much opposed to the proposed amendment.

This proposed compensation law cannot be presented fully on account of its extreme length—26 pages of closely printed matter—but the following are some of its chief features

It provides for an industrial accident board of three members to be appointed by the governor, with the advice and consent of the senate, whose term shall be six years and salary $3600 a year, to administer the industrial accident fund and make awards as circumstances arise.

It provides that firms and employes may come under the provisions of the compensation law or stay out, as they elect, but that if they agree to come under it, all other recourse is waived. That is to say, it aims to do away with the vast personal injury litigation which clogs the courts and is a source of great expense to taxpayers. Parenthetically, many lawyers who have been making good livings chiefly out of personal injury cases are fighting the compensation law.

The daily wages of the injured employe at the time of his injury shall be taken as the basis for compensation.

For an injury producing total disability 66 2-3 percent of the daily wages at the time of the injury shall be paid during the period of such disability.

For an injury producing partial disability, 66 2-3 percent of the difference between the daily wages at the time of the injury and his daily earning capacity thereafter in the same employment or otherwise shall be paid during the period of such disability, subject, however, to reconsideration of the degree of such impairment by the board on its own motion, or on application of any party interested.

Where the injury causes death, 66 2-3 percent of the daily wage at the time of the injury shall be paid to his beneficiary, if any, or if none, then 50 percent of the daily wages at the time of the injury shall be paid to his major dependents, if any, or if none, then 40 percent of his daily wages at the time of the injury shall be paid to his minor dependents, if any, such payments in either case to be made for a period of 1900 days, but in no case to be less than $3000 or more than $8000.

There shall be paid, in addition to other compensation, if death occurs within six months of the happening of the injury and as a result thereof, the reasonable burial expenses of the employe, not exceeding $125. If the employe leaves no beneficiaries or major or minor dependents, this shall be the only compensation.

Compensation due to beneficiaries shall be paid to the surviving spouse, if any, until his or her remarriage, or, if there be no surviving spouse, or if the surviving spouse remarry, then such compensation shall be divided equally among or for the benefit of the children. Compensation due to major dependents, where there be more than one, shall be divided equally among them.

There is specified a long list of injuries, with the compensation to be paid for each. In each case the employe is to receive two-thirds pay and the time varies with the severity of the accident, ranging from 27 days for loss of part of a finger to 1850 days for the loss of an arm above the elbow. All these provisions are declared to be much more liberal than are to be found in the compensation laws of other states.

In addition, employes must be given hospital treatment at the employer's expense, and if the employer does not provide such service when notified, the employe may go ahead and obtain it and the employer must pay the bill.

The accident fund is to be made up by payments by firms electing to come under the compensation act, each to be assessed a percentage of his payroll.

Despite the alleged fact that this compensation act was drawn up by representatives of the employers, it looks to be chiefly in the interest of the workers; in fact, the only part of it in the interest of the employers, so far as can be observed, is the relief from personal injury suits and the stabilization, thereby, of the amounts to be paid after death or injury. However, it must be borne in mind that neither employer nor employe would be forced to come under the terms of the act and any employe electing not to come under the terms of the act could still sue in the courts.

Nevertheless, the act is not without its flaws and these should have been rectified before the measure came up for a vote. It is too late now, for the act, as an initiative petition, has been signed and any changes would invalidate the whole procedure.

There ought to be a provision obviating discrimination against a laborer because of his dependents. Otherwise, some employers might declare no vacancy existed whenever a man with a wife or other dependents asked for work. Looking forward to his possible death from injury it would obviously be much cheaper to pay a $125 death claim than an $8000 death claim, for the employer is only bound, when employe leaves no dependents, to pay a reasonable sum for burial, not to exceed $125.

Also, there should be a difference in compensation, based on the number of dependents in the employe's immediate family at the time of his death.

For instance, one employe might leave a wife and four children and another a wife and one child. Other circumstances being the same in both cases, the larger family should have the larger compensation, but the proposed amendment does not offer it. Each would receive the same sum.

There are these two flaws and they are serious. There may be others, discernible on close examination by well qualified attorneys. If so, they should be removed, and if this measure should receive enough votes to make it law, the faults mentioned should be corrected without delay thereafter.

Political Changes

READING of political developments in New Mexico and Arizona, one is more and more drawn to the conclusion that party barriers are falling and that more and more voters are approaching the ideal condition where they will vote for the best man, no matter what his party label.

Developments in the Democratic convention in New Mexico show that while partisanship appears as strong as ever, it is tinged with bipartisanship. That is to say, one faction alleges another is under Republican influence and the other talks of putting a rival ticket in the field. Whatever the merit or lack of merit of the statement regarding Republican influence, it being difficult for one not on the ground to judge of actual conditions, the fact that a strong contest is under way to choose the best men for candidates is far removed from the old cut and dried, slate method of presenting party nominees before the electorate. There may be other developments in the New Mexico convention which may make this more clear.

In Arizona, the breakdown of party barriers shows signs of becoming quite pronounced, which it is not yet in New Mexico. The candidacy of Thomas E. Campbell, Republican, against that of Fred Colter, Democrat, brings before voters of all parties the issue of forgetting party labels and voting for the best man to serve the state and nation. Mr. Campbell is the firm and tried friend of all loyal Americans of every station in life, a square deal man for labor, organized and unorganized, and a square deal man for the man who hustles around and gets the money to meet the laboring man's paycheck. He is a firm and unwavering enemy to class agitators, promoters of industrial hatred and anti-American Industrial Workers of the World.

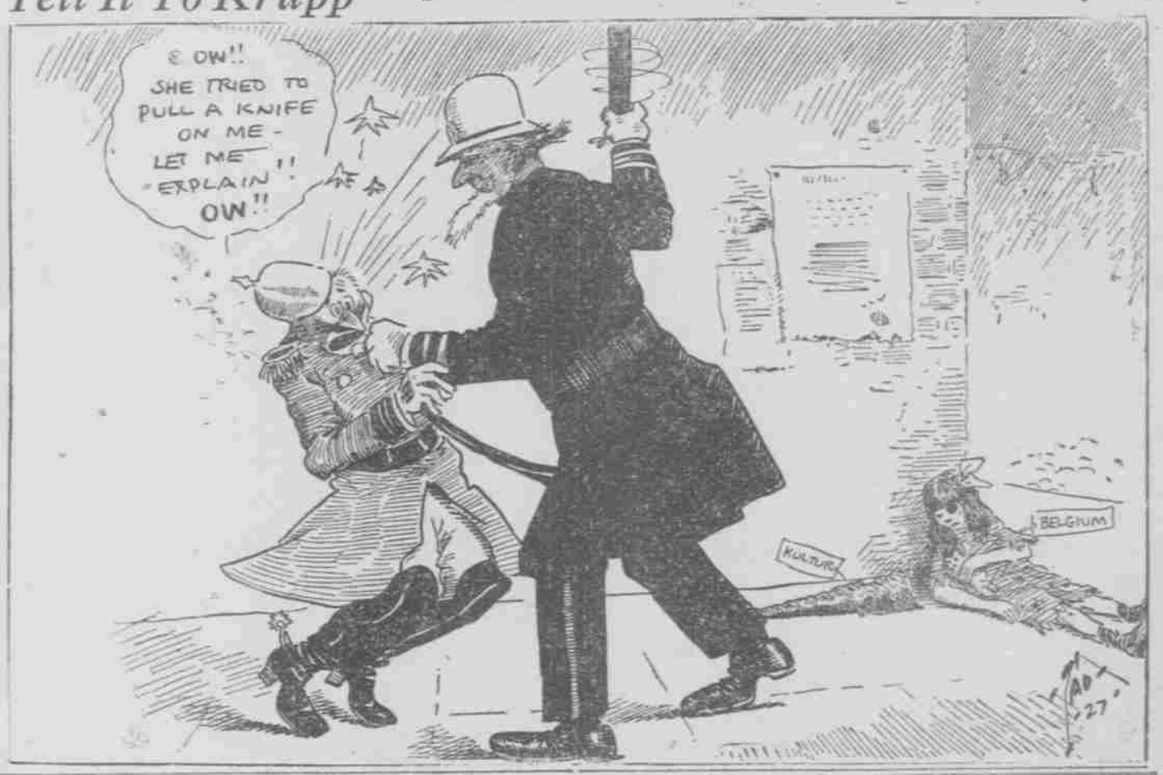
Mr. Colter is a man of high type, personally, and of rather exceptional achievements. He numbers among his supporters many men and women of patriotism as lofty as those who support Mr. Campbell. Unfortunately, he has not chosen to clear himself of the I. W. W. taint by casting away the support which the I. W. W. and various and sundry other agitators of strife have also given him by denouncing them soundly. He may detest this form of anti Americanism, but thousands of voters do not know it That is the reason a large part of the state's Democratic party will be found stepping over the imaginary boundary line this fall to vote for a Republican candidate.

Anyway, a gas meter is enough of a pest without having to pay more for having it around.

Von Hertling is the Circe of the enemy. He tries to lure us on so the mailed fist can swat us.

The allies can't sit down at a conference table with a nation smeared with the blood of innocents.

Tell It To Krupp - - - - - - - - By Tad



14 Years Ago Today

From The Herald of This Date, 1904.

A TELEGRAM to a local news agency from St. Petersburg says a dispatch has been received from an official news agency there from Harbin saying that the Japanese lost 1300 killed during a night attack on Port Arthur on September 18. The Russian warships, it is said, rendered valuable assistance in repulsing the Japanese.

While some of the features of the plot which culminated in the assassination of M. Plehve, minister of the interior at St. Petersburg, still baffle the police, the authorities now profess to be perfectly certain that the conspiracy was hatched in Geneva by half a dozen Russians, mostly Jews.

The British torpedo boat destroyer Chamois was lost off the island of Cephalonia in the Mediterranean. All on board were saved.

The announcement was made in police circles today that every gambling house in Dallas would be closed tomorrow.

Dispatches from Naples and Rome say that Vesuvius is again in eruption in an extraordinary degree. Deep explosions occurred, followed by clouds of volcanic dust and torrents of lava, which poured down the mountain side. The walls of the crater collapsed and it is feared that the rupture of the great cone will follow.

It is settled that the Mexican federal government will spend $210,000 in Chihuahua in putting up army barracks and a military hospital and a general federal building for the transaction of government business.

It has been suggested that a good idea at this time would be for the chamber of commerce to invite all the chambers of commerce or boards of trade in the United States to send their full quota of delegates to El Paso for the National Irrigation convention.

Roundabout Town

Houston Thinks the Texas Cavalry Will Be Trained Here Former Band Leader Cain Is A Captain Overseas Now

By G. A. MARTIN.

HOUSTON papers of Monday, containing reference to the officers of the Texas cavalry going to Leon Springs for training, assert that "after the course in training, the officers will join their commands in camp near El Paso."

Maybe old El Paso is coming into its own again, what with all these mechanical men designated to train here and the Fourth cavalry coming here from the orient and all that.

It is a fact that no place in the country has been able to offer a better season for training than that afforded at El Paso during the past year.

* * *

Charlie Walker is an Oklahoman and he got a letter the other day from a captain friend who is drilling Oklahoma recruits at one of the cantonments.

"Most of the men are former boot leggers and horse thieves," the captain wrote, "but they are good soldiers. They have only one fault. When I give the command 'Halt!' they all break for the brush."

* * *

News received from London is to the effect that William Cain, former leader of the Fifth cavalry band at El Paso, is now a captain in a reximent of Hussars and may be sent back to this country to train men in the new draft.

* * *

W. W. Bridgers has found a man that he considers so honest, he thinks he is entitled to exemption and a medal as well.

Mr. Bridgers was engaged in filling out draft questionnaires for men recently registered.

"Do you claim exemption?" he asked of one of the men before him.

"I do, sir," replied the man.

"On what grounds?" asked Mr. Bridgers.

"Because I don't want to fight," replied the man.

* * *

Charlie Pollock, chief of police, may not be superstitious, but he won't pass a horse shoe in the street without picking it up.

Recently he was driving out Bliss street and he ran past one.

There was an immediate grinding of brakes, a sudden stoppage of the car, then a reverse and a backup for several feet and then the police[illegible] got out as stealthily as possible, for his size.

Looking all about him and seeing nobody looking, he stooped, picked up the horse shoe, spat upon it, tossed it into his car and drove on.

Charlie Ender happened to be looking out through the curtains in his home when it happened; the chief made so much noise putting on the brakes that he had attracted attention to himself, although he did not know he was observed.

When I jollied him about picking up the shoe, without telling him who told me or where it had happened, he laughed and said:

"I know where you got that; a little girl down on Arizona street saw me."

So I know he stopped TWICE to pick up and spit on horseshoes.

* * *

Mayor Charles Davis has cut off enough salaries of city employes to save $32,000 annually, he reports, and he is still whetting his knife.

"This pudding does not taste very nice," said Lieut. J. Ross Kirwan as he sat down to some dessert made by his charming wife, who, it must be admitted, dances better than she cooks.

"It must be good," she said. "It says in the cook book that it tastes excellent."

* * *

Some men are just naturally born lucky, for they are able to keep on good terms with their wives and still have pretty stenographers.

* * *

"I fear a lot of business concerns that are not prospering during the war are going to take too literally this advice about keeping the home fires burning," said George LeBaron, who is in the insurance business.

This led Charlie Walker to remark that the tune Nero fiddled as Rome burned was "Keep the Home fires burning."

This reminded Bob Krakauer of the story of Ikey and Izzy, two brothers, partners in business. Ikey went away for his health. Izzy, who remained at home, wired Ikey in a few days as follows:

"How is your health? Warehouse No. 1 burned last night."

A few days later Izzy wired again: "Warehouse No. 2 burned last night. How is your health?"

Back came this reply from Ikey: "You should worry about the state of my health. Keep the home fires burning."

* * *

"The average man learns from his own experience; the wise man from the experience of others."

And there are so few wise men!

* * *

"This is the earth planet—not the world, as people erroneously call it," said Dr. John F. Edgar. "The word world means age of man."

The doctor also insists that The Herald cease referring to people as being married and say that they were united in wedlock. He says marriage is not holy, while wedlock is.

Furthermore, says Dr. Edgar, referring to a wife as Mrs. So and So brands her as the mistress of the man whose name she has taken—Mrs. meaning, he says, "mistress of."

The doctor has a lot more criticisms and still more suggestions.

* * *

A public official or a private citizen who does not support measures demanded by his government for winning the war, can by no manner of means lay claim to being a patriot.

* * *

A letter in The Herald yesterday from a man who said that God made the world in seven days and rested on the eighth, led a valley man to telephone today that it reminded him of a trial that took place in a Texas town several years ago.

In the course of the trial, the lawyer for the defence asked the witness: "You know that was the way Peter betrayed Christ, don't you?" and the witness answered: "Yes."

The lawyer on the other side turned to a friend and said: "He's wrong on that, isn't he? Peter didn't betray Christ. Who was it?"

The man who had been questioned replied: "It was Pontius Pilate."

When the lawyer arose to state his case later, he ridiculed the other attorney for his lack of Biblical knowledge and said he had about as much knowledge of the real facts in the case at issue. "Here he tells you," said the lawyer, "that Peter betrayed Christ, when everyone who knows anything about the Bible knows it was Pontius Pilate."

Hogwollow Locals

By DUKE BOTTS.

RAZ BARLOW went down to the Tickville depot the other afternoon when the train came in, and remained until it had pulled out around the curve whistling sadly, and the passengers on the back end had gone through their usual routine of waving their handkerchiefs at the more fortunate ones on the platform.

* * *

At the store this morning Salem Barlow broke two banjo strings tightening them up as he asked the price of different things.

* * *

The Hog Ford preacher has a new shirt.

TRAVELETTE

By NIKSAH.

LAS CASAS.

LAS CASAS (the houses) is the name of one of the most interesting of the cantonments in which American soldiers are being trained for service abroad. For Las Casas is in the island of Porto Rico, and all of the patriots who are there under training have been citizens of the United States only a couple of years.

Despite that fact, they are among the most enthusiastic of the recruits. This is not only because he is a good patriot, but also because he has many natural aptitudes as a soldier, and derives considerable benefits from military service.

One of these benefits, for example, is breakfast. The breakfast of a "jibaro" or canefield worker, ordinarily consists of a large cup of strong coffee and nothing more. The reason for this abstinence is that the Porto Rican laborer is one of the most poorly paid individuals this side of China; for the big sugar companies, while making millions, pay less than $1 a day for labor, and the native workman, bound by tradition and poverty to his native island, has had nowhere else to seek employment.

Now war has stepped in as a competitor in the labor market. Not only have a large number of Porto Ricans been drafted, but a shipload of them are to be brought to the United States, where they will earn wages of almost incredible size.

Returning to the matter of breakfast, it is said that when the government ration of ham and eggs, fruit, rolls and coffee is first laid before the Porto Rican recruit, he fairly yells in astonishment. But, after a little practice, he can eat as much breakfast as a New England farm hand. And, under the influence of said breakfast and of square meals at noon and evening, he swells and fattens into a patriot and soldier in whom gratitude and good digestion are mixed with love of country.

Abe Marlin

"AT a dollar a clip it begins t' look like we'd all have t' wait till Bryan's president before we git our hair cut. Dal Springer is visitin' his aunt here. He's only 22 an' on his third Ford."

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School Days

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Little Interviews

Says Keep Rooms and Cars Open to Prevent Influenza Road Along River Above Selden to Dam Would Aid Many

"THE prevalence of influenza over the country should make every one be careful about remaining in closed rooms without ventilation," said Pender S. Carter, "and in this connection, particular attention should be called to street cars. The health authorities should insist that the ventilating windows of the cars remain open. I rode in at least one car this week that was crowded with people and all windows were closed."

* * *

"The El Paso Automobile club is agitating a road from El Paso to Las Cruces, crossing the river to Garfield and Hatch, through Hot Springs to Elephant Butte, in order to accomodate the farmers along the river," said W. G. Roe, president of the club. "After leaving diversion dam the old road to Elephant Butte climbs mountains and goes through deserts and large ranches and is no accomodation whatever to small farmers, whereas, a road following the river would accomodate thousands of farmers beyond Las Cruces and shorten the route seven miles. This road would also avoid heavy sand on one side and mud in wet weather through the old Flat Lake ranch north of Detroit ranch.

"The El Paso Automobile club has had invitations from several small towns urging it to open the road to give them an inlet to the El Paso market, claiming that it is necessary to build only a few short stretches in order to connect up the good roads already established to perfect this route.

"This road would also be an outlet from El Paso to Palomas Hot Springs, located within six miles of Elephant Butte. These springs have wonderful medicinal properties and could be made into a popular resort. Thousands of people go to Hot Springs, Ark., every year and the water there is no better than that of Palomas Hot Springs. It is unfortunate that El Paso has not realized the importance of these springs and developed them.

"A party of engineers will go with me within the next few days to log this road and it is hoped that some definite plan to open the entire road can be perfected soon."

* * *

"This whole country is organized to a degree that seemed impossible a few months ago," said G. H. Edmonds, of Ft. Worth, Texas. "We are working under a military basis and the man who obeys orders from those in authority will be the one who finds his way easiest. Let all of us place ourselves and all our force at the disposal of those directing things so that our combined strength may the sooner win that for which we are fighting and secure the blessings of the kind of peace we shall have. We are generally taking 'our medicine' in the proper spirit, yet there are still some who have not given over themselves for the good of all and are disposed to kick. Properly disciplined these people will soon fall in line and we then shall all be moving 100,000,000 strong, an irresistible force."

* * *

"I was informed by the storekeeper at Mescalero that the county had appropriated $16,000 and the government had also made an appropriation of $16,000, making a total of $32,000 that is now available to make the road from Tularosa to Mescalero a regular highway," said Dr. E. A. Montenyohl. "They have sent to Roswell for graders and work is to start at once. The road from Organ to Alamogordo is the worst I have ever seen, being all cut to pieces by the heavy army trucks. If the road is ever finished through this section, army trucks should be kept off of it because they are certain destruction to any kind of a road except cement."

HEAD OF DISEASE BUREAU, TO VISIT WEST TEXAS

Austin, Tex., Sept. 27.—Dr. H. C. Hall, head of the bureau of social diseases, and Lieut. Paul Pompenoe, sanitary corps of the army, left last night for Brownsville and other points on a tour of inspection. Before the trip is concluded they plan to visit Laredo, Eagle Pass, Del Rio and El Paso.

Before leaving, Dr. Hall said that in the event it is found that local organizations in the cities are not perfected, he and Lieut. Pompenoe will give whatever necessary assistance and advice they deem necessary to get the authorities started properly in the campaign now being waged against vice by the federal and state governments.

DROUTH RELIEF FUND NOW OVER $104,149

Austin, Tex., Sept. 27.—Contributions to the drouth relief fund has now reached $104,149.87, which includes $3615.25 received by the executive office on Tuesday. These funds are turned over to Col. W. W. Seley, administrator of the fund for distribution to the counties in the drouth stricken section.

FIRST DEATH IN TEXAS OF SPANISH INFLUENZA

Austin, Tex., Sept. 27.—The first death from Spanish influenza has occurred in Texas. The health officer of Jones county wired the state health department that a sick person sent from Norfolk, Va., had given the disease to all who came in contact with him and an epidemic was spreading over the community and one person had died.

CARRIERS' DAY.

As tomorrow is the last Saturday in the month, The Herald carriers will call to collect the September accounts.

Married Life - - - By Knott

DAILY RECORD.

Deeds Filed.

East El Paso addition—Perches Enriques to George M. Roberts and wife, lot 25 and east 15 feet of lot 26, in block 26, on Alamogordo street, $2650; Sept. 25, 1918.

Bassett addition—P. H. Brown to C. K. Kanouse, lot 16 and west 22 feet of lot 15, in block 77, on East Missouri street, $500; April 12, 1917.

Building Permits Issued.

J. J. Crawford estate, 211 Mills street, repair on fire escape, $200.

Fisk-Ramsey, 701-703 West Main street, fire escapes, $650.

First National bank, corner El Paso and San San Antonio streets, alteration to fire escape, $300.

Licensed to Marry.

Evaristo de Macias and Luisa Gonzalez.

Hugh McLeod and Sadie Trewsek.

Remigio Pacheco and Luz Marrujo.

Emilio Luna and Margarita Gonzalez.

APPEAL FILED IN MURDER CASE FROM TARRANT COUNTY

Austin, Tex., Sept. 27.—An appeal has been filed in the court of criminal appeals in the case of Joe Walsh from Tarrant county; Walsh was convicted of the murder of James Linton, sr., on Nov. 24, 1917 and given a term of seven years in the penitentiary. There was also filed an appeal in the case of Sam Howard, from Lamar county, defendant having been given a term of two years in the penitentiary on conviction of violating the local option laws.

Send Xmas Packages Early.

Washington, D. C., Sept. 27.—Christmas packages for men serving on naval vessels abroad must reach New York not later than Nov. 15, secretary Daniels announced today.

Uncle Walt's Denatured Poem.

Honored Poverty

UNTIL the kaiser's goat is slain, his eagle torn asunder, no man has any right to gain a lot of swag and plunder. Of course it's always wise to save the kopecks cold and clammy—to help to swat the Tenton knave, and back up Uncle Sammy. But he who salts his money down to make his bank roll greater, while Uncle Sam needs every crown, will look much like a traitor. When Wilhelm is an also ran, and his long sword is rusted, he'll be a proud and happy man who proves that he is busted. "I dug up every cent I had, for bonds and stamps and taxes, to help to arm the soldier lad with guns and battle axes." If you can make a spiel like that when this grim war is over, the pretty girls will deck your hat with laurel, thyme and clover. Perchance some skate may ply his jaws and tell us, braggart hearted, "I am much richer than I was before the war was started." Then he'll be shunned by loyal men, they'll shame him and dodgest him, and into outer darkness then they speedily will cast him. I'd hate to push myself abroad, and swagger 'mong the living, if I had made myself a wad, while other men were giving. I'd hate to flaunt a hefty roll and feed on duck and lices, while other men were in the hole through making sacrifices.

Copyright, by George Matthew Adams. WALT MASON.

DEAR MR. KABIBBLE
A POOR GIRL AND AN HEIRESS HAVE PROPOSED TO ME—WHICH SHALL I ACCEPT?
IF YOU DECIDE ON THE POOR GIRL, SEND ME THE ADDRESS OF THE OTHER ONE.

EL PASO HERALD

DEDICATED TO THE SERVICE OF THE PEOPLE, THAT NO GOOD CAUSE SHALL LACK A CHAMPION, AND THAT EVIL SHALL NOT THRIVE UNOPPOSED.

H. D. Slater, editor and controlling owner, has directed The Herald for 20 years; J. C. Wilmarth is Manager and G. A. Martin is News Editor.

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