

# SEVENTH BIENNAL REPORT

OF THE

# Bureau of Labor Statistics

FOR THE

STATE OF IOWA.

1895-96.

W. E. O'BLENESS, Commissioner.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY



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# LETTER OF TRANSMITTAL.

Office of the Commissioner of Labor Statistics, | DES Moines, Iowa, September 6, 1897. |

Hon. F. M. Drake, Governor of Iowa:

Sir-In compliance with the law creating the Bureau of Labor Statistics, I have the honor here with to transmit to you the Seventh Biennial Report of this department.

Very respectfully, W. E. O'BLENESS,

Commissioner.

#### INTRODUCTORY.

In the report of the Bureau of Labor for 1894 and '95 some very strong recommendations were made for a new law governing the office; a law that would enable the commissioner to disseminate information and facts, not estimates. The Twenty-sixth General Assembly took the matter under consideration, and, after long and thorough investigation brought about the following law:

#### CHAPTER 132.

#### BUREAU OF LABOR STATISTICS.

An Acr to Create a Bureau of Labor Statistics, and to Provide for the Appointment of a Commissioner of said Bureau, and to Define his Duties and Term of Office.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby created a bureau of labor statistics, to be under the control and management of a commissioner thereof, to be

appointed as hereinafter provided by this act.

SEC. 2. That the governor shall, within thirty days after the taking effect of this act and blennially thereafter, with the advice and consent of the executive council, appoint a commissioner of labor statistics. The term of office of said commissioner to commence on the first day of April in each even-numbered year and continue for two years and until his successor is appointed and qualified; and said commissioner before entering upon the discharge of his duties shall take an each or affirmation to discharge the same faithfully, and to the best of his ability; and shall give bond in the sum of two thousand dollars (\$2,000), with sureties to the approval of the governor, conditioned for the faithful discharge of his official duties

SEC. 3. Said commissioner shall receive a salary of fifteen bundred dollars per annum, and shall be allowed a deputy at a salary of one thousand dollars per annum in lieu of clerk hire, payable monthly, and necessary postage, stationery, and office expenses, the said salary and expenses to be paid by the state as the salaries and expenses of other state officers are provided for. The commissioner, or any officer or employe of the bureau of labor statistics, shall be allowed in addition to their salaries their actual

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and necessary traveling expenses while in the performance of their duties; said expenses to be audited by the executive council and paid out of the general fund of the state upon a voucher verified by the commissioner, provided that the total of such expenses for officers and employes shall not exceed \$500 per annum. He shall have and keep an office in the capitol at Des Moines in which shall be kept all records, documents, papers, correspondence, and property pertaining to his office, and shall deliver them to his successor in office.

SEC. 4. Said commissioner may be removed from his office by the governor for neglect of duty or malfeasance in office; and any vacancy occurring at any time may be filled by the governor by and with the consent of the executive council.

SEC. 5. The duties of said commissioner shall be to collect, assort, systematize, and present in biennial reports to the governor, on or before the 15th day of August preceding each regular meeting of the general assembly, statistical details relating to all departments of labor in the state, especially in its relations to the commercial, social, educational, and sanitary conditions of the laboring classes, and to the permanent prosperity of the mechanical, manufacturing, and productive industries of the state. and shall as fully as practicable collect such information and reliable reports from each county in the state, the amount and condition of the mechanical and manufacturing interests, the value and location of the various manufacturing and coal productions of the state, also sites offering natural or acquired advantages for the profitable location and operation of different branches of industry. He shall by correspondence with interested parties in other parts of the United States impart to them such information as may tend to induce the location of mechanical and producing plants within the state, together with such other information as shall tend to increase the productions and consequent employment of producers; and in said biennial report he shall give a statement of the business of the bureau since the last regular report, and shall compile and publish therein such information as may be considered of value to the industrial interests of the state; the number of laborers and mechanics employed; the number of apprentices in each trade; with the nativity of such laborers; mechanics' and apprentices' wages earned; the savings from the same, with age and sex of laborers employed; the number and character of accidents; the sanitary condition of institutions where labor is employed; the restrictions, if any, which are put upon apprentices when indentured; the proportion of married laborers and mechanics who live in rented houses, with the average annual rental and the value of property owned by laborers and mechanics; and he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts and what systems have been found most practical, with details thereof.

Such report when printed shall not consist of more than 600 printed pages octavo.

Five thousand copies thereof shall be printed and bound uniformly similar to the reports of other state officers as now authorized by law. Said reports when published to be disposed of as follows, vir. To the public libraries in the state, to the various trades organizations, agricultural and mechanical societies, and other places where the commissioner

may deem proper and best calculated to accomplish the furtherance of the industrial interests of the state.

SEC. 5. The commissioner of the bureau of labor statistics shall have the power to issue subpoenas, administer oaths, and take testimony in all matters relating to the duties herein required by said bureau, said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpoensed and testifying before the commissioner of the bureau shall be paid the same fees as witnesses before a justice court, such payment to be made out of the contingent fund of the bureau in advance; but such expense for witnesses shall not exceed \$100 annually. Any person duly subposnaed under the provisions of this section, who shall wilfully neglect or refuse to attend or testify at the time and place named in the subprens shall be deemed guilty of a misdemeaner, and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine not exceeding \$50 and costs of prosecution, or by imprisonment in the county jall not exceeding thirty days; provided, however, that no witness shall be compelled to go outside the county in which he resides to testify.

SEC. 7. The commissioner of the bureau of labor shall have the power upon the complaint of two or more persons, or upon his failure to otherwise obtain information in accordance with the provisions of this act, to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, upon a request being made in writing, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employes, and the sanitary conditions in and around such buildings and places, and make a record thereof; and any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employe of such owner or occupant who shall refuse to allow any officer or employe of said bureau to so enter. or who shall hinder him, or in any way deter him from collecting information, shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not exceeding \$100 and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days.

SRC. S. The expression "factory," "mill," "workshop," "mine," "atore," "business house," and "public or private work," as used in this act, shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where five or more wage-sarners are employed for a certain stipulated compensation.

SRC. 9. It shall be the duty of every owner, operator, or manager of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment where labor is employed, as bresin provided, to make to the bureau, upos blanks furnished by said bureau, such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated in this soit; and the owner, operator, or business manager shall make such reports or returns within sixty days from the receipt of blanks furnished by the commissioner, and shall certify under oath to the correctness of the same. Any owner, operator, or manager of such factory, mill, workshop, mine, store, business house, public or private work, as herein stated, who shall neglect

or refuse to furnish to the commissioner of labor such reports or returns as may be required by the following blank, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$100 and costs of prosecution, or imprisoned in the county jail not exceeding thirty days.

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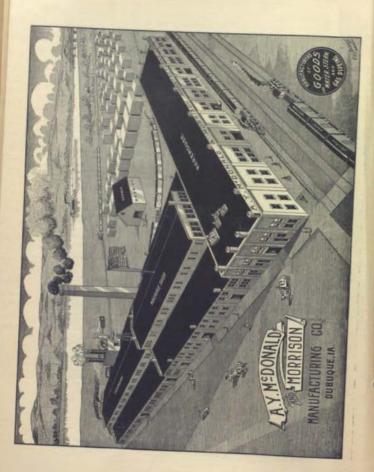
Name of firm or corporation ...... Number of hands employed during year ending December 31, .....: Males, ....... ; females, .....; apprentices, ...... Total amount of wages paid during year ending December 31, ..... S ..... Total amount of wages paid previous year, \$ ...... Any general increase or reduction of wages during the past year? If so, what per cent of increase or reduction? ...... Cause of increase or reduction? ..... Any increase or decrease of business during past year? ..... What means are provided for the escape of employes in case of fire? ..... What measures are taken to prevent accident to employes from machinery? How are the buildings ventilated? ..... Are separate water-closets and wash-rooms provided for the different sexes? Number of weeks during past year business was run on full time with full force, ...... Number of weeks during past year business was run on short time or with reduced force, ...... Number of weeks during past year business was suspended, ...... Number of strikes during year ending December 31, .....; number involved, .....; alleged cause, .....; result, ..... How many days did strike continue, and what was loss of wages in consequence thereof? ...... Was any property destroyed, and if so, its value? .....

SEC. 10. In the reports of the commissioner no use shall be made of names of individuals, firms or corporations supplying the information called for by sections 5 and 6 of this act, such information being deemed confidential and not for the purpose of disclosing personal affairs, and any officer or employe of the bureau of labor statistics violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$500 and costs of prosecution, or by imprisonment in the county jail not exceeding one year.

SEC. 11. No report or return made to said bureau in accordance with provisions of this act, and no schedule, record or document gathered or returned by its officers or employes shall be destroyed within two years of the collection or receipt thereof. At the expiration of two years all records, schedules, or papers accumulating in said bureau during said period that may be considered of no value by the commissioner may be destroyed, provided the authority of the executive council be first obtained for such destruction.

SEC. 12. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

A careful reading of the above and a comparison with the old law bring the reader to a realization that the facts con-



tained in the following pages were gathered in a very different manner from those of preceding reports. The strictest reliability can be placed in the following tables, as they are simply copies of the various pay-rolls of the different institutions throughout the state, therefore are correct. Besides this, every report is sworn to by the business manager or proprietor of the institution from which the report emanates.

In the sixth biennial term an attempt was made to gather statistics from employers under the old law. Several hundred communications were sent out to employers of labor in different parts of the state with the request that they give the information sought for. The commissioner personally visited a number, requesting them to answer the questions asked. This several readily agreed to do, while others, knowing that it was not compulsory, simply paid no attention to the request, with the result that but twenty-four responded to the questions propounded.

The law which was enacted by the Twenty-sixth General Assembly went into effect about the 20th of April, 1896. The blanks were prepared according to the act, and then it became necessary to know who employed five or more persons, that the blanks might be sent them to make their report on. To obtain this information was a very difficult task, as there was nowhere in the state a list of names stating the number of persons employed. The commissioner or his deputy was therefore compelled to visit every city and almost every town in the state to get a list, that would be reliable, of those employing five or more persons. This took time-a great deal of time-but was accomplished, and correctly, too. These names are recorded alphabetically and by counties, and will be a guide to those who may occupy this office in the future. At the beginning of this term it was the intention to have the employes make a statement the same as in former years, in addition to the reports of employers, but getting together and preparing the list just referred to took so much time that it became necessary to abandon that portion of the work for this term.

The new law is so much an improvement over the old one that there is no comparison, yet there are several places wherein it could be still more improved—could be made much more effective—thereby greatly enhancing the work, giving to the state better returns for the money expended.

This office has been looked upon as a sinecure by some of the legislators, and therefore claim was laid that it should be abolished. It is gratifying to note, however, that those who so considered it were those who would not come into the office to investigate the work that was being carried on there. They were prejudiced from the fact that they were ignorant of the work and, be it said to their shame, did not care to be informed. Those who were most enthusiastic for the enactment of a new law that the office might be of some practical benefit to the state were those who came, saw and studied. These invariably went away satisfied that the office could be made one of the most useful in the state.

#### RECOMMENDATIONS.

The reports of the Bureau of Labor Statistics are published blennially. These reports are valuable to the student and doctrinaire, who out of past conditions desires to spin theories to govern future actions; but to the man dependent upon his daily labor for his daily bread, a knowledge of what the condition of the laboring people was two years ago sinks into insignificance compared with a knowledge of how he can better his own condition now. The length of time which necessarily elapses between the completion of much of the work and the publication of the report greatly diminishes its practical value to those for whose main benefit the office was established. Labor statistics, in order to be of real value to laboring people, must be up to date and published at frequent intervals. Therefore, your commissioner recommends that a bulletin, such as the National bureau and the Massachusetts bureau and other states are now publishing, be published by this bureau quarterly.

## GUARDS AND BOILER INSPECTION.

There are a few persons and corporations employing men who have no railing or guards around dangerous machinery, fly wheels and vats. There are a large number of steam boilers being fired by incompetent boys and men. Numerous requests have come to this office asking that these matters be looked into and regulated. Nothing could be done by this office further than to advise and suggest, from the fact that there is no law on the statute books of Iowa regulating the same. There should be a law compelling employers to box or cover all dangerous machinery and shafting, place railings around fly wheels and



SOLE LEATHER ROOM, THE HUISKAMP BROS, SHOE CO., KEOKUK,

vats, and there should be some person vested with the power to enforce the same. There ought to be some person whose duty it should be to see to it that no one would be allowed to fire a steam boiler who could not stand a competent examination. Many lives are in constant danger from incompetent handling of steam boilers. Accidents happen in the best regulated institutions, and the utmost care should be exercised to throw about employes all the safety appliances possible. A very large per cent of the institutions in the state employing labor are very careful in this respect, having in vogue every safety appliance possible, besides the strictest orders to their employes to be careful. This is as it should be. For the few who do not seem to care anything about the safety of their employes, your commissioner makes the above recommendations.

#### POLL TAX.

To the average person, poll tax has come to be regarded as one of the most inequitable and burdensome taxes levied. It is not levied upon a man's financial ability to pay, but rather upon one's physical structure to work it out.

Section 1499 of the code of Iowa, reads:

Each person liable to perform labor on the highway as poll tax, who shall fail or neglect to attend, either in person or by satisfactory substitute, at the time and place appointed, with the designated tool, implement or team, having had three days' notice thereof, or having attended, shall spend his time in idleness, or disobey the supervisor, or fail to furnish said supervisor, within five days thereafter, some satisfactory excuss for not attending, shall forfeit and pay to said supervisor the sum of three dollars for each day's delinquency; and in case of failure to pay such forfeit within ten days, the supervisor shall recover the same by action in the name of the supervisor; AND NO PROPERTY OR WAGES BELONGING TO SAID PERSON SHALL BE EXEMPT TO THE DEFENDANT ON EXECUTION; said judgment to be obtained before any justice of the peace in the proper township, which money, when collected shall be expended on the public highway.

Following will be found the records of some of the largest cities in the state, showing the methods in vogue for the collection of this tax:

In Des Moines there are supposed to be over ten thousand persons liable for this tax, of which, in 1895, 13 paid it in cash to the city treasurer, 4,311 working out the tax. In 1896, 47 paid it in cash, 4,280 working it out. It cost the city \$2,500 to collect the tax for each year, \$720 of which went to a poll-tax

clerk and the balance to notifiers. Three dollars was the sum to be collected from each able-bodied male citizen between the ages of 21 and 45.

Chapter 12, section 8, revised ordinances of the city of Des Moines, reads as follows:

In case any person who is liable to perform such labor shall fail to attend and perform the same at the time and place required in such notice, he shall forfeit and pay to the city the sum of \$3 for each day's delinquency, and in case he shall fall to pay such forfeit within ten days thereafter the city treasurer may recover the same by action in his name before any justice of the peace in the township in which such delinquent resides, and when collected by such justice he shall pay the same to the city treasurer or the attorney for the city attending the case.

In Sioux City 2,979 persons are liable for this tax. In 1895 300 of them either paid or worked out the tax, and in 1895, 385 did the same thing. In 1895 it cost the city \$200 to collect the tax and in 1896, \$240. It has regularly appointed poll tax collectors who receive a salary of \$2 per day while employed. The tax is collected under the following ordinance:

An ordinance to provide for and enforce labor on the streets, alleys and highways within the city of Sloux City.

Be it ordained by the City Council of the city of Sloux City, Iowa:

SECTION 1. That all able-bodied residents of the city of Sloux City, between the ages of 21 and 45 years, not otherwise exempt by law, shall between the first day of April and the first day of September in each year, by themselves or satisfactory substitutes, perform two days' labor upon the streets, alleys and highways within the said city, at such times and such places as the street commissionor of said city shall direct, and after having been served with three days' notice in writing to perform the same.

SEC. 2. That for each day's failure to attend and perform such labor at the time and place specified, the delinquent shall forfeit and pay to the said city the sum of 83 for each day's delinquency, and in case of failure to pay such aum within ten days the said street commissioner shall bring an action in his own name as atreet commissioner of said city of Sioux City against said delinquent before any justice of the peace in Sioux City township, if such delinquent resides in such township, and all such forfeitures of delinquents shall be by him collected and applied as hereinafter specified. No property or wages belonging to such delinquent shall be exempt to him on execution, and the defendant shall pay all the costs of such proceedings against him. All moneys so collected shall be expended upon the streets of the city of sloux City.

SEC 3. The street commissioner shall notify, or cause to be notified, in writing, each and every able-bodied male resident within the city limits, not otherwise exempt by law, to attend and perform such labor at the time and place specified in such notice, and if the person so notified shall fall to attend and perform any such labor, by himself or proper substitute



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at the said time and place mentioned in said notice, and pay the sum of \$3 for each day's delinquency, said street commissioner shall commence action against him at the time and in the manner as hereinbefore set forth. Such notice to perform such labor shall be served in writing three days before the time therein specified as the time when such work and labor is required to be done.

SEC. 4. The fact that such notice was served, and a failure to perform such work and labor, or to pay for such delinquency, shall be all the proof required to entitle the city to a judgment for sums due for unpaid delinquency for street labor, and no defense shall be sufficient unless the defendant can show himself exempt by statute from performing such labor.

SEC. 5. All sums when recovered by said street commissioner for delinquent street labor and costs shall be turned over to the city treasurer and shall be a part of the poll tax fund of said city and be expended by said city upon its streets. The street commissioner shall in all cases issue to each person a receipt for all moneys paid to him or for labor performed by any person upon the streets, alleys and highways of the city, and shall enter upon the stub of each and every receipt so issued a full memorandum showing the amount of moneys so paid or labor performed and when, and to whom issued, and which said stubs of receipt books shall be by said street commissioner preserved, and at the time of making his annual report, filed with the city auditor and thereafter kept as a part of the records of said auditor's office.

SEC. 6. No person shall be exempt from performing such labor upon said streets at the time and place specified in said notice by reason of their having performed labor upon their own motion at any other time and place in said city.

SEC 7. All sums for delinquent street labor remaining uncollected on the first day of September in each year shall be certified by said street commissioner to the city auditor, who shall forthwith certify the same to the county auditor, to be by him placed upon the tax lists of the county against the delinquent, and the same shall be treated as other taxes on property and shall be a tax lien upon the real property of said delinquent that may be listed for taxation and assessed and owned by him on the first day of November of the same year; and shall be collected by the county treasurer as other taxes are collected.

SEC. 8. In cases where judgments have been rendered for unpaid delinquent street labor and the same has not been paid on or before the first day of September in each year, the amount of said judgment with costs shall be certified to said auditor and collected as taxes as hereinbefore set forth, but the fact that the amount of said judgment has been so certified and placed upon the said tax lists shall not prevent the enforcement of said judgment by execution or otherwise.

SEC. 9. When such judgment shall be paid or recovered on execution, a certificate of such payment shall issue from the court where said judgment was rendered, directing the county treasurer to satisfy the same upon the tax lists, and such certificate shall be received and held by the said county treasurer as his voucher therefor, and be received as such money collected and turned over to the city treasurer for delinquent street labor.

In Burlington 3,000 persons are liable for the tax. In 1895, 2,136 of them either worked or paid the tax and in 1896, 2,325 came to time. It cost the city in 1895 the sum of \$250 to collect the tax and in 1896, \$237.75. Collectors receive \$1.75 per day while employed. The collection is made directly under the state law. Dalinquents are not certified to the county treasurer.

Ottumwa has a voting population of about 4,600. The tax levied is \$2.50 per year. Deducting one-third, which it is safe to say is not liable from the fact that they are too old or physically not able to perform a day's labor, we would have a population that was liable for the tax of 3,007. In 1895, 1,627 paid or worked the tax and 1,440 were turned over to the county treasurer for collection. In 1896, 1,407 paid or worked the tax with 1,680 turned over for collection to the county treasurer. It was impossible to ascertain how many of those that were turned over to the county treasurer for collection paid the tax

The following from the ordinances of the city of Council Bluffs shows the method adopted for the collection of poll tax therein:

SECTION 69. The street commissioner shall, between April 1st and September 1st, in each year, require all able-bodied male residents of the city, between the ages of 21 and 45 years in person or by substitute, to perform two days' labor upon the streets, sileys and public highways, within or leading to the city, as the council may direct, and shall personally oversee the performance of such labor at such places and times as he may direct.

SEC. 70. The street commissioner or poll tax collector shall give to all persons liable for two days' work on highways, as provided herein, three days' notice of the time and place they are required to meet said street commissioner for the performance of said labor, and designate in said notice the tools or implements he is required to bring with which to labor, and each person so notified shall meet the said street commissioner at the time and place named, bringing with them the tools or implements designated, labor diligently under the direction of said commissioner eight hours each day, for which labor said commissioner shall give the proper certificate. which shall be evidence of the performance thereof. Or should the person so notified, so elect, he may commutate the same by paying to the street commissioner or poll tax collector the sum of \$2 by the time designated in said notice to perform said labor; but in case he shall fail to appear and perform said labor, or pay said commutation as provided, he shall become liable to the city in the penal sum of six dollars (86), which shall be collectible by suit as provided by law.

SEC. 75. For the purpose of securing the faithful service of the collector, one-half of all the fees shall be paid to him at the time of rendering a report at each regular meeting of the council; the other half shall be retained by the city until the expiration of his term of offlice, or until he has performed all his duties to the satisfaction of the council.



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The poll tax collector receives as compensation for his services, 20 per cent of all money paid in and all worked out.

The number of persons liable for poll tax is estimated to be 2,000 or 50 per cent of the voting population. Of this 2,000 in 1895, 896 persons paid or worked out the same, the amount collected being \$1,792. In 1896, 831 persons responded either with cash or work to the amount of \$1,722, \$2 being the amount stipulated by the ordinance to be paid per head as poll tax. The poll tax collector received for his services for 1895 the sum of \$358 and for 1896 the sum of \$344.

Before that time less than one-third of those liable paid the tax.

Dubuque, Cedar Rapids and Keokuk make no attempt to collect poll tax.

The total number of persons liable for poll tax in the five cities under consideration is 21,146, of which in 1895, 9,283 paid the tax and in 1896, 9,308. It will be readily seen that considerable less than 50 per cent paid the tax. A law that cannot be applied to more than 50 per cent of the people it is supposed to govern, is not a good law and ought to be repealed. In all the cities enumerated will be found old worn-out men and cripples working upon the streets as proxies, yet the law expressly stipulates that none but able-bodied men between the ages of 21 and 45 shall perform this labor. The tax is levied upon the theory that the best possible results are to be obtained, and not on the theory that it is a charity tax. There are men in many of the cities under consideration, who carry around with them certificates from physicians to the effect that they are not physically able to perform manual labor, yet they are allowed to work out some men's tax, who cannot secure such certificate. This is not as it should be, and persons who pay their tax, defraud the respective cities from the fact that they have employed persons who are not competent to perform two days' labor upon highways.

For this reason and for numerous others, which are too familiar to the general public to need mention in a report of this kind, I recommend the repeal of the poll tax law.

Following will be found the revised statutes of the special session of the legislature relative to the poll tax law, page 361, annotated code of lows:

SECTION 891. Lubor on Highways.—Any city or town shall have power to provide that all able-bodied male residents of the corporation between

the ages of 21 and 45 years, between the first day of January and the first day of November of each year, either by themselves or satisfactory substitute, shall perform two days' labor of eight hours each upon the streets. avenues, alleys, highways or public grounds within such corporation, at such times and places as the proper officer may direct, upon three days' notice in writing given, or pay in lieu thereof in money a sum to be fixed by such council, not exceeding one and one-half dollars for each of such day's labor. For each day's failure to attend and perform the labor, or pay said sum of money, as required, at the time and place specified, unless excused by the supervisor of highways or street commissioner, the delinquent shall forfeit and pay the sum of two dollars, not exceeding four dollars in all. Any person excused shall be again notified to perform such labor or pay said sum of money in lieu thereof, at any time prior to September first of said year. All persons claiming to be exempt from labor under this section shall, within three days after receiving notice to perform such labor, furnish the mayor or other proper officer with an affidavit showing the extent and nature of the disabilities entitling him to such exemption. If he fails to do so he shall be liable to perform such labor or pay the penalty provided herein.

SEC. 892. Enforcement of Road Tax. - In case of failure to pay said sum of money in lieu of said labor, together with such forfeit, to the supervisor of highways, street commissioner, or other officer of said corporation authorized to receive the same within ten days from the expiration of the time fixed for the performance of such labor, said corporation may recover the same by action brought in the name of such city or town before the mayor of said corporation, or before any justice of the peace in the proper township. No property or wages belonging to said person shall be exempt to the defendant on an execution issued for said judgment and costs. The tax and forfeit money so collected shall be expended upon the streets. avenues, highways, alleys or public grounds of said corporation. All of such tax and forfelt money remaining unpaid on the first day of September in each year may be certified to the county auditor at any time before the following first day of December, and shall be entered by him upon the tax list of said county, and treated and collected as ordinary county taxes, and shall be a lien on all the real property of the delinquent.

SEC. 893. Action.—But the entry of such tax and penalty upon tax list shall not prevent an action being brought therefor as hereinbefore authorized. Such action, however, must be commenced within one year from the first day of October following the giving of notice to perform the labor. In event of judgment being rendered therefor and paid in whole or in part after the same has been certified to the county auditor, the court receiving such payment shall execute duplicate receipts, exclusive of costs, if so requested, and upon filing such receipt or duplicate with the county auditor he shall make the proper entries on the tax lists, showing the full payment of such tax and penalty, or part thereof, as the case may be

#### LABOR ORGANIZATIONS.

The past two years have not shown much growth in trade and labor organizations in the state. The older and stronger organizations, while they have not grown much, have held their





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own and are coming out of the hard times in better condition than ever before. Some of the newer ones have submitted to the inevitable and suspended business for a little, but with renewed business prospects will be revived. Even at this writing many of them are reorganizing. They are getting their laws together and culling and trimming them to a better adjustment of their business and will in a little while embody all that is good, striking therefrom all that has been in any way breeders of contention and strife among their membership. thereby making their organizations stronger and batter in every respect. Many a strong organization has been disrupted by its own laws. The laws have been too stringent to begin with. They have copied the laws of older organizations whose membership has been brought down and reduced to a working factor. and many members of new organizations chafe under rules they are inclined to term a little tyrannical. In the beginning they should have more latitude than old and tried organizations and the membership will gradually provide laws and adapt themselves to them that will be a lasting benefit and a credit to all concerned. They should not attempt to follow too closely the laws of older organizations, but rather to be guided by conditions surrounding them.

Great good has been accomplished by the trades and labor organizations of this state, but they are yet in their infancy, so to speak, and greater and grander things will be expected from them, and those who will follow them in the years to come will not be disappointed.

The rocks and shoals that have caused their disruption in the past have been sited and will give less trouble in the future. Better and more conservative judgment is being displayed in the selection of officers, and many are the evidences indeed that show that trades unions in the near future will wield a most powerful influence for the upliftment of mankind.

### REPORTS BY COUNTIES.

In reviewing the following reports by counties and also the recapitulation of the entire state, it should be taken into consideration that the tables only include the individuals, firms and corporations employing five or more persons. A large number have filled out the blanks, which was sent them, who do not employ the number of hands set forth in the law governing this office. These reports are excluded.

As will be seen from the tables, giving the recapitulation of the entire state, the total number reporting to this office is 1,752. In connection therewith it should be remembered that about 1,500 firms, corporations and individuals have made a report showing that they employed only from two to four hands during the years 1895 and 1896, and that about 250 reported having failed or quit doing business during the same period on account of the hard times.

These facts I deem it a pleasure to mention in order to show that the manufacturers and employers of labor in our state have lent a valuable assistance toward getting out a report pertaining to the condition of labor in the state of Iowa, and that they very willingly have co-operated in the work of this office to the best of their knowledge.



PACKING ROOM, THE HUISKAMP BROS. SHOE CO., KEOKUK.

## STATISTICAL TABLES.

#### ADAMS COUNTY.

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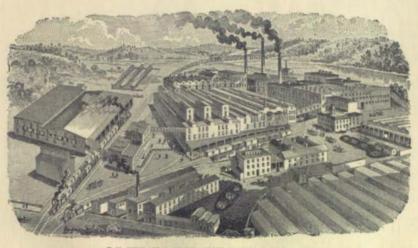


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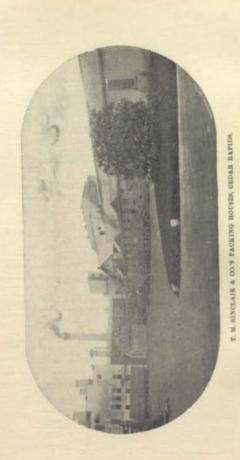
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	Agricultural implement manufactory Baker Bottler Bottler Caming veretables	1	H 18 3 7 70 3 18	5 11 12 AMI 2 2 40 2	LTON	68 17 13 18 25 24	10 NTY 2			9,250 1,950 1,950 0,400 1,000 7,473		9,650 1,900 1,900 6,400 7,106	50 50 52 52 52 53 55 55 55 55	5	20 20 46	26 55 52 52 53 40	3	
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	Agricultural implement manufactory.  Baker. Bottler. Bottler. Bottler. Bottler. Beaching apparatus manufactory. Caming vegetables.	1	10 78 18 3 7 25 70 3 10 10	5 111 A MI 2 2 40 2 9	LTON	68 17 17 17 18 18 20 21	10 2 2 2 9			9,250 1,950 1,950 0,400 1,000 7,473		9,650 1,960 2,860 6,400 1,086 7,106 2,844	50   52   52   52   50   52   50   52   50   50	5	20 20 46	25   25   50   50   50   50   50   50	3	2 5

15 13 14	Newspaper, printing and binding Shoe manufactory Telephone operator Wholesale groceries	-	31 10	17 2		30 11 8	16			14,236 1,280 10,584		13,733 11,880 11,500	45 60	58	7	47 52 52		
	Total	14	216	84.	2	147	48	1		72,445	8	69,918	40	5	5	43	3	6
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				HAI	RDIN	COU	NTY											
10004001-8	Brick and Lile manufactories.  Electric light and steam heating.  Hotels  Hotels  Merchant tailoring.  Planing mill  Spring manufactory.  Stone quarry.	1 11 11 1	34 5 5 2 9 6 5	10 3 1		55 55 38 6 10 10	10 3 1			5,778 2,620 3,200 350 3,000 2,354 2,610 4,000	5	3,876 2,470 2,973 1,248 3,000 2,002 3,547 4,000	21 52 52 17 40 30 52 10	9 3 14 20	35 4 8	14 50 50 51 51 24 50 50 50	15 55	38
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1 1	Brick manufactory. Newspaper, printing and binding	1	11 9			11 8				2,189 970	8	1,669 1,044	22 52	·····		19 52	2	81
	Total	2	20			19		2000		3,150	8	2,711	187		15	35	1	16

SO. WEEKS IN OPERATION, 1865.

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mount of wages paid out in 1896.

35,733

Amount of wages paid out in 1895.

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Pennles.

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No. reporting.

11 105

Males.

KIND OF BUSINESS.

Brick manufactory Dry goods and millinery, retail Gas and electric light manufactory Hotel. Milling, grain and feed. Newspapers, printing and binding. Planing mill Boad grader

Total ....

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1 2	Brick and tile manufactories.  Dry goods, retail.  Hotels.	3	39	1		32	-110		10.1	100 1	5,800 2,300	19		.25	52	Carre !	37
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3			77		****	-8 10	4		3,0	000	2,400 2,400	20 30	16		36	15	7 2
4 5	Olgar manufactories Hotel	1 2	87	3.		10	3		9,3	20	8,826 470 80,100	50 50 50	*****		55	16	10
678	Lime manufactories Saw mills. Woolen mill.	3	33 10			100	4		14,0	106	40,000 2,415	26 26	26		55	10000	26
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4 5	Farm tool manufactory	***********	900			17	1 9		6.0	136 135 140	5,997 1,992	757			50 50	11419)	
6	Laundry Merchant tailors Newspaper, printing and binding	2	3 11	9-1		- 3	8	2	1.6	100	6,850	53 58 58	10000		230	33	
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IRWIN-PHILLIPS CO., MANUFACTURERS OVERALLS, SHIRTS, ETC., KEOKUK.

			1	CEOKI	UK (	COU	NTY.										2000
1 2 3	Brick manufactories	6 B 1 1		6		257 257 25 25 25 25 25 25 25 25 25 25 25 25 25	8	*	6,264 188,725 728 9,360		4,274 195,889 1,000 7,800	25 20 52 52	25	7	29 19 52 53	27	
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7	Brick manufactory	1	10	9 0		6 2	2		1,400	8	1,250	15 50		87	52		44
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<sup>\*</sup> Of which 145 for 1835 and 135 for 1895 are convicts. † Of which 130 are convicts and 30 free.

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No. reporting.

Amount of wages

Amount of wages pald out in 1895.

Full time, full force.
Short time, reduced force.

NO. WEEKS IN NO. WEEKS IN OPERATION, 1895.

Full time, full force, Short time, reduced force,

Line No.	KIND OF BUSINESS.	No. reporting	Males.	Females.	Apprentices	Males.	Females.	Apprentices	Amount of paid out in		Amount of paid out in	Full time, ful force.	Short time, reduced force.	Suspended.	Full time, ful	short time, reduced force,	Suspended.	SEVE
1 10 名 10	Milling and grain Newspapers, printing and blodding Office furnium manufactory Pork packer Pork packer Some mason, contractor. Street cars, electric and power. Syrup manufactory Telephone operator Vinegar and pickling works Wholesale groceries.  Total Average	100111111111111111111111111111111111111	5. 233 5. 688 1257 77 233 10 2 11 9	4	4	8 46 5 73 125 23 12 3 10 8 30 .151	3 5 	3	8 2,90 24,10 25,00 20,50 4,80 10,70 4,80 2,50 5,00 36,00	000000000000000000000000000000000000000	3,000 23,594 2,500 36,395 36,397 10,407 2,300 3,405 7,500 33,000	48 582 91 522 19 42 53 40 53 20 53 52 52 52 52 53 54 60 54 60 54 54 54 54 54 54 54 54 54 54 54 54 54	31 17 10 32	16	48 46 26 50 19 50 50 50 50 50 50 50 50 50 50 50 50 50	25 25 17	9 1 16	SEVENTH BIENNIAL RE
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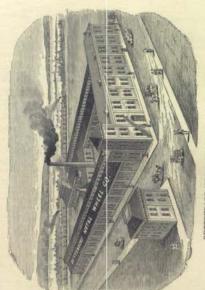
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4 5	Dry goods, retail Poundry and machine shop Gas and electric light Grocery-retail Groceries, wholesale Hardware, retail Hardware, retail Hordes and restaurants Lumber, retail Hordes and restaurants Lumber, retail Hordes and restaurants Lumber, retail Milling, grain and feed Milling, grain and binding Painter and paperhanger, Painter and paperhanger, Painter model feed Milling, grain and binding, Milling, grain and bindi	81118112688888411811111111	30 10 15 28 28 24 45 56 56 24 24 20 22 56 71 10 2 2 5 13 16 11 10 11 10 11 11 11 11 11 11 11 11 11	1 1 1 86 50 1 2 3 1 1	9 3	22 12 15 9 28 18 42 18 10 11 12 16 16 17 18 5 5 48 44 11 18 5 5	2 1 1 46 54 2 4 1 1 1 2 2	7 4 3	8 ALSE 484 ASS 50 ASS 5	8	\$1,860 6,300 11,461 6,266 20,750 4,058 38,220 35,254 23,500 17,654 41,688 41,684 11,684 11,690 10,000 4,500 4,500 5,24,543	500 186 500 500 500 500 500 500 500 500 500 50	97 5	2	62. 50 50 50 50 50 50 50 50 50 50 50 50 50	26 5	
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1 3 4 5 6	Brick manufactory Carriage and wagon manufactory Dry socior retail Glove and mitten manufactory Botels Ustels	1 1 2 1 1 5	91 96 96 90 90 92	3		6 95 9 2 33 18	B		\$ 1,400 45,003 12,728 2,500 17,870 9,090		1,000 45,857 3,703 2,500 16,813 8,987	94 40 53 52 40 52	12 11 12	8	12	30 48	

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#### RINGGOLD COUNTY

1 2	Brick manufactory Newspaper and printing	1	8	3	 1 8	3	 4	1,500	8	1,500	50	******	26	50	****	23
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1   Agricuitural Implement manufactories	156		7,675 8 2,500 5,200 5,200	40   3   6	52
3 Boots and shoes, retail. 1 4 Boots and shoes, wholesale. 1	5 1 1	5 1 1	1,841 2,919 1,489 2,900	50	50
5 Box and paper bag manufactory. 1 6 Brick and tile manufactories. 3 7 Broom manufactory. 1	22 8 6	10 5 5 11	L661 11,439 k345 8,393	21 1 8 45 6	9 15 29
8 Cabdy and cracker manufactory. I 9 Canning vegetables. 1 10 Cigar manufactories 3	59 57 3 65 185 1 88 181 5	15 295	5,138 43.582 1,087 6,588 5,574 73.468	3 2 4	38 14 3 2 40
11 Clothing manufactories. 2 12 Clothing, retail 3	44 131 20 1 16 3	60 120 5 5 16 3 1	1,507 51,315 1,061 11,771	45 6 1 58	
14   Coal mining   2   2   2   2   2   2   2   2   2	32 204 8	65 E	1,718 8,608 1,000 19,000 1,050 2,352	28 20 4 7 45	30 22
16 Cordage and twine manufactory	7 1 5 3 120 131 5 13	5 2	(889 Ta5 (800 E.210	39 13 59	
18       Dry goods, retail.       4         19       Dry goods, wholesale.       2         20       Foundries and machine shops.       5	49 48 T	G 41 33	694 31,228 619 101,165	52 42 10 25 14 B	58
21 Furniture manufactories. 2 22 Furniture, rotail 4 23 Gas and electric lights. 3	ST 4	19 8 16 10 2 35	290 17,662 819 40,000	50	60
24     Hardware, retail.     1       25     Hardware, wholesale.     1       26     Harness and saddle manufactories.     2	91 3	14 8 19	,900 2,800 ,508 18,760 ,500 6,126	52 47 5	2.0
27   Hotels	59 56 3	3 56 25 0 3 25	,596 25,530 298 36,097 801 10,428	51	52 52 56
30 Laundries 3 3 Macaroni manufactory 1	11 28 1 17 30 1	0 295 11 5 40 8	402 17,580 417 10,684	26 36	F-00

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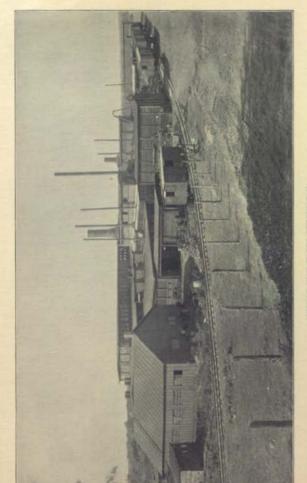
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Amount of wages paid out in 1895.

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NO. WEEKS IN

NO. WEEKS IN OPERATION, 1895

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		NO.	1895.	OYED,	NO. 1	1896.	YED,	400	Wages 1866.		MEER	cs in , 1805	NO. OPER	WEEK	18 18 , 18
MIND OF RUSINESS.	No. reporting.	Males.	Femiles.	Apprentices.	Males.	Femiles.	Apprentices.	Amount of w paid out in 1	Amount of w paid out in i	Full time, full	short time, reduced force.	Suspended.	Full time, full force.	Short time, reduced force.	Boundard
Stove and roofing manufactory Street railways, elect be Stucco a document manufactories. Sugender manufactories. Syruv manufactories. Telephone operators Telephone Te	20 23 23 21 21 21 21 21 21 21 21 21 21 21 21 21	8 768 977 23 380 100 777 14 4 11 4 11 4 12 15 77 6 6 12 25 777 10 35 5 30 777 118	33 1 125 2 2 5 121 111 1 3 3 5 5 5 2 2 300 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	7	6 900 722 297 7 82 297 7 82 298 15 15 125 528 61 12 220 61 10 228 81 92 81 92	19 9 1	1	3,745 374,460 38,270 115,601 120,000 6,000	3.1211 455.472 50.1310 167.000 168.700 168.700 168.700 2.4040 2.4040 2.4040 17.712 14.477 24.477 24.477 24.474 26.774 26.477 24.476 26.776 26.600 26.6001 26.6001 26.6001 26.4600	40 47 118 411 118 319 522 525 525 525 525 525 525 525 525 52	122 5 39 9 13 16 25 3 13 13 15 15 15 15 15 15 15 15 15 15 15 15 15	# # # # # # # # # # # # # # # # # # #	43 49 49 42 44 45 45 45 45 45 45 45 45 45 45 45 45	****	
Grand total. Grand average	1750	40478	74116	730		7732		\$ 18,119,080	8 17,369,622	42	5		40		

10f which 120 are convicts, The amount is exclusive of board and room which the employes of hotels and restaurants receive.



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## RAILROAD STATISTICS.

The law regulating the bureau of labor requires that the information given in the biennial report shall be compiled by counties. In the case of railroad employes this could not be done as the roads do not keep accounts by counties, therefore the facts contained herein are from the railroad commissioners' reports for 1895 and 1896:

	GRN	GRNERAL OFFI	FICERS.	GRN.	OFFICE CLER	CHES.	STA	STATION AGENTS.	THE.	OTHE	ER STATION	MEN.	-	SHARING MEN.	
RAILHDADE.	Number.	Total yearly compen- sation.	Av. daily compen- sation.	Number	Total yeariy compen- sation.	Av. dally compon- sation.	Number.	Total yearly compen- sation.	Av. daily compon- nation	Number.	Total Yearly compen- sation	Av. dally compen- suti-n-	Number.	Total yearly compen- tion	Av. dally compen- sation.
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Pare Pare	8º	80,577.89 B1,684.98	6.58	85	6 61,081.30 26,076.30	3.98	西哥	88,900,00 75,096,75	127	328	68,328 50 123,636.10	98	88	170,972.90	82
Chicago, Burl & Kannas City. Kansas City, St. Jo. & C. Sluffs.	11			::		11111				-					
St. L., Kecknik & Northwestern Chicago, Ft. Madison & Des Moines Obicago, Iowa & Dakota	99.91	3,000.00	819	05 es	2,115 00	1.88	0,0	200		*		1.80	E1 61	488	PO 08
ago Great Western	100	46,922,70	19.36	0.00	97,420.43	1.76	<b>产商</b> (	119,177.83	ELS	2000	120,462 08 120,462 08	201	188	200,5 S. S.	10 (10 %
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2. & T. Bridge Co.,	3	7,498.00	10.62		4,160.70	22	10	8,517.43	1.88	00	3,000,00	18	(8)	6,333.74	4.50
Prairie du Chien & McGregor Sloux City & Northern. Tabor & Northern	P	05.000,11	4.25	12	09 309'9	20.02	2	7,064.30	1.55	15	6,185.30	9	10 H	5,980 S0 709 S0	100
nion Pacific Pabash Inona & Southwestern	- Secret	3,227,69	12.73	10 M	4,982.75	22	104-013	2,043.00	281	2	98888	1.68	==	12,646.76	20
NABROW GLAGE BOADS. Burlington & Western. Des Moines & Rangas (Hry.	010321	1,500.00	2000 2000 2000	0-8-79	1,879.75 9,349.10 1,709.87	E28	-27	3,097.50 5,182.46 4,873.50	NAME OF STREET	Ment	498.25 128.56 928.10	BHH	88 10 W	1,080 40 8,738 70 8,933 00	255
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RAILROAD EMPLOYES AND SALARIES, 1895-CONTINUED.

62		SEVENTH BIENNIAL REPORT OF THE [36	
	Av. daliy compen-	2 55     5 Guilleu   5136   5 G   2 G   65 553	
CARPENTERS	Total yearly compen- sation.	# 75.00 # 120.00 # 12	MON AND RE
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CONDUCTIONS.	Total yearly compen- sation.	9 90 00 00 00 00 00 00 00 00 00 00 00 00	\$038,127.04
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	Av. daily compes- sation.	AS RESERVATIONS OF S S S S S S S S S S S S S S S S S S	
PUREMBN.	Total	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	R640, 104, 23.
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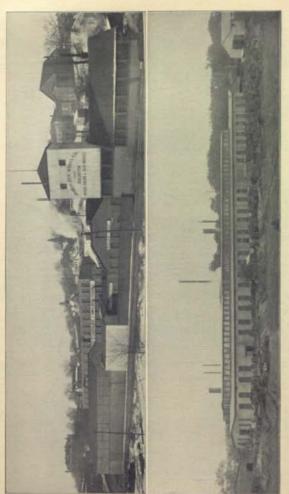


PAIT DOAD	EMPLOVER	AND SALABERS	1895 - CONTINUED.

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a July 1 to October 21, 1894. b November, 1894, to June 30, 1886.

RAILROAD EMPLOYES AND SALARIES-1805-CONTINUED



MURRAY IRON WORKS, BURLINGTON

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# THE AMANA SOCIETY.

Following will be found two articles from the Midland Monthly, a magazine published in Des Moines by Johnson Brigham, devoted to midland literature, art, etc., which will give to the people of the state, who are not already familiar with them, a very correct idea of Christian socialism as practiced by the Amana society of Iowa county. The first article, written by Barthinius L. Wick, deals almost entirely with the early history and formation of the colony. The second, by Bartha M. Horak, who was awarded the prize for the best original descriptive paper in the Midland's ninth quarterly competition, closing April 1, 1896, dwalls upon the present conditions prevailing therein. These two articles are, in fact, very true word pictures of the only really true Christian socialist colony in this state.

CHRISTIAN COMMUNISM IN THE MISSISSIPPI VALLEY.

BY BARTHINIUS L. WICK.

The stranger riding on the Rock Island or Milwaukee train through Iowa county, Iowa, will suddenly find himself gazing from the car window upon atrange surroundings and a unique people. If he alights at one of these little hamlets (there being eight in number) and strolls up the only long narrow street, listening to the children's chattering in a strange tongue, seeing on all sides such atrangeness, his mind's eye will lead him to believe he has discovered some new Atlantis and he will be as much at loss to account for himself as was Rip Van Winkle or that more modern sleeper, Julien West. After going about for some time seeking for someone with whom he can make himself understood, he will be told that this is the Amana society, as it is known in law, or the Community of True Inapiration as they call themselves.

Who are these people, where did they come from, and what mode of life do they practice? These are the questions I shall try to answer.

These people are German communists who formed themselves into a religious society in Hessen in 1714; emigrated to America in 1843; settled near Buffalo, N. Y.; there adopted communism, and removed to lows in 1855, where they have since resided.

In religious matters the Inspirationists have much in common with the Pietists founded by the Frankfort divine, Spener, about 1670. It arose out of a movement in the Lutheran church by which "it was sought to go back from the cold faith of the Seventeenth century to the living faith of the Reformation." The awakening instituted by Spener seemed to have died with him; still, a few scattered followers held their meetings for worship in private houses and in the fields, so as to avoid persecution. In some of these meetings persons were thought to speak as the prophets of old while under a miraculous influence which qualifies man to receive and communicate divine truth; hence they were called Inspirationists. It was not until 1714 that E. L. Gruber and J. P. Rock fully organized these believers into a society in the secluded little village of Himbach in Hessen, and it is the remnant of this religious organization that we have here in Iowa.

The distinctive religious tenets of these people are, as their names indicate, belief in inspiration, an avoidance of forms and written creeds, and a conscientious refusal to engage in war or take an oath.

The community has no priests no hired ministry, believing that preaching should be under the immediate teachings and promptings of the Holy Spirit and is not limited to any class or sex; nor can a theological training it one to exhort in meetings unless led by the Spirit.

While rejecting the typical baptism of water, they have accepted in its fullness the heart-cleansing baptism of the Holy Ghost.

Although at times the members partake of the ordinance of communion, it is only as a symbol of an inward feasting with the Lord.

Feet washing and love feasts are practiced much after the manner of the early Christians.

Hymns are sung in their meetings, but instrumental music is not permitted.

Vain salutations and useless recreations are looked upon with disfavor, having a tendency to divert the mind from weightier things.

Their benevolent and humanitarian efforts toward all mankind, their strict honesty in trade, the high moral standard set up among themselves, bear ample testimony to their worth as a Christian brotherhood practicing what they preach.

Their natural protest in favor of freedom in religious matters did not harmonize with the despotic demand for conformity which the state at that time enforced. Imprisonment and persecution became the order of the day, but it only seemed to strengthen them in their faith and increase their number.

Meetings were established in Homburg, Neuwied, Ysenburg, Wittgenstein, Alsace and Wurtemberg.

About the middle of the Eighteenth century the gift of inspiration ceased and the society made little progress, until 1817, when three persons received this remarkable gift, again reviving the old enthusiasm. Two of these came to America, continuing their remarkable gifts of prophecy until their death some years ago, and since then none has been gifted in this direction.

The laws of Switzerland, Alsace and many of the petty German kingman were severe on these people on account of their refusal to bear arms and to take oaths; thus most of them came to Hessen, where the laws were



THE BURG WAGON CO., BURLINGTON.

enforced with less rigor. The society supported the exiles and leased several estates and factories in order to procure employment for all. The society paid the rents, while the income from the estates and the products manufactured was divided equally among the workmen according to their ability and time spent at work.

Here we have the first beginnings of the communistic life which the society afterwards adopted, arising unconsciously from small beginnings, with no thought of the result which would flow from it

Although petitioning government for more freedom in religious matters the yoke daily became heavier to bear. At last the society drew up its last imploring appeal in 1841; but it was in vain. About this time several members became subject to inspiration, to the effect that a great future awaited the faithful in another land, where they should enjoy freedom, equality and brotherhood, and adopt a community of goods.

The society met in a body to decide upon this strange doctrine and upon the question whether or not it was the sense of the society as a body to remove to a foreign land. As these questions were decided in the affirmative, Christian Mets, G. A. Weber, Wilhelm Noe and Gottlieb Ackerman, were selected to depart for America in search of a favorable location.

Arriving in New York in the fall of 1842, the committee visited several places in that state, at last going to Chautauqua lake. What might not have been the change had the Inspirationists settled at that place, which has since become such a famous educational center! It must be borne in mind that the Chautauqua of to-day can scarcely be compared with the Chautauqua of a half-century ago, when Erie was the nearest town. After a tedious journey to this place the committee become frightened from the thought of pioneer life and consequently returned to Buffalo, where they purchased 5,000 acres of the Seneca reservation at \$10,50 an acre, the land lying within six miles of the city limits. This purchase was unfortunate, however, as the Indians asserted their so-called rights, while the land company from whom the Inspirationists had bought the land was unable to furnish a title, and consequently all concerned became involved in litigation which lasted for several years, and which was finally settled to the satisfaction of the settlers, but not until it had cost them much trouble and considerable money

By the spring of 1843 fifty immigrants had arrived and the first Inspirationist village was solemnly laid out, receiving the name of "Benezer," taken from 1st Samuel, where it is said the prophet set up a stone as a memorial of divine assistance in a battle-against the Philistines. Their battle had been a combat for truth and for freedom of worship, which had been denied them in their native land, and which they now hoped to enjoy unmolested.

In another year all the immigrants, 800 in number, had come over, and the articles of incorporation were signed and duly filed as a communistic society.

Why was this new, untried scheme adopted, a scheme of social innovation which has for its basic principle the overthrow of private property and the abolition of an institution on which society has always rested? Was their idea the same as the old rhymer who says:

1897.1

"Who is a communist! One who hath yearnings For equal division of unequal earnings; Idler or bungler, or both, he is willing To fork out his penny and pocket your shilling."

Far from it, there can be found no selfishness as a reason for the r course. All the needy had been promised a free passage across the ocean, but nothing more. True, it had been revealed by the inspired ones in Germany that "a community of goods and an equality of conditions" should be adopted in this new home; but still the more conservative had doubts as to its feasibility. Perhaps on account of this intended new venture many remained behind, unwilling to mingle their shillings with the pennies of others, and expecting an equal division of earnings. Still more of the poorer classes feared to come than of the wealthy class. The conditions of the average life of the middle class had been carefully studied, and the squalor and misery of the New York poor which, even at that time hung like a cloud over the lives of the working classes, was not a pleasant prospect of what awaited their own people if they were permitted to seek their bread in the same manner. It was plainly seen that if they should exist as a religious society they must keep together. But, as there were rich and poor among artisans, as well as farmers, there seemed but one alternative to pursue, to adopt communism as the only method by which equal wealth and equal opportunities would place the members on an equal footing socially.

It was after much deliberation and prayer that this course was chosen, and the wealthy placed their thousands in the hotchpot as willingly as those who had only a few dollars, each person receiving credit on the books of the society for his sum, which the society pledged itself to pay, without interest, at any time, to him, his heirs and assigns, whenever they saw fit to withdraw from the community. History relates many deeds of philanthropy, where wealthy individuals have given large sums to their less fortunate brothers, or to worthy institutions; but in these cases where thousands were donated the giver still possessed millions with which to satisfy every whim luxury might suggest. We hear of generous men and women leaving vast fortunes to be used for the good of humanity, but these legacles were left by will, to take effect after the devisors had passed to that other shore, where their gold would be of no value. But the Inspirationists, while in the prime of life, with families depending upon them, strangers in a strange land, willingly parted with every dollar, took their stand in the ranks side by side with those so poor that they had been unable to pay for a passage across the ocean.

This, to my mind, is one of the finest tributes in history to German benevolence and German liberality. If communism shall be destined to succeed at all, it must succeed when the founders are imbued with such a spirit and possessed of such an indomitable faith in the success of the experiment.

In Owen's experiment, it was only the founder who possessed this faith. The Brook farm promoters were blind esthetics, looking at life through magnified spectacles and sighing for a corner in this world where the throbbings and tunnits of selfishness should yield to the magic of equality and brotherhood.

The Icarians set out with too high ideals, forgetting to recognize the existence in humanily of one potent element which will always prevent their perfect development, and that is the element of self.

The German Inspirationists, on the other hand, had been despised and persecuted, had suffered from wrong and oppression, and hence any change would be a change for the better; and besides this, they were sustained by the thought that in their choice of this new mode of life they were guided by the Divine Hand. It is not at all surprising that, with their practicability, they should have succeeded where others had failed.

The success of the new experiment was assured from the first. However, the leaders soon saw that close proximity to a thriving city, such as Buffalo, would in the end prove destructive to their community. Thus, is order to realize more fully their ideal dream of an altruistle world which they had set out to build up, a committee was chosen in 1855 to select a more favorable location, where their simple creed could be practiced, in some isolated locality out of reach of an ever-meddling humanity. The committee, coming to Chicago, had no idea where to go farther; but, as Iowa was then coming into notice, and immigration was moving in that direction, the inspirationists followed the current as far as Iowa City, then the capital of the state. After traversing on foot and horseback over a greater part of the eastern half of the state, the present location in Iowa county was chosen.

Eighteen thousand acres were purchased in one tract, the purchase price being from \$1.25 to \$5 per acre, the few scattering settlers receiving the latter price only. The same summer a large number arrived from Ebenezer, and the new village was laid out, receiving the name of Amana. The gently-sloping hill described by Solomon in his song resembles, perhaps, in beauty of surroundings, the place to which the members gave the same name—but there is a significant meaning in the word Amana which undoubtedly led them to select it. It means "remain true," a motto from which they have never wavered. Several years were spont in disposing of the Ebenezer property, and it was not till 1865 that the last foot of land had been converted into money, and all the members, 1,300 in number, were united on their lows possessions.

Now, a word as to how far this communistic ideal has been realized. The membership has increased from 800 to 1,700. This increase is mostly from within, for very seldom does an outsider join. Of course, in this time, many members have for various reasons left the society, but, so far as I have been able to ascertain, few have succeeded financially, nor have they become entirely accustomed to the new surroundings, their communistic training no doubt being the main reason.

The communistic property also has increased, mainly from the rise in price of land, which now numbers 25,000 acres, and manufactures valued at \$50,000. Their entire assessed value, based on 33½ per cent of actual value, is upwards of \$425,000. This seems a large sum for one corporation to own; still, according to attaistics collected by me a few years ago, I find that communistic labor, even in the most successful community, falls behind in productiveness. The assessment in the state per capita for 1890 was \$273.65. In the same year the assessment per capita in Iowa county was \$271.11, including the Amana society, the assessment of the Amana Society being \$250.57.

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These figures may not be a fair test of the efficiency of communistic labor, for I was told that at the time the society had a more than average number of non-productive members, who were incapacitated for labor by old age, and that the number of children, who are to a great extent non-productive, was nearly 500. All these the society has to support without much return, and as non-productive members vary from year to year, the statistics for one year would hardly be a fair test.

It must be borne in mind that the community was organized not for gaining worldly wealth, but "to promote the spiritual and temporal happiness and welfare of its members." If a society should be organized having for its chief end the acquisition of property, life would soon become irksome and unbearable, and the society would break up in a short time. It is just this case, freedom from care and worry, the hope of spending his declining years amid plenty and among generous friends that makes the communist content with his condition.

The family life at Amana has been kept sacred, each family having its own house and garden, although all dine at the public "kitchen," of which there are several in every village.

The oligarchical nature of the community, in intrusting the interests of all to the wisdom of a few, is an advantage which has been demonstrated time and again in co-operative unions.

The system of viliage life which has been adopted has preserved a sort of isolation of the different groups, while the viliages are not far enough apart to interfere in the least with the community feeling. It had preserved their simplicity of life and prevented many evils which would probably result from crowding all into one town. Besides, every village is supervised and controlled by trustees, who report to headquarters at stated times; hence, in every village we have, on a small scale, the old Teutonic, independent, local social organization.

The use of the German tongue is another tie which binds the members closely together. In the divisions and subdivisions in Europe it has been demonstrated time and again that the three most powerful concomitants of actional life have been a common origin, a common religion and a common tongue, and this rule does not fail when life is not national in any sense, but where men and women live in a small community whose aims, beliefs and principles are identical.

I visited several of our middle-western cities just before the crisis of 1893, and was surprised at the business activity and wild, speculative ventures of the people. I also stopped for a few days at the community. While there I enquired why they did not increase the capacity of their plants and otherwise extend their business. The members replied that it was true, just at that time, they could double their capacity and still find a market for their goods; but they thought it hardly safe to extend their manufactures by borrowing capital and employing more hired help. They were realizing a handsome profit and were satisfied. The crash came; banks and factories closed; thousands of employes were out of work; the docks and piers of New York were filled with idle men begging for bread; the streets of Chicago were crowded with unemployed men in the prime of life asking for work and supported at the expense of the city and from charity. After seeing such a state of affairs I happened once more to visit the Amana community. There everything went on as of old. The ham of

the factory was still heard; neither capital nor labor was idle; the members were as well housed, fed and clothed as formerly, and every member was apparently as contented and happy, and without anxiety about the morrow

The cause for such prosperity in the midst of adversity was no doubt "the transformation of private and competing capitals into a united collective capital," managed by abrewd, practical, bonest managers, who employed all the concentrated capital in a diversity of ways, bought and sold for cash, and when the crash came were indebted to no one, and could go on and manufacture for future demand or could simply let the factories remain idle, owning every dollar invested in the enterprise.

# AMANA COLONY,

BY BERTHA M. HORAK.

"Behold how good and how pleasant it is for brethren to dwell together in unity."—
Peales, czzzifii. I.

Southeast of the center of Iowa atands a group of little villages, so unlike the neighboring towns in their arrangement, with people so different in customs and in dress from the people one is accustomed to see, that the visitor finds it difficult to realize he is only a few miles from Iowa's capital and not in a foreign country. Eight villages compose this pleturesque little group, the home of the Amana Society or Community of True Inspiration.

The "colonies" are in the northeastern part of Iowa county. They are situated on both sides of the Iowa river, the usefulness of which stream has been increased greatly by the construction of a mill-race—a cansal seven miles long, which furnishes the water-power for the several factories and mills scattered throughout the settlement. The mill race, with its fringe of grape vines and pickerel weed and the quaint little bridges that span it here and there, is as pretty as it is useful, and furnishes a never ending source of enjoyment for Amana summer visitors.

Haif way between Amana and High Amana, with the mill-race running through it, is a beautiful little lake, which is bordered sometimes to the width of sixty feet with the American Lotus or Yellow Nelumbo (Nelumbism Instum). It is worth a journey of many miles to see this little sheet of water in the month of July, when the lotus lifts hundreds of great buff blossoms above the water. The seed of the lotus, when ripe, is about the size of a small hazel mut, perfectly round, and hard enough to admit of a high polish. Every full a priest from one of the neighboring towns collects these seeds in great quantities to be used in making rosaries.

Each colony is a cluster of from 50 to 100 houses, arranged for the most part along the main street or road. And how unlike the main street of the common country town! Instead of a ragged row of business buildings where the neighboring farmers collect to discuss polities and the corn crop, we find on either side of the street a neat row of vine-covered houses—the only places of business being the store at one end of the street and the hotel near the other. Here the usual noise and bastle of the country store is wanting, and even the hotel has about it a quiet, southing atmosphere.

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Every now and then an ox-cart comes meandering down the pretty little street. These great, patient, slow-moving animals would be strangely out of place in our own hurrying streets, but are in perfect keeping with the easy, steady, systematic movement of the colony. The use of these animals is a matter of economy with the colonists, as the ox, when speed is not required, can be used longer and worked harder than the horse, and, when no longer profitable for hauling, can be fattened and used as beef.

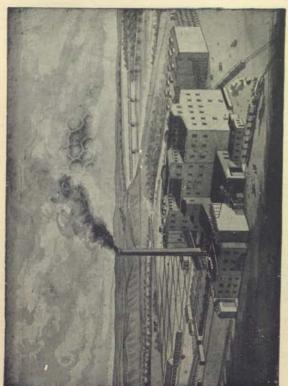
One never sees the colonists collecting in any considerable number on the street. When they meet they usually greet each other with a shake of the hand and pass on—leaving the silver question, the latest candidate for the presidency, and other questions of the day untouched, or reserving them for some more appropriate place for discussion.

The houses are two, sometimes three, storied structures of frame, brick, or a peculiar brown sandstone that is found in the vicinity; and some, as if to add still greater variety to the scenes are built of all these materials. The frame houses are all unpainted, the colonists believing it to be more economical to rebuild when occasion requires than to preserve the buildings a little longer with paint. In summer the severe aspect of the houses is softened by the vines which partly cover dwelling house, school, church and hotel alike. These vines are trained over a framework a few inches from the building itself, so as to prevent any injury to the wall, and afford a better support for the vine. For these vines are not simply the ornamental ivies, but grape vines, which serve the purpose of shade and protection in the summer time and yield an abundant harvest in the fall. Here and there the trumpet-vine with its brilliant flowers will be seen climbing a trellis in company with the grape, it having won its way into the hearts of the people by its attractive blossom. But the woodbine, which has neither blossom nor fruit to recommend it, is not to be found. except where it creeps in unnoticed in some uncared for spot,

These houses are occupied by one, two, or three families, depending upon the size of the house and the size of the family. There is no erowding, however; the same spirit that ted these people to believe that the purity of the society could better be maintained with more villages and fewer in a village has led them to provide plenty of room for their people. In spite of the fact that everything within these several colonies is held in common, each man's home is his castle. Here he is at liberty to indulge his own taste in decoration—provided he does not go beyond his allowance. Here each child has a room to himself, where he may indulge his own hobbies and store his own keepsakes without being disturbed.

Two underlying principles govern the entire community—economy and utility; yet in one thing these seemingly ever present motives are set aside, and that is in the matter of flowers. Around every house, even in the hotel and school yards, there are carefully kept flower gardens. Such masses of bloom! Such a display of color! Such a collection of quaint, old-fashioned flowers—petunias, marigolds, chrysanthemums, "pretty faces," bachelor's buttons, six-week's stock—with here and there a bed of geraniums, a rose bush or a flowering shrub.

There are several "kitchens" in each colony, by which is meant the houses at which the people take their meals. Long before the idea of co-operative housekeeping had dawned upon the minds of ardent reformers



STOCK YARDS AND PACKING HOUSES, SICUX CITY.

as a solution of the domestic problem, the colonists had decided that this was the most economical mode of living. From sixteen to forty eat at one kitchen, the number depending largely upon the location. The places are assigned by the trustees.

The kitchen proper is usually a small room furnished with a long, low brick atove with an iron plate top. Back of this is a sheet of tin several feet high, which shines like a mirror; from its upper edge hang a great variety of strainers, apoons, dippers and ladles. Everything from floor to ceiling is kept scrupulously clean. During my visit at the colony last summer I took a picture of the hotel kitchen. When I returned this year the housekeeper confided to me her chagrin on finding that the towel in the kitchen was not clean at the time the picture was taken, explaining just how it happened that it wasn't changed at the proper time. I had not noticed the presence of the towel at all, but to her it was the most conspicuous object in the picture. I tried to convince her the spots she saw were only shadows, but I am afraid I did not succeed.

It is one of the religious principles of this quiet, gentle people to care for those in sickness or in want, a fact the tramp element has not been slow to learn and take advantage of. At certain seasons of the year the community is overrun with tramps—all posing as victims of misfortune.

The hotel-keeper at Amana is also marshal of the colonies. He has the sternest face and the kindest heart that were ever combined in one personality. His naturally keen eye has been trained by years of observation and experience to distinguish between the professional tramp and the really unfortunate and worthy wayfarer. Every year some poor young fellow who has drifted into the colonies with the tramps is cared for and given employment until he is once more able to "stand upon his own feet," then they bid him godspeed. They are continually hearing from some of these men or from their friends, reports which prove their efforts have not been in vain.

The year after the Chicago fire, a party of tramps came to the hotel at Amana and asked for something to eat. As they ate their dinner the hotel-keeper sat some distance away and watched the party with half closed eyes. One of the faces attracted him, for he said, "I knew by his eyes the man had seen better days." After dinner this man asked for work and without a moment's hesitation it was given him. He was a good workman, and little by little he told his story. He was the son of an eminent optician in Switzerland He was educated as a civil engineer; had a beautiful home and was brought up in luxury. But he and his father quarreled one day and, in a fit of passion, he sailed for America. After roaming about for some time, he opened an office in Chicago and was doing fairly well when the fire occurred. His instruments were burned. He was friendless as well as penniless. He would not write home for money and, in desperation, he wandered from place to place begging for food and shelter, finally falling in with the colonists. Some of the less credulous of the community were inclined to doubt the story, among them the doctor -who decided to test the man's ability in mathematics. Accordingly, the next time he met him he gave him several problems to be solved when he found time. To the doctor's surprise the man replied, "Why I don't need time to work those - I can work them in my head. The results are soand so." After this he was known as "the engineer." He worked at the 78

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out laughing—and, sure enough, the tooth was seen to be gone!

The colonists, like the Quakers, carry no firearms except in the most extreme cases. Even the marshal is loth to carry a revolver, although he has at least on two occasions almost lost his life for lack of one. The vagabonds who roam about in this vicinity are keen enough to become acquainted with this fact and are, in consequence, frequently emboldened as they would not be otherwise. Some time ago the marshal hearing of a troublesome "gang" who were camping in the neighboring wood, and fearing the spreading of fire, went in search of them, this time with a revolver. When the "gang" saw him coming they jumped up and attempted to pin his arms to his sides. With a quick movement the marshal pulled out his weapon, much to the astonishment of the cowards, one of whom exclaimed, "Gosh, didn't know you carried a pop!" and took to his heels.

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and said he was disabled by a carbuncle under his arm. He was taken in and while he ate his dinner the doctor was called. The afflicted member was dressed and when I left, a week later, he was still about the premises under the doctor's care. Was there ever a more Christ-like spirit! When asked how in the face of all that had happened he could care for this man, the hotel-keeper quietly answered. "He was aick." And the questioner felt rebuked.

Throughout the entire settlement the same spirit is shown. "Malice toward none and charity for all" can be read upon every face that passes by. Generations of right-thinking and right-living can be seen on the faces of the colonists. They need no garments of white, as Die Weisen of old, for their faces are a better index of the pure, the noble, the spiritual lives that they lead than any apotless robe.

There is an indescribably restful atmosphere about the colonics. Nowhere is work done more thoroughly than here; but, where each member of the community, young and old, does his honest share, the individual burden is not heavy. There are no drones in this hive. Everyone is busy, but no one is hurried. Everyone does his work conscientiously, but seems singularly free from worry.

The fact that very few children are seen by the average visitor has led many to believe and some to make the statement that there are not many here. This is a mistake. There are just as many little people to be found here as in any community of the same size. Long before the ordinary pleasure-seeker starts on his exploring tour, the boys and girls between the ages of 5 and 14 are hard at work at school. Here they may be found aix days in the week, all the year round. The sessions open early and close late—with the exception of Saturday—and there are no vacations. To those of us who are accountomed to the short sessions and long vacations of the modern public school this at first thought seems almost cruelty to the children, but a visit to die Schule very soon convinces one that these children fare quite as well as our own little people.

As each member of the colony has his or her own appointed work to dowork which frequently keeps the parents away from home all day—the children must be taken care of, and the school largely supplants the home training of our children. That it is in every sense adequate, everyone who has visited the school must acknowledge. Never have I seen a group of children so uniformly well mannered, pleasant spoken, courteous and thoughtful as in the colony school.

What would seem like an otherwise long, thresome session is broken up into three parts—die Lehr-schule, where all the common branches are taught, die Spiel-stunde, or hour of play, and die Arbeits-schule, where the girls and boys allice are taught to knit and sew, to eare for the flowers and gardens, and in many other ways to become useful members of the community.

During our last visit in Amana we gave the knitting teacher eandy to be distributed during recess, at which time luncheon is served to the children in the two vine-covered arbors, one for boys and one for girls—for here as everywhere throughout the colony they are separated. Before the candy was distributed, the children named over one by one the schoolmates who were absent, and their share was put away first, then the





STOCK ,YARDS.

as a solution of the domestic problem, the colonists had decided that this was the most economical mode of living. From sixteen to forty eat at one kitchen, the number depending largely upon the location. The places are assigned by the trustees.

The kitchen proper is usually a small room furnished with a long, low brick stove with an iron plate top. Back of this is a sheet of tin several feet high, which shines like a mirror; from its upper edge hang a great variety of strainers, spoons, dippers and ladles. Everything from floor to ceiling is kept scrupulously clean. During my visit at the colony last summer I took a picture of the hotel kitchen. When I returned this year the housekeeper confided to me her chagrin on finding that the towel in the kitchen was not clean at the time the picture was taken, explaining just how it happened that it wasn't changed at the proper time. I had not noticed the presence of the towel at all, but to her it was the most conaplenous object in the picture. I tried to convince her the spots she saw were only shadows, but I am afraid I did not succeed.

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Throughout the entire settlement the same spirit is shown. "Malice toward none and charity for all" can be read upon every face that passes by. Generations of right-thinking and right-living can be seen on the faces of the colonists. They need no garments of white, as Die Weisen of old, for their faces are a better index of the pure, the noble, the spiritual lives that they lead than any spotless robe.

There is an indescribably restful atmosphere about the colonies Nowhere is work done more thoroughly than here; but, where each member of the community, young and old, does his honest share, the individual burden is not heavy. There are no drones in this hive. Everyone is busy, but no one is hurried. Everyone does his work conscientiously, but seems singularly free from worry.

The fact that very few children are seen by the average visitor has led many to believe and some to make the statement that there are not many here. This is a mistake. There are just as many little people to be found here as in any community of the same size. Long before the ordinary pleasure-seeker starts on his exploring tour, the boys and girls between the ages of 5 and 14 are hard at work at school. Here they may be found six days in the week, all the year round. The sessions open early and close late-with the exception of Saturday-and there are no vacations. To those of us who are accustomed to the short sessions and long vacations of the modern public school this at first thought seems almost cruelty to the children, but a visit to die Schule very soon convinces one that these children fare quite as well as our own little people.

As each member of the colony has his or her own appointed work to dowork which frequently keeps the parents away from home all day-the children must be taken care of, and the school largely supplants the home training of our children. That it is in every sense adequate, everyone who has visited the school must acknowledge. Never have I seen a group of children so uniformly well mannered, pleasant spoken, courteous and thoughtful as in the colony school.

What would seem like an otherwise long, tiresome session is broken up into three parts-die Lehr-schule, where all the common branches are taught, die Spiel-stunde, or hour of play, and die Arbeits schule, where the girls and boys alike are taught to knit and sew, to eare for the flowers and gardens, and in many other ways to become useful members of the community.

During our last visit in Amana we gave the knitting teacher eardy to be distributed during recess, at which time luncheon is served to the children in the two vine-covered arbors, one for boys and one for girls-for here as everywhere throughout the colony they are separated. Before the candy was distributed, the children named over one by one the schoolmates who were absent, and their share was put away first, then the

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remainder was divided among those present. After the candy had disappeared, every boy and girl, without a single exception, came to us, offered a hand and thanked us in the most unaffected manner and invited us to come again. As we sat in the arbor, one unfortunate little girl whose mind was evidently a blank, came bouncing in. Two of the older girls quietly arose, removed her aunbonnet, smoothed her hair, adjusted her little black cap, and led her gently to a bench near by—an act so spontaneous, so considerate, that it was an effort for those of us who saw it to keep the tears back. We no longer wondered at the universal nobility of character, kindliness of manner and genuine thoughtfulness of the men and women of Amana colony.

While from the outside the vine-covered schoolhouse with its whitecurtained windows and its neat flower beds is likely to be mistaken for a dwelling, the interior with its blackboards, charts and globes is not unlike our own schoolrooms, with the exception of the unpainted woodwork and the sanded floors. The teachers in the school proper are all men, but there are women among the "working teachers."

Much of the reciting is done in concert, and, in the primary department where the little ones learn to spell by syllables, fit the syllables together and pronounce the word, the result is a sort of chant, the rhythm of which is fascinating. This same chant may be heard during the long recess, when the children play their quaint little games—quaint to us because of their setting, but in reality only equivalents of the "London Bridge," "King William." and "Drop the Handleerchief," of our own school days.

The children under 5, whose parents are obliged to be away from home during the day, are kept in a nursery well supplied with toys and sandpiles.

The dress of both men and women is plain in the extreme. Utility and not adornment is the chief regard. There is nothing characteristic in the dress of the men aside from its severity. An Inspirationist is readily recognized anywhere by the short, round beard under the smooth-shaven chin. The dress of the women can never be mistaken for anything but the Amana dress. Fashions never trouble them. The dress of to-day is the same as it was at the founding of the colony. Mothers and daughters, grandmothers and granddaughters dress alike-not in the sober grays of the Quakers, nor the more brilliant purples of the Amish, but in plain calicoes of gray or blue or brown. The waist is short and very plain, the skirt long and full, An apron of moderate length, a "shoulder shawl" of calico, and a small black cap completes the summer costume. The only head-gear is a sunbonnet with a long cape. The winter dress differs from this only in being made of flannel; a hood takes the place of the sunbonnet. Thirty-five dollars for clothing is allowed each member of the colony annually. A seemingly small sum, but sufficient when we remember that the clothing is all of the simplest and that this year's dress will answer for next year and for the year after-in fact as long as it will last.

The secret of the prosperity of this communistic body is said to be the religion which binds its members together. The truth of this even the casual observer must recognize. Their religion is not a thing to be put aside Monday morning with the "best clothes" and donned on the following Sunday, but a thing ever present with them—a part of their every-day life.

It is interesting to note that while in so many respects the society is like one large family, still they seldom collect in large numbers-not even in their devotional exercises. There are several chapels in each village where the people assemble in small groups for evening prayer. The church is a large, narrow building, divided into several rooms, one in front of the other. For the usual Sunday service the girls and young women, not necessarily unmarried, assemble in one room, the boys and young men in another, while the older members assemble in a third. The wraps are all left in the hallway. Periodically there is a general meeting on Sunday afternoon in a fourth room-a very large assembly room. The church and its interior, like the colony dress, is marked by its severity. The whitewashed walls, the bare floors and the long, unpainted pews and woodwork all bespeak the character of the service. There is no pulpit; instead. a plain pine table with the simplest of cover. At this table the presiding elder sits. On either side of him facing the congregation is seated a row of eiders. These are chosen by the people from the most spiritually inclined of the community. There is just one alsle in the church, a wide center aisle; on either side of this there is a row of long, well-scrubbed benches or settees. In the general meeting the men are grouped on one side of the church, the women on the other, both according to age-the younger members on the front seats, the older members behind. The silence in the church is almost absolute. There is no organ but the mingling of the clear, strong voices of the younger members with the deep, often tremulous notes of the older ones in the chanting of the psalms is more charming than any organ voluntary or Sunday morning solo. The absolute lack of outward show, the simple, earnest, devous spirit of the service, makes one feel that these people are very near "the great white throne."

The perfect equality maintained by the colonists is shown even in death. In the econetery there are no family lots, no monuments. The departed members are placed side by side in perfect rows, regardless of family ties. The graves are all marked by a low, white-painted board slab with the simplest kind of an inscription on the side facing the grave. The grass in the cemetery is carefully trimmed, but there are no flowers there.

While the colonists have to a certain degree tried to keep aloof from "the world," the latter, like Mahomet, has gone to the mountain, and has left its footprints in the form of modifications of the former anaerity of the community. Rag carpets have taken the place of sanded floors in many sitting-rooms, ornamental trinkets are hung upon the wall, and here and there a piece of upholstered furniture is to be found. A few years ago instrumental music was strictly forbidden; now one occasionally hears the distant notes of the violin or the deeper tones of the accordion.

"What will the next half century do for the colonies?" the visitor asks; and he is likely to follow up his question with expression of the hope that the Anana society may prosper as it has prospered in the past, and that its purity and simplicity may be preserved.

#### MANUAL TRAINING SCHOOLS.

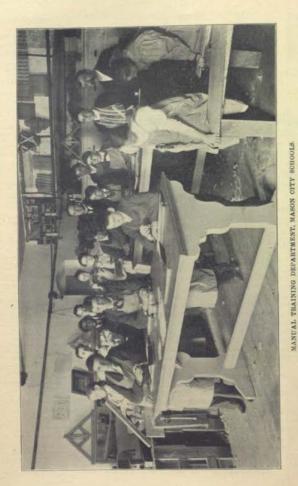
The law regulating this office requires that the commissioner shall include in his report what progress has been made with schools now in operation for the instruction of students in the mechanic arts, and what systems have been found most practical, with details thereof.

Following will be found reports from superintendents of the only two cities where manual training is taught in the state, namely, West Des Moines and Mason City schools:

SUPERINTENDENT COOPER, OF WEST DES MOINES, ON MANUAL TRAINING.

The work in manual training has been carried on with excellent results. There is no department of work in the high school which contributes more to the power and independence of pupils than the manual training. It is to be regretted, however, that more use is not made of this department by the boys and girls of the high school. Although the work of the department is put upon the same footing with other branches of instruction and is conducted with judgment and skill, the number of pupils electing the work is not as great as its importance as an educational means warrants one to expect. It is my belief that when the patrons of the school come to understand more fully that manual training as a school study fits for life more completely than any other study endorsed by long usage, no matter what particular work one may pursue, the number of pupils choosing manual training as a study will be greatly increased. The number now in the manual training classes is almost as large as our room and equipment will accommodate, but I would be glad to see it more popular, because I believe in its educational value.

The introduction of the Sloyd form of manual training work into sixth grade of the Franklin school last year was attended with some drawbacks which necessarily interfered with the quality of the results. The pupils were obliged to go to the high school, four blocks distant, and to give some time after regular school hours to the work. The accommodations being limited, only half of the class could be taken care of at a time, and as Instructor Newell could give time only every other day, the pupils received a lesson only once in four days. In spite of these difficulties, the work was so far a success that its extension is recommended for the coming year, and arrangements will be made whereby both the sixth and seventh grades at Franklin can be accommodated upon school time, and lessons given each class twice a week. Mr. Newell's report follows:



REPORT OF MANUAL TRAINING DEPARTMENT.

DES MOINES, Iowa, June, 1896.

Mr. F. B. Cooper, Superintendent of Schools, West Des Moines, Iowa !

DEAR SIR-In reply to your request I am pleased to submit the report of the manual training department, and I hope I may touch some points that will be of interest to you and to the patrons of our school.

When I entered upon my duties two years ago I found a well equipped department. Believing that manual training is a means of education, I began my work with enthusiasm, and have tried to bring my department into as close harmony with the rest of the school as possible. The end of education is always the same. Education is intended to develop the mind's powers and capacities. The means of education varies from age to age, and should depend upon the capacity of the child's mind and the character of its environments. Dr. Nicholas Murray Butler says: "Manual training is mental training through the hand and eye, just as the study of history is mental training through the memory and other powers." Ideas can be expressed by means of language, gesture and construction. To train both the powers of reception and expression the child must deal with objects themselves and not alone with a description of them. As a means of expression drawing ought to be taught in every grade of the public school, but only incidentally as an art. In all constructive work the material used should be adapted to the child's age and powers. The means of giving an ideal education has varied from age to age. This is an age of industrial activity, and the child must be so educated that the busy life he is soon to enter will not be altogether strange to him The "all-around" mechanic is no longer educated in his father's shop or on the farm. Most of the objects for household use that were once made in the home are now made in large factories, and the persons working there learn to do only one or two kinds of work. The factories have "No admittance" written over their doors, and the young people of to-day need industrial education, and it ought to come through the public schools. Manual training creates a love for bodily labor, and does much to dispel that false idea that it is more dignified and honorable to clerk in a bank or store at \$3 a week than to do cabinet work at \$3 a day. Speaking of manual training, Dr. Butler says: "It is the educational question of the time."

Having an equipment suitable for giving a two years' course, and conatantly keeping in mind the educational advantages of manual training, I have tried to arrange the details of the work in such a manner that the pupils would obtain the maximum benefit. Our course is arranged as fol-

First year's work - Mechanical drawing, 45 minutes per day; wood joinery, 45 minutes per day.

Second year's work.-Mechanical drawing, 45 minutes per day for nine months; wood carving, 45 minutes per day for three months; wood turning, 45 minutes per day for six months

Mechanical drawing is the foundation upon which we build. Much attention is given to the theory of drawing and the principles of descriptive geometry. A number of problem 'n plane geometry are given first, and these are followed by exercises in orthographic projection. Our pupils learn to make working drawings, tracings and blue prints of the models 84

used as exercises in the courses in wood joinery and wood turning. In the second year the work in drawing is a little more of a technical nature and consists of problems in orthographic projection, practice in making drawings of machinery, screws, gearing, etc. Some problems are also given in perspective and isometric projection.

The exercises in the wood joinery department have been considerably changed during the past two years, and the Russian form of models has been almost done away with. Some of our models are joints or exercises given for practice in the use of tools, and these are followed by constructed objects which are complete and useful articles when finished. The same plan is followed in the course in wood turning. Most of the models are smaller than those formerly used, so the expense of lumber has been reduced.

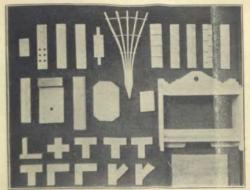
The total number of pupils taking the course in manual training was 50 per cent greater this past year than during the previous year. Most of the pupils have shown great enthusiasm for and interest in their work. Many of them have worked extra hours and accomplished much more than the required amount of work. The number of girls taking the manual training courses is increasing. During the past year there were six girls out of a total enrollment of forty six pupils Manual training is educational in its aims, and at the present day women desire the same broad education that men have, so the girls should have the same hand, eye and brain training that the boys have.

All of the pupils come to the manual training teacher twice each day, so the total number of pupils taught per day is really ninety-two instead of forty-six.

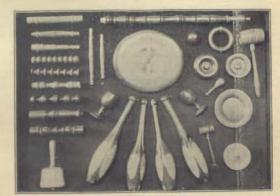
A year ago I was given permission to purchase a small equipment for Sloyd. Sloyd is a name given to a certain form of manual training which is sultable for primary and grammar grades. The past year the Sloyd work has been an experiment, and the conditions were not entirely favorable. Thirty five pupils from Miss Stein's room (the sixth grade of the Franklin school) were divided into two classes, and each class came to the Sloyd room every fourth day. The exercises used were an Americanized form of Swedish Sloyd, and the progress made by the pupils and the results of the work were encouraging. I wish to thank Miss Stein for her hearty co-operation and her efforts to make this experiment a success.

Our annual industrial exhibitions have been successful and a large number of people have attended on both occasions. The pupils were at work in all departments and their finished work was on exhibition.

I carnestly hope that at some time in the near future some arrangement can be made so that metal work can be introduced into the high school. At the present time I think we should give our attention to the introduction of Sloyd into more of the grades. This can be done at a small expense, as we already have a fine equipment. By increasing our equipment a very little, and appointing an assistant to the instructor, a large number of pupils could be given the benefit of this valuable work. The committee of fifteen reported in favor of giving a half day each week to manual training in the seventh and eighth grades. Pupils between the ages of 10 and 14 years particularly need the symmetrical development of hand, eye and brain. My high school classes occupy nearly all of my time, but I hope



JOINERY WORK.



TURNING WOME.

MANUAL TRAINING DEPARTMENT, WEST DES MOINES HIGH SCHOOL.

that we will find some way to introduce the Sloyd into more of the grades next year.

In conclusion, I desire to express my thanks to the superintendent and board of education for their wise counsel, hearty co-operation and uniform courtesy in helping me to carry forward this work, so valuable to the young people of our district. Respectfully yours,

A. C. NEWELL, Instructor.

## REPORT OF SUPERINTENDENT COOPER, 1892.

The introduction of manual training and domestic economy into the bigh school two years ago was looked upon by many as an expensive and drubtful experiment, but the experience of the past two years in this department of the school has given assurance of the complete success of the venture, and I am sure the board must view with increasing satisfaction this feature of our work. The popularity of the work with the pupils taking it is quite marked, and that it tends to attract and to keep pupils in the high school is well established. That the pupils quickly acquire a surprising amount of skill, a visit to the classes or an examination of the products readily reveals.

But these are not all nor the best of the results. It is true that it is a taking thing because it gives the boys and girls a taste of the work of the world. It is true that it gives definess to the fingers and accuracy to the eye, but it is also true that it trains the judgment, quickens the intelligence, arouses an interest in industrial enterprises, puts into sympathy with labor and kindles an enthusiasm for and gives digalty to what is wrongly esteemed to be common work

Great stress is laid by the instructors in both manual training and domestic economy upon the thought that it is the chief business of their respective departments to inculcate principles and at the same time to give some practice in the application of the principles taught, but that it is not the province of the one to turn out tradesmen, nor of the other to graduate cooks. They rightfully emphasize the educational side of the work, and by so doing more than double the value to the pupil.

The idea, prevalent to some extent, that the object of the manual training department is to teach trades is a mistaken one. Its purpose is to train the mind as well as the hand and the eye. Its lessons and practice are of such a nature that the whole boy, body, intellect and will is exercised and developed, so that the resulting man will be broader and better able to grapple with every day problems, whether he builds bridges, manages a business, keeps books, or preaches sermons. Its value is such, from the disciplinary standpoint, that in a somewhat modified form it suits the girl as well as the boy, and makes her fitter for any duties.

I deem this work so important as an educational factor, and so influential as an attractive feature for the pupils of the lower grades, that I carnestly recommend its extension as soon as provision can be made for carrying on the work successfully. REPORT OF MR. BUMANN, INSTRUCTOR IN MANUAL TRAINING, 1892.

Mr. H. T. Kineaid, Principal of the High School:

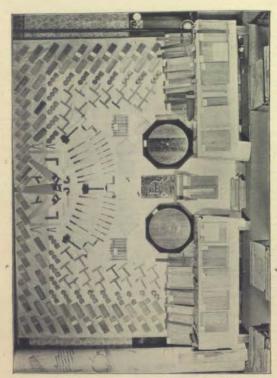
DEAR SIB-I herewith submit a report of the manual training department, and hope that I may have touched upon some point of interest.

The department has been in operation for the past two years, the first year's work being devoted to the joinery and mechanical drawing; the second year's work being wood turning and wood carving, and advanced work in the drawing. To carry on the second year's work it was necessary to put in turning lathes and power, which was done. Twelve lathes and twenty-four sets of turning tools were bought, and the necessary shafting placed in position, but on account of delay in getting lathes to the city the school work was delayed about one month. A fourteen horsepower Edison motor furnishes the power, and has given splendid service, and proven entirely satisfactory and economical. The last term of school should have been devoted to wood carving, but delay in getting tools was again the cause for not beginning work promptly, and although we began a trifle late in both of these departments, fairly good results have been achieved It is to be hoped that if forging, or molding, or any additional work, is to be introduced for the third year's work, that steps will be taken to place additional equipment in position, so that no delay may occur at the opening of school

It is desirable to have the general object of the department understood, and I would suggest that great stress be placed on this fact, that the manual training is given for its educational value alone, and that no trade is taught. It will readily be conceded that the principles underlying a great many trades will furnish abundant material for a course of instruction, and so we claim that manual training has for its object the training of the brain, hand and eye, through the use of tools and the study of drawing This work has a tendency to develop all the faculties, to reach out in all directions, to place the pupils in such position that they are able to make the most of whatever falls in their way. The work also has a tendency to hold the pupils in school, and of the thirty-nine pupils taking the work at the beginning of the year thirty-four remained. The pupils learn to do, by doing, and when the pupils can watch their work grow from the very first to completion it lends an added interest to the work. The consciousness of being able to construct a piece of work, and the working out of some original idea, strengthens their desire to continue in their work, for here they realize that practice can demonstrate theory, and make clear many things otherwise vague and unsettled.

The value of drawing is generally recognized and each pupil is required to make a working drawing before any exercise is begun. Then the pupil has drawing each day, carrying the shop-work and drawing work along together.

The work is not confined to the boys alone, but the girls have the privilege of chosing it. One girl took advantage of the manual training and her work was favorably compared with that of the boys. Many ask why girls should take this work, and the only reply that can be given is, that manual training is given for educational purposes, and the girls are as



MANUAL TRAINING DEPARTMENT, MASON CITY SCHOOLS.

anxious for a broad and liberal education as the boys, and are as able to to apply the principles taught as the boys, in every day life.

The exercises made at school are not supposed to have any value, except for the practice to the pupil. They represent a systematic and progressive course of work, leading up from the simplest joint to a finished piece of work. When the pupil is able to do a piece of work fairly well, he is put on to the next piece. Quality of work is considered before quantity: accuracy before speed; and the principles involved before and above everything else. I may illustrate the manual training by comparison with some other study, such as writing. The copy-book when filled is not a marketable article, and still all can recognize the value it has been to the pupil. They begin by learning to form letters, and with practice, gain speed and accuracy, and when they learn the principles, they are then able to apply their knowledge. The same processes are carried out in our work.

It is hardly necessary for me to dwell on this longer, as the matter will be more thoroughly treated, and I will only add some facts which you would need know as to tools and pupils this year.

First year's work — Mechanical drawing, 45 minutes per day; joinery, 45 minutesper day.

We have nine double benches, and eighteen sets of bench tools to be used by each class as they come to work. We have thirty-six sets of individual tools, so our accommodations for first year's work is really thirtysix, but by buying more individual tools we can increase our accommodations to seventy-two.

Second year's work.—Mechanical drawing, 45 minutes per day, nine months; wood turning, 45 minutes per day, six months: wood earving, 45 minutes per day, three months.

We have twelve wood lathes and eighteen sets of turning tools, a 14-horse-power Edison motor, eighteen sets wood carving tools, thirteen pieces in a set. The benches used in the first year's work were used for the wood carving, so no additional equipment was required.

	Daire	Finished.	Dropped.
First year pupils	43	19	4
Second year pupils	16	16	1
Total.	39	34	6

It must be remembered that all pupils are handled twice each day by the manual training teacher, making really about seventy-eight pupils each day. The prospects are that larger classes will be formed next year, and that additional teaching force will be required. The first year there were about thirty-six that began the work, and twenty-three remained at the close of the year. Sixteen of those remaining composed the second year's class. In asking those of the second year if they intend to come to school next year, a number answered: "What will we have in manual training?" "Just depends on whether we have advanced manual training." So this is evidence to me that the work is going to hold a great many pupils in school.

The exhibits of work were made in the show window of Mr. Norman Lichty's drug store, and at the school building at the end of the school year. The exhibits have excited many favorable remarks, and have been the means of showing the patrons of the school and the public generally what is being done. Yours truly,

A. M. BUMANN,

Mr. H. T. Kincaid, Principal of the High School:

DEAR SIB-As instructor in the cooking department of the West Des Moines high school, I herewith submit the first biennial report of this branch of our public schools.

This department in connection with manual training work for boys was opened September, 1890, as a part of the high school course.

Sixty-four pupils, making four classes of sixteen each, were enrolled the first year. Applicants from the four classes of the high school were admitted, the greater number being from the freshman class.

To confine the time of recitation to school hours, each class was restricted to one period of forty-five minutes a day, which was found to be too short for most practice lessons in cooking.

The year's work closed with a public exhibition, one room being filled with tables tastefully set and covered with such products of the culinary art as could be creditably exhibited, while in the kitchen classes were at work.

The cooking department is equipped as follows: Four large cooking tables, with heavy maple tops, having a utensil board or cupboard along the middle, upon which are arranged sets of kitchen utensils and dishes. Each table has two gas burners and two portable ovens. Four girls work at each of these tables, two at a side. There is also a large cupboard in which to keep the supplies and extra sets of utensils, a refrigerator, a supply table, a kitchen sink, and a No. 9 Acorn range. The pupils keep their aprons, books, towels, etc., in locked drawers in the sides of the tables. This equipment provides for four classes of sixteen pupils each per day.

The recitation begins with a short lecture and demonstration lesson upon which the pupils take notes, and questions are asked and answered The class then take their places at the tables, and each student works out for herself, with test tube and thermometer, the experiments outlined by the instructor. The results of these experiments are recorded in note books, and form the principles upon which the cooking operations are based. Or, if a practical cooking iesson, the preliminary instruction and note taking are followed by the cooking operations performed at the tables, the pupils working in groups of two or four.

Recognizing the fact that cooking taught merely as an art has no place in our public schools, instruction in this department has been placed as nearly as possible on an educational and scientific basis.

"Principles, not recipes," is our motto.

Thus taught, cooking is the practical application of physiology, botany, chemistry, and physics, all of which it is desirable should be preparatory to admission to this department, but only the first has, for practical reasons, been made so.

The second year only those above the freshman class were admitted, and the time of recitation was extended from one to two periods.

The adoption of these changes and a misunderstanding among pupils and teachers as to whether cooking would count as a regular study in the high school course, decreased the number of classes from four to two. The increased efficiency of the work done by the pupils the second year, however, fully justified the changes that had been made.

The following is the course in cooking:

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Chemistry of combustion, construction of stoves and ranges, making and care of a fire.

Kitchen Utensits. - How to select those best adapted in size, weight, subtrain and pattern to the purposes for which they are to be used. Use and care of the same.

Water.—Experiments with; using laboratory thermometers to ascertain the simmering and boiling points. Conditions which effect the boiling point. Highest temperature to which water can be raised under ordinary atmospheric pressure. From these experiments numerous and important practical conclusions are drawn.

Food — Classification of; function of the different food principles; bygienic combinations of food substances. Experiments with starch, flour, gluten, albumen, dextrin, etc., from which are deduced the underlying principles of cooking.

Miring —The manner of, as stirring, beating and folding. The art of smiking combinations, as in soups, salads, puddings, ples, cakes, sauces, flavorings, and condiments.

Bolling -Meats, chicken, fish, oysters, etc.

Boiling - Practical illustrations of boiling, steaming and stewing in the cooking of vegetables, cereals, meat, fish, oysters, etc.

Resisting.—Leasons on the reasting of meat and poultry, alternating with one or more on the warming over of cold meats into numerous economical and dainty dishes.

Baking.—Heat and its action on different materials. Chemical and mechanical action of materials used. Manipulations in bread making in its various stages. Yeasts and their substitutes. Experimental work, with soda, cream of tartar, baking powder, etc., from the results of which are deducted the rules which govern the mixing and baking of mixtures containing these substances. Practical experiments in making and baking bread, batter mixtures, pastry, cake, desserts, etc.

Frying. - Chemical and mechanical principles involved and illustrated in the frying of meats, fish, shell fish, vegetables, batter mixtures, etc.

Preparation of food for sick.

Marketiny — Economical selection and purchasing of household supplies. The anatomy of animals used as food, the butcher's method of cutting up a carcass of beef, veal, mutton and pork, and how to choose and use the different cuts.

General instruction in systematizing and economizing household work and expenses. Thus, school life shall prepare for home life, and the contents of text-books shall be given a double interest.

Respectfully submitted,

NELLIE RAWSON MILLER,

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## MANUAL TRAINING IN, THE MASON CITY PUBLIC SCHOOLS,

#### A. R. SALE, SUPERINTENDENT.

The rise and growth of the industrial movement in our public schools is of great interest, not only to the educationalist, but to the student of sociology. It is the blending of the abstract and the actual, the theorist and the mechanic, the school and the shop. It is no sudden whim or fad, but the dawning of a new era. It is the embodiment of the ideas of Rosseau, Bacon, Pestalozzi and Spencer. France, Germany, Belgium, England and the United States have all taken up the idea. It is the carrying out of the principles of the kindergarten in the upper grades. The manual training school and its methods mark the progress of the schools from the days of the stage-coach to the electric motor age. The school is growing to its proper function, that of training and developing for life, rather than instructing in those things that the fathers learned. The day of memory training must give way to the training of head, heart and hand

The boys and girls must get from the schools that culture which will put them in closest touch with the life of the world. They must be instructed so that not only scientists, artists and professional men shall go forth, but that artisans, mechanics and engineers shall receive their inspiration in the schools. The hand must not only be taught to pen poems, but to shape and form the useful and the beautiful out of crude matter. In what better way can an honest respect for labor of the hands be taught than to make the work of the school partake of the work of the shop, the farm and the mill. The work of the manual training school is not like that of the trade school, for the purpose of training for some particular trade or calling. It is some of the exercises of the trade school incorporated into the curriculum of the school to broaden and harmonize it with the needs and environment of the pupil. A boy or girl who has completed a liberal course in manual training will be better equipped for any vocation. As a lawyer he will make a closer brief; as a physician he will diagnose more accurately; as a preacher he will make clearer and better exegeses: as a farmer he will plan his work to the best advantage; as a merchant his business will be carried on with method and exactness.

This department of our schools was opened in 1890. Classes then worked at irregular periods, in charge of a teacher, who gave three hours each week to the supervision of the work. Since 1894 a special teacher has devoted all his time to this department. Pupils go at regular intervals from the schoolroom. The number who elect this subject has increased from fifteen to 125, including a class of ten young women from the upper grades of the high school. Boys from the seventh to the twelfth grade are admitted. The spirit in which this work is taken up is evidence of its value. Breaches of discipline and order are almost unknown in this department. Every pupil is intent on his work. There is no wasted time here; no idle yawning and loiling, waiting the dismissal time. Teachers of the regular departments say that the boys watch the clock for the "manual training hour." Instead of robbing the regular school work of so much time it seems to rest the boys, for they return to their books with renewed zeal.

It seems to invest the other exercises with renewed interest. Many teachers and parents believe that it keeps the boys in school at that dangerous age when so many want to leave to "get a job." Be this as it may, the records show that the high school has graduated during the past four years seventy-five students, and of this number thirty-nine were young men. The usual percentage is 20 per cent of high school graduates are boys, while our schools show an average of 52 per cent for a period of four years.

#### COURSE OF STUDY.

The manual training course consists of three years' work in drawing and wood-work.

Every exercise, before it is executed in wood, is accurately represented by a working-drawing, executed by the pupil.

These drawings are orthographic projections, drawn to a scale, inked and properly dimensioned; and as many views are made of the exercise as are necessary to give all of the details. They are drawn either from the models or from blue-prints furnished by the intructor. What is known as the third-angle method of projection is the one used.

After making the drawing the pupil constructs in wood what he has drawn. The work is taken up by "exercises," and is all individual, so that none may have to go faster than he is capable, or slower than is necessary.

#### FIRST YEAR'S WORK.

The teacher explains:

- The object of the department; kinds of work pursued; names of tools; care of the tools and all articles pertaining to the work.
- 2. Names and use of drawing instruments, drawing board, "T" square, etc.
- 3. Drawing exercises for the purpose of familiarizing pupils with the use of the instruments, as follows: (a) Accurate measurement with architect's scale and needle-point; (b) Parallel, horizontal and vertical lines, with lead pencil and with ink; (c) Neat style of lettering; (d) Parallel oblique lines and angles of 90°, 50°, 45° and 30°.
- 4. Working drawings: Their use; importance in the industrial world; the difference between working drawings and pictorial drawing; projection principles; selection and arrangement of views; a thorough understanding of the scale; locating points with a lead pencil; inking; shading; dimensioning.

Wood-teerk: 1. Marking off and sawing; 2, Sawing diagonally; 3. Boring; 4. Planing without regard to size; 5. Planing to given dimensions; 6. "Getting out stock" for future use; 7. Sawing to a gauge-mark; 8. Mortising; 9. Rounding and beveiling; 10. Paring; 11. Boring and mortising; 12. Drawing-board; 13. Square butt joint; 14. Halved splice; 15. Halved right-angle joint; 16. Ledge joint; 17. Small drawer; 18. Single mortise and tenon; 19. Double mortise and tenon; 20. Mortise and tenon frame.

## SECOND YEAR'S WORK.

Blind mortise and tenon; 2. Tongue and groove splice; 3. "Set in" joint; 4. Right angle dovetail joint; 5. "Set in" and mortise combined; 6. Scarfed splice; 7. Scarfed splice with keys; 8. "Set in" splice; 9. Double-keyed scarfed joint; 10. Truss joint; 11. Brace joint; 12. Common dovetail joint; 13. Ledge dovetail joint; 14. Secret dovetail splice.

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## THIRD YEAR'S WORK-CONSTRUCTION.

Miter box; 2. Mitered frame; 3. Hopper-shaped box; 4. Small gate;
 Small panel door; 6 Small set of steps; 7. Small chest; 8. Case of pigeon-holes; 9. King post truss;
 10. Corner piece with shelves;
 11. Small case of drawers;
 12. Hard wood blacking case

Besides the regular drawing work of the course, there is given to pupils of this department a complete course in geometrical and mechanical drawing; also an elementary course in architectural drawing.

## CO-OPERATIVE RAILROADING.

The Illinois Central railroad, which crosses the northern portion of the state, has in vogue a system of co-operation which will be of much interest to the many believers of that method of conducting business. A short synopsis of the working of that system is herewith appended:

On the first day of each month the company quotes to employes, through the heads of their departments, a price at which their applications will be accepted for the purchase of Illinois Central shares during that month. An employe is offered the privilege of subscribing for one share at a time, payable by installments in sums of \$5 or any multiple of \$5, on the completion of which the company will deliver to him a certificate of the share registered in his name on the books of the company. He can then, if he wishes, begin the purchase of another share on the installment plan. The certificate of stock is transferable on the company's books, and entitles the owner to such dividends as may be declared by the board of directors, and to a vote in their election.

Any officer or employe making payments on this plan will be entitled to receive interest on his deposits, at the rate of 4 per cent per annum, during the time he is paying for his share of stock, provided he does not allow twelve consecutive months to elapse without making any payment, at the expiration of which period interest will cease to accrue, and the sum at his credit will be returned to him on his application therefor.

Any officer or employe making payments on the foregoing plan, and for any reason desiring to discontinue them, can have his money returned to him with accrued interest, by making application to the head of the department in which he is employed.

An employe, who has made application for a share of stock on the installment plan, is expected to make the first payment from the first wages which may be due him. Forms are provided for the purpose, on which the subscribing employe authorizes the local treasurer in Chicago, or the local treasurer in New Orleans, or the paymaster or the assistant paymaster to retain from his wages the amount of installment to be credited monthly to the employe for the purchase of a share of stock.

In case an employe leaves the service of the company from any cause, he must then either pay in full for the share for which he has subscribed and receive a certificate therefor, or take his money with the interest which has accrued.

The foregoing does not preclude the purchase of shares of stock for cash. An employe who has not already an outstanding application for a share of stock on the installment plan, which is not fully paid for, can in any given month make application for a share of stock for cash at the price quoted to employes for that month, and he can in the same mouth, if he so desires, make application for another share on the installment plan.

Employes who want to purchase more than one share at a time for eash, must address the vice-president in Chicago, who will obtain for them from the New York office a price at which the stock can be purchased.

Any employe desiring to purchase stock (except in special purchase of more than one share for eash) must apply to his immediate superior officer, or to one of the local treasurers, or to Mr. M. F. Mogg, traveling agent, whose address is 1 Park Row, Chicago, III.

Originally this applied solely to those in the service of the Illinois Central Railroad company. It has since been extended so as to include all those employed on, or in connection with, the Yazoo & Mississippi Valley railroad, operating 807 miles in Tennessee, Mississippi and Louisiana, and the Chesapeake, Ohio & Southwestern railroad and its affiliated corporations, operating some 460 miles in the states of Kentucky and Tennessee.

At this time there are registered on the books of the company as owners of shares, 286 officers and employes who are not directors of the corporation. Most of these hold but one share. In the aggregate they hold 1,816 shares. In addition, 1,485 officers and employes have made partial payments on account of further purchases of one share each.

The system tends to bring the employer and the employes in closer affiliation. It also gives those employed in the service a direct, personal interest in the profits and in the control of the corporation, affords them a safe investment at a fair rate of interest for their savings when deposited in very small sums. This replaces, to a certain extent, the lack of savings banks, which do not exist in the rural districts in the south and west as they do in New York and New England.

To the corporation, the advantage lies in having a resident ownership of stock, and that ownership in the hands of those upon whom it must always rely for the safe and economical despatch of its business.

That the public in the territory served by the railroads named above will benefit by this, goes without saying.

## THE TEMPLE AMENDMENT.

At the special session of the General Assembly an amenament to the railroad laws was introduced by Representative Temple of Clarke county. So much interest was manifested in this amendment, and so many persons have asked this office for information concerning it, that as complete a report as it was possible to obtain of the proceedings of the General Assembly and the work in connection therewith is hereby given.

In dealing with this subject it must be understood that no attempt has been made to give coloring to either of the opposing factions. Facts alone are recorded as they transpired, as near as it is possible to obtain them.

That portion of the railroad law that was sought to be amended is as follows:

SECTION 2002 OF M'CLAIN'S CODE-ENACTED BY THE NINTH GENERAL ASSEMBLY.

Every corporation operating a railway shall be liable for all damages sustained by any person, including employes of such corporation, in consequence of the neglect of agents or by the mismanagement of the engineers or other employes thereof, and in consequence of the wilful wrongs, whether of commission or omission, of such agents, engineers or other employes, when such wrongs are in any manner connected with the use and operation of any railway on or about which they shall be employed; and no contract which restricts such liability shall be legal or binding.

The amendment offered by Representative Temple and introduced in the house on the 20th day of February, 1897, is as follows:

## TEMPLE AMENDMENT.

Amend section 2003, of McClain's Code, by adding thereto the following: "Nor shall any contract of insurance, relief, benefit or indemnity, in case of injury or death, nor in any other contract entered into prior to the injury, between the person so injured and such corporation or any person or association acting for such corporation, nor the acceptance of any such insurance, relief, benefit or indemnity by the person injured, after the injury, from such corporation, person or association, constitute any bar or defense to any cause of action brought under the provisions of this section."

A motion to adopt the amendment by Mr. Temple was carried unanimously with one exception. It, together with numerous amendments, was then sent to the senate and there referred to the committee on railroads, consisting of Senators Penrose (chairman), Palmer, Young, Garst, Riggen, Berry, Hobart, Phelps, Upton, Bell, Byers, Ranck and Hurst.

Several more or less important meetings of this committee were held upon other amendments of which no attempt has been made to keep authentic records. The two most important meetings of this committee relative to the Temple amendment were held upon the evenings of March 4th and 11th. The minutes of the meeting referred to in the opening address of the chairman of the committee could not be obtained, therefore, no report of that meeting can be given.

Following will be found stenographic reports of those meetings:

MEETING OF THE SENATE RAILROAD COMMITTEE.

(Held at the capitol building, Thursday evening, March 4, 1897.)

Senator Penrose, chairman of the committee, called the meeting to order as follows:

GENTLEMEN-We have called this meeting for the purpose of listening to the employes of railways who favor what is known as the Temple amendment. One week ago to-night we had a meeting at which we heard the epposite side, and to-night we desire to listen to those who favor the Temple amendment. Now, if there are any gentlemen here who are acquainted with the employes of those roads I wish they would either point or call out the gentlemen.

Mr. H. E. Wills, of Clinton, Iowa:

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MR. CHAIRMAN AND GENTLEMEN-With your kind permission I would like to say a few words, or rather submit to you a few words which will be in writing, and then I would like to call upon different ones, as we have talked the matter over among ourselves, and would like in our own feeble and disjointed way to tell this committee how we feel about this matter,

CHAIRMAN: Gentlemen, this is Mr. Wills.

MR. WILLS: Gentlemen, I will proceed to read what I have to say on this subject. (Mr. Wills here read a paper as follows.)

We understand that the report is current that we are prompted by a spirit of revenge against the Chicago, Burlington & Quincy in asking that the Temple amendment become a law. We wish to characterize such a report as malicious and false. We simply take the position that an injustice is being done by the carrying out of an ingenious plan whereby a wealthy railroad corporation, by unfair means, gets a portion of the earnings of their employes and uses it to settle claims against themselves. thereby defeating what we believe is acknowledged by fair-minded men to be one of the most just laws on the statute books of our state. We don't deny, but take pride in saying, that we represent a branch of organized labor, and, so that no wrong impressions shall be made, we wish to say a few words in reference to our organizations. I will refer especially to the Brotherhood of Locomotive Engineers, an organization of which I have been a member for a little over a quarter of a century.

In order to show what we think to be almost an ideal condition, I ask your indulgence while I attempt to explain concerning our existence and workings on one of the leading lines in the country.

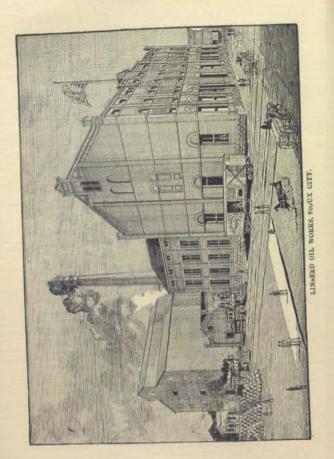
This organization has been in existence on the Chicago & North-Westera railway ever since 1865, and has, from time to time, had numerous meetings with its officials through committees representing the men, on almost every subject, from the arranging of a schedule of wages to the adoption of rules governing foremen and master mechanics in the employment and treatment of its engineers; and we have always been able to arrive at conclusions that were mutually satisfactory and agreeable, and, I believe, profitable to both. Yet, with that spirit of frankness that has always been shown by that management toward its engineers, I wish to state that I believe very much is due to that greatest of great railway presidents. Marvin Hughett, and from the general manager to the humblest employe we are taught by his example the principles of equality as well as the brotherhood of mas.

Many solutions of the problem of harmonizing capital and labor have been proposed; such as profit sharing, mutual benefit associations, pension funds, joint ownership, federation of labor, strikes, arbitration, government ownership, political combinations, communism of property, and so on, some of them admirable and most of them containing elements of equity and reason. But, after all, no artificial bond of peace between wage-payers and wage-earners has the power and the permanence that results from the existence of genuine respect and affection on the part of the employer toward the employe. It is a rare gift whereby the head of a great establishment, employing hundreds and thousands of workmen, obtains their hearty confidence and loyal esteem; and it is only men of large hearts, abcunding in genuine interest and sympathy for all other men, who elicit this spontaneous tribute.

The whole aim of our organization is to educate its members to a higher standard of excellence in their profession, clevate their standing in society, protect their labor and provide for the widows and orphans.

We strive to have our members comply with the laws, and we believe in practicing what we preach. And, as an organization, have constantly endeavored to impress that doctrine upon the minds of our members. We hold that no railway officer is justified in placing any obstacles in the way of his engineers becoming or remaining members of our brotherhood. Its record of thirty-five years is before the country and I feel that I can challenge any man to truthfully name an instance where the organizatior, through its officers, has ever made an unreasonable or unjust demand upon railway companies. When they were in trouble with other employes who were led by unscrupulous and irresponsible leaders, and every inducement offered us to take advantage of the situation, we remained true to the principles of our brotherhood and loyal to their interests.

We are opposed to strikes and favor the settlement of all differences by arbitration, and, as an organization, have always endeavored to create



and maintain harmonious relations between employer and employe and denounce any attempt to antagonize the interests of labor and legitimate capital. We feel that we should ever remember to be mindful of their interests as well as our own, always remembering the fact that might pover did and never will make right.

Voluntary associations for the purpose of regulating the wages of their members by combined action are as old as civilization. In the earliest times we find instances of such organizations formed from motives of interest and policy and the better to secure an adequate return for services rendered. There can be no question about their utility Whatever adverse views on the subject may be entertained by interested capitalists, there can be no doubt that the general result of such unions has been, on the whole, conducive to the permanent moral elevation and physical wellbeing of the laboring classes. The matter has passed beyond the domain of hypothesis or speculation. A thousand arguments designed to prove trades unions illusory and of no practical benefit, are demolished by the simple fact that trades unions are no untried theory, but subsisting and unquestionable facts. Strikes, no doubt, are often mistakes and fail to realize the desired effect, but we must not forget the laboring class, so-called, must, like any other, stand up for their own rights or be content to see their rights trampled under foot and that the strength given to it by organization is its only effectual defense against the else unchecked tyranny of capital, eager for profit and reckless of others' rights. The power developed by organization may be abused, like any other power, but labor is helpless and a prey without it. We hold, therefore, that trades unions and similar compacts, though often abused, have, on the whole, effected great good; that, through their instrumentality, labor is better paid and its rights better served and better understood than otherwise would or could be. Such being the case, the right of co-operation should be upheld, not only in theory but in practice. Its surrender would remove the most powerful instrument in the hands of labor to withstand the exactions of capital. It should be cherished as a natural and legal right, as the sheet anchor of prosperity. Experience has proved that strikes and lock-outs, which lead to violence and destruction of property, afford no satisfactory relief. Workers cannot afford to resist the law. Neither can they afford to sit idly down and allow wealthy corporations to do the same, when, by so doing, they place a direct tax upon their employes and use the same to defeat the ends of justice. By observing the law, by defending their own interests with knowledge and foresight, by wisdom and prudence in their conduct, honest men create a public opinion which, in the end, is sure to bring justice.

I wish to state it is my honest belief that what I have said of the Brotherhood of Locomotive Engineers and its workings on the Chicago & North-Western railway is substantially true of the engineers', conductors', firemen's and trainmen's organizations and their workings on other roads.

Gentlemen, the war between capital and labor, notwithstanding the fact that it should not be, is nevertheless being waged throughout the length and breadth of our land. I would like to ask you, gentlemen, is it better that organizations advocating the principles advanced and understood by those who have been before the country with a well known his-

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tory for over a quarter of a century, be encouraged in their ways of dealing on the side of labor, or is it better to discourage intelligent, conservative organization and take the chances on what is almost sure to followwhen capital in its greed shall oppress the disorganized, discouraged and downtrodden masses who, under similar conditions, have in the past resolved themselves into anarchy?

We had expected a gentleman to be present who would be able to give some comparative statements, showing why the insurance as conducted by our organizations is more desirable to us and for the benefits received is much cheaper than is conducted by the Chicago, Burlington & Quincy, saying nothing about the fact that we have the right to legislate in our insurance to suit ourselves, and ours is no bar to action for damages. To-day I received information that the gentleman referred to is sick, and we very much regret that he cannot be with us. There are gentlemen, some of whom represent the organizations that I have referred to, who will handle more in detail the subject under discussion.

MR. WILLS: Mr. Chairman—I would like to introduce Col. J. F. Kingsbury, who represents the Brotherhood of Locomotive Firemen of Iowa

 $\label{eq:Chairman: Gentlemen-1 introduce to you Colonel Kingsbury.} \\ \text{(Colonel Kingsbury reads as follows:)}$ 

Mr. Chairman, and Members of the Committee on Ratiroads of the Senate:

Gentlemen—The gentleman who has preceded me this evening has endeavored to show you to some extent the advantage of our brotherhoods to the men employed on railroads, and also the relative position of the two insurance associations, namely, insurance as operated by the brotherhoods and that known as the Voluntary Relief association as now in force on the Chicago, Burlington & Quiney railway. It is my purpose to say a few words relative to local insurance as used by individual lodges and divisions of our railroad organizations in the protection of its members in case of sickness or injury. Organizations known as Mutual Relief and Benefit associations are springing up very fast in our respective organizations, where the members by paying a small amount per month are paid a stipulated amount per day or week in case of sickness or injury. While it is a fact that the insurance connected with the different railroad organizations is compulsory, this association is purely and every sense of the word voluntary.

As men in the actual employ of railroads it is our aim and desire to protect our wives and little ones in every way possible fully realizing the dangers we are constantly subjected to in either being maimed for life or killed outright or injured in such a manner as to be laid up for weeks together, and in doing this we only act the part of all humanity when we claim the right to secure this as cheaply as possible. Therefore we claim that all men should have the right to take out this protection for their families wherever they can get the best for the least money, and not be compelled to sign such articles of agreement as are contained in the regulations of the Burlington Voluntary Relief association, in which the following contract is entered into by the association and the employes of that road:

## APPLICATIONS.

Membership in the relief fund shall be based upon an application in the following form:

i, of in the county of and state of the county of the chicage, Burlington & Quincy Railread company as the chicage, Burlington & Quincy Railread company as ment of said company, and conseat and agree to be bound by the regulations of said relief department, which regulations I have read or have had rend to me and by any

other regulations of said department bereafter adopted and in force during my membership, and by any agreement now or hereafter made by the said company with any other corporations now or hereafter associated with it in the administration of their relief departments

I also agree, that the said company, by its proper agents, and in the manner provided in said regulations, shall apply, as a voluntary contribution from any wages.

Unless I shall bereafter otherwise designate, in writing, with the approval of the superintendent of the relief department, death benefitshall be mayable in my wife thus band), if I am married at the time of my death or, if I have no wife thusband living, then to my stilldren collectively, each to be eathlied to an equal share, including, as entitled to the parents abare, the lease of any deceased chief or, if there be no chiddren or such issue living, then to ... if living; and, if not living, then to my father and mother jointly, or to the survivor; or, if outline be living, then to my next of kin, payment is behalf of such next of kin to be made to my legal representatives; or, if there he ne such next of kin, the death benefit shall lapse, and the amount thereof shall remain as a part of the relief togs without claim for the same.

Any feneral or other expenses incident to my death, which shall have been paid by the substitutesdest of the relief department. In accordance with the regulations, shall be held to be in part payment of the said death benefit, and shall be dedicted from the total amount thereof before payment to the person or persons entitled to recult

I also agree, that in consideration of the amounts paid and to be paid by said nompany for the maintenance of said relief department, and of the guarantee of said company of the payment of said benefits, the ac optance by me of benefits for injury shall operate as a release and satisfaction of all claims against sold company and all other companies associated therewith in the administration of their relief departments, for damages arising from or growing out of said injury; and further, in the event of my death, no part of said death berefit or unpaid disability benefit shall be due or payable unless and ustil good and sufficient releases shall be delivered to the superintendent of said relief department, of all claims against said relief department, as well as against said company, and all other companies associated therewith as aforesaid arising from or growing out of my death, said releases having been duly executed by all who wight legally assert such claims; and further, if any suit shall be brought against said company, or any other company associated therewith as aforesaid, for damages urising from or growing out of injury or death occurring to me, the benefits otherwise payable and all obligations of said relief department and of said company created by my membership in said relief fund, shall thereupon be forfeited without any declaration or other act by said relief department or said company.

I also agree, that this application, upon approval by the superintendent of the relief department, shall make me a member of the relief fand, on and from the date specified in such approval, and constitute a contract between myself and the said company, and that the same shall set be avoided by any change in the character of my service, or locality where rendered, while is the employment of said company, nor by any change in the amounts suplicable from my wages to the relief fund, which I may becarfor consent to, and that the agreement that the above mand amounts shall be appropriated from my wages shall apply also fany other amounts which I may agree to pay under the provisions of said regulations, by reason of changes made as aforesaid, and shall constitute an appropriation and assignment in advance of such portions of my wage, to the said company in trust, for the relief fund, for the purpose of maintaining my membership therein, which assignment shall have prescedence over

any other assignment by me of my wages, or of any claim upon them on account of liabilities incurred by me.

I also agree, that my being transferred to the service of any other company associated with said company in the joint operation of their relief departments shall operate to transfer my membership in the relief fund of said company to the relief fund of the company to the service of which I am transferred, and that this application and contract shall thereupon become bloding between me and such other company, the same as if originally made by me with such other company,

I certify that I am correct and temperate in my habits; that so far as I am aware I am now in good health, and have no injury or disease, constitutional or otherwise, except as shown on the accompanying statement made by me to the medical exam-

iner, which statement shall constitute a part of this application.

I also agree, that any untrue or fraudulent statement made by me to the medical examiner, or any concealment of facts in this application, or any attempt on my part to defraud or impose upon said relief fund, or my resigning from, or leaving the service of the said company, or my being relieved or discharged therefrom, shall forfeit my membership in the said relief fund, and all benefits, rights or equities arising therefrom, except that such termination of my employment shall not do the absence of any of the other foregoing causes of forfeiture) deprive me of any benefits to the payment of which I may be entitled by reason of disability beginning before and existing at such termination of my employment, nor of the right to continue my membership in respect of death benefits only, as provided in said regulations.

In the organization of which I have the honor to be a member, namely, the Brotherhood of Locomotive Firemen, we have three different policies of insurance, one for \$500, one for \$1,000, and one for \$1,500. The first costs us about \$10 per year, the second about \$18 and the third about \$24. and we receive the full face of the policy upon death or total disability, And, in connection with the local insurance which I mentioned before, it keeps our families protected to some extent and we have the satisfaction of knowing that it does not act as any bar to recovery for damages in case of injury or death through the negligence of corporations.

Gentlemen, I wish to say right here that we are voicing the organizations of railroad employes of this state when we say that we are heartily in favor of the amendment to section 38, chapter 5, title 10, known as the "Temple amendment," and do most respectfully ask, in the interests of the 28,000 railway men of Iowa which we represent, that you report this amendment to the senate favorably and that you assist us by every honorable means to secure its passage through the senate.

Gentlemen, we come before you knowing full well our inability as orators, but we come as the men actually affected. We ask nothing but what is right in this matter and we believe the railroad employes of this grand state have the ability and brains to manage their own affairs as to what insurance and what amount they wish to take out. It has been said by a certain few that we are trying to break up this insurance on the Chicago, Burlington & Quincy railroad. Gentlemen, we assure you that such is not the intention of this committee. In fact, we do not care how many such societies they maintain, but we do care when such associations try to defeat the very law as laid down in our statute books for our protection. We are not have to fight the railroad corporations of the state. In fact, we stand shoulder to shoulder with them where our interests are identical, but we do believe that if the Chicago, Burlington & Quincy railroad is successful in defeating the law through an association such as is in operation on that road, it is only a question of time when every railroad in the state will adopt the same organization. I believe you can see as well as we do that if it was not a great benefit to that road they would



not put themselves to the trouble they have in trying to defeat the aforesaid amendment.

In conclusion I will say that without any doubt nine-tenths or more of the railway employes of this state are looking to you for relief in this matter.

SENATOR CARROLL: Mr. Chairman—Will the gentleman permit a question?

CHAIRMAN: Colonel, are you willing to answer him?

COLONEL KINGSBURY: I will try to the best of my ability.

CHAIRMAN: I would like to say to the committee, both of
the house and the senate, that we would like to hear questions
propounded by them, and if there is any gentleman in the room
who desires to ask questions he may feel free to do so.

SENATOR CARROLL: Mr. Chairman—One question came to my mind in the beginning of the reading. He spoke of the employes in the Burlington system being compelled to sign this certificate. I would like if the gentleman would give us all the information on that subject he can.

MR. WILLS: If the gentleman will waive his question, I will say that that will be shown further on.

REPRESENTATIVE BRIGHTON: Mr. Chairman—I would like to ask what men joined the association. It has been stated that 40 per cent do not belong to the Voluntary Relief association. What does this 40 per cent do? Are they section hands?

COLONEL KINGSBURY: My understanding is that it is the old employes.

REPRESENTATIVE BRIGHTON: You misunderstand my question. I want to get at the fact as to who are expected to join the relief association.

COLONEL KINGSBURY: My understanding is that all employes of the system are supposed to join it.

REPRESENTATIVE BRIGHTON: Are there any reasons why

the section hands should join it?

COLONEL KINGSBURY: I don't know how to answer that question. My understanding of it is that it is open to membership to any employe of that system. I am willing to admit, gentlemen, that as far as this relief a sociation is concerned I am not any too well informed on that subject, as we have never had any such thing on our road, and, as I understand, there is only this one particular road that has it in operation.

REPRESENTATIVE BRIGHTON: What road do you run on. COLONEL KINGSBURY: On the Chicago & North-Western.

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REPRESENTATIVE BRIGHTON: Mr. Chairman—I would like to ask, and I think these gentlemen here would like to be informed how this beneficiary association of the Burlington road works to the injury of employes on other roads. Now, this organization or department, as they call it, has been in force some eight years, and we have had no such thing as this Temple amendment during that time. Now, has your association been hindered by it, and how have the employes of other roads been affected by this condition of things upon the Burlington system?

MR WILLS: I think if the gentleman will waive the question we will be able to show, or attempt to show, how and why it

affects us.

REPRESENTATIVE BRIGHTON: Do you represent a complaining brotherhood of the voluntary relief department of any road?

Are you their representative here, or do you speak for those roads and those persons where there is not any voluntary relief department.

COLONEL KINGSBURY: I will say that I represent the entire firemen and locomotive engineers of the state of Iowa. The voluntary relief has no connection whatever with our brotherhood.

REPRESENTATIVE BRIGHTON: And your brotherhood and yourself also have had no personal experience in voluntary relief?

COLONEL KINGSBURY: No, not as far as I am personally concerned, but some of our brotherhoods have had experience with it. However, I will say that if you will just follow up our line of argument, we will endeavor to show you that we are representing just what you are attempting to obtain from me.

REPRESENTATIVE TEMPLE: Mr. Chairman—I would like to ask the gentlemen from Jefferson if he is acting as attorney for any party here or as a member of the senate committee.

REPRESENTATIVE BRIGHTON: I wish to say that I am not acting as an attorney for anyone, and that the courtesy of the senate has been extended to any gentleman in the room, and voiced by the distinguished gentlemen who is presiding over this meeting.

SENATOR ROWEN: Mr. Chairman—These gentlemen have come before us for the purpose of being heard on their side of this question and I think that they ought to be allowed to proceed without further interruption.

CHAIRMAN: I would say to Senator Rowen that these gentlemen consented to be asked any questions that the gentlemen present here should see fit to ask.

MR. WILLS: Mr. Chairman and Gentlemen—I would like to introduce to you Mr. E. O. Haven, who represents the Brother-hood of Railroad Trainmen.

CHAIRMEN: Gentlemen, this is Mr. Haven, who represents the Brotherhood of Railroad Trainmen, and is from Waterloo. (Mr. Haven here read his paper, as follows:)

DES MOINES, Iowa, March 3, 1897.

We do not come before this honorable body with imperative designs. We fully appreciate your ability in your calling, and it the more embarrasses us in our endeavor to bring certain facts of interest and importance not only to yourselves in framing laws by which to govern the masses of the people of this state, but of vital importance to a large portion of your constituents. those belonging to labor organizations in an especially hazardous occupation. I have been delegated to come here to represent the Brotherhood of Rallway Trainmen of the state of Iowa My degree of representation is not limited to any one railroad system or locality, but embraces the entire state. The Brotherhood of Railway Trainmen has been established to promote their general welfare and advance their social, moral and intellectual interests; to protect their families by the exercise of systematic benevolence. It is the aim of this organization at all times to establish a good understanding between the members and their employers; to establish mutual confidence and create and maintain harmonious relations. The benefits derived by members of the Brotherhood of Railway Trainmen do not stop on receipt of their insurance benefits. The laws of this brotherhood provide for boards of adjustment of different wrongs and grievances sustained by its members This board or grievance committee provided is the only way or means by which our general masses can come before our general officers and express our wish and arrange a proper adjustment of their differences. It is also one of the means by which we are here to-day to express to you in our humble way the desires and wishes in detail of a large portion of the laboring men of this state and especially those of railroad occupations.

It is not our intention to speak or use any influence that would be detrimental in the least to any benevolent association; but it is impossible for me to conceive any virtue in any organization that would be affected by the Temple amendment. This amendment does not take away the right of a person to make a legal, fair and honorable contract, but it does make a distinction between an insurance policy contract and a contract of release to corporations who are liable by law for damages sustained by any of its employes, or members of the insurance association in case of negligence. It seems to me that this amendment is just and fair, inasmuch as it only strengthens and supports the true virtue of the laws that have already been enseted.

The voluntary relief department is a special department of certain rall-road companies' business, and is a scheme whereby the corporations may

exact money from their employes to either defray the expenses of the company in case of litigation or settle claims of personal injury, where recovery by law would be greatly in excess of the amount received from the insurance company and would come from the treasury of the corporation. I will endeavor to make plain to this audience that the voluntary relief department is not a department to protect company employes, but is a department to protect the company in case of personal injury to its employes. The relief department has called the entire criticism that I make on itself, by its own unauthenticated statements. The relief department is a department whose directions in carrying out its regulations are to be complied with, and this superintendent is subject to the control of the president of the corporation.

There shall be an assistant superintendent who shall be possessed of all the powers of the superintendent, in his absence, and shall at all times perform such duties as may be assigned to him by the superintendent. There shall be a medical director who shall, subject to the approval and control of the superintendent, appoint medical examiners, assign them to districts, direct their work and have general supervision of the medical and surgical affairs of the department. The medical director may be the same person as the superintendednt or assistant superintendent. The superintendents, assistant superintendents and medical director shall be designated by the president With these provisions, this relief department have an executive and medical staff which are under the entire control of one man, and he, the president of the railroad corporation. There is, aside from this executive staff, an advisory board or committee of the several companies adopting this scheme, consisting of fourteen members, six chosen by the employes and six chosen by the board of directors of the different companies, besides the chairman and secretary or superintendent, making the fourteen members. These figures alone convince me and should convince any man open to conviction, that this entire department is controlled entirely by the corporation and used to defeat the ends of justice to its employes. Our honest, unbiased opinion of the part the employes of this company take on the advisory committee is to vie with each other for favor in the eyes of their superior officers. This is only natural that they should, as they strive in the regular discharge of their duties, to seek advancement by doing well what they do to please the men they are working for.

In continuance of this line, I desire to present to this committee a letter from an employe of this company, the Chicago, Burlington & Quincy, for your consideration. Although the writer has made no request for me not to use this letter or his name, I desire to be prudent in the matter and, for the sake of the writer, I request that his name be kept to the members of this committee. The portion of this letter with regard to this amendment reads as follows:

OTTUMWA, Iowa, March 1, 1897.

DEAR SIR—Your letter of the 28th reached me yesterday. In regard to the Temple amendment I will tell you how the majority of us stand. We are surely in favor of it, for no class of men in the states are burdened with such a misance as the employes of the Chicago, Eurlington & Quincy railroad company are with this relief department. Of course, we are compelled to be a member and pay \$8.50 a month and then, in case of

E. O. Haven, Des Moines, Iowa:



FITTING ROOM, GREEN-WHEELER-SHOE CO JFT. DODGE.

an accident, we have to take just what they want to allow us. Our officials here took a very high-handed stand in regard to the Temple amendment. They posted notices calling for a meeting yesterday of all members of the relief department. We wasn't supposed to know what the meeting was called for until we got there, but we did. It was talked around and we concluded it would be best to stay away; although the notice read that each and every one make a special effort to be present. So most of us did stay away and worked to keep others away. About twenty-five or thirty of the most timid ones were present and what they did would make a slave hang his head in shame. I will send you clippings of the paper so you can see what was done. The resolutions that were passed were all drafted by the officials beforehand and presented for us to sign. We will write jetters, under the seal of our lodge, to our senator and representatives, explaining the situation and telling them how we feel about the matter and what an injustice has been done us. I have talk-d with several of the boys to-day and every one of them talks the same way. We will surely do all we can for the Temple amendment. Let us hear from you as often as you can. Yours in B. L.

In making substantial this letter and the few remarks, I present affidavit of R. E. Chambers:

POLK COUNTY. 88.

In August, 1895, I. R. E. Chambers, approached the trainmaster, Mr. C. W. Hohause, of the B. & M. railway, at Edgar, Neb., and asked for a position as braisemum. Needing men at that time, he presented me with a blank application form to fill out. One of the questions asked in the form was: "Do you wish to join the voluntary relief department?" My answer was: "No." He was watching me fill out this blank form, and when I answered this question in the negative he said, "That won't do." I asked him why, and he replied that any man hiring to this company must join the voluntary relief department.

Subscribed and sworn to.

(Signed)

R. E. CHAMBERS.

Also, affidavit of C. F. Steele, which reads as follows:

I. C. F. Steele, sought and received employment on the Burlington & Missouri River railway, at Alliance, Neb., in October, 1891. I joined this relief association in Class 2, that I might receive employment. I was injured at Seneca, Neb. a division point, by being in a caboose there when a train came into the yards and ran into the caboose in which I was, killing one man, injuring myself; there being three men in the car. The third man escaped without injury. My lojuries were in the nature of cuts about the head and body and bruises in general, which did not finally result. however, as permanent. I was laid up for a little over thirty days, and was confined to my bed for two weeks. The medical examiner of this division, C. B. McClelland, did not come to me until the third day after this accident. He then placed before me a filled out form which is furnished by this voluntary relief department, and which stated the time in which I would be ready for work, and stipulating the amount of indemnity I would or was entitled to receive, which, in my case, was filled out for three days. I refused to sign or accept this form. He told me that my indemntty and medical aid ceased then and there. I was unable to raise from my bed at this time. The next day I sent for him to call and see me again. He refused, so I continued the services of the doctor who had previously waited on me, at my own expense. Then, a day or so after, I sent for the medical examiner again that I might have a better understanding with him, of the amount of indemnity I would receive. After stating my reasons for sending for him, he accused me of being an imposter and misused me by using abusive language. I took decided exceptions to his statements and cursed him for his abuse, for which I was dismissed from the services of this company and did not receive one cent of indemnity for which I had contributed. O. F. STRELE. (Signed)

Subscribed and sworn to.

We are in receipt of letters every day from members of this relief department, praying that we will be successful in having this amendment become a law. It is impossible for us to use these letters as the writers request us not to, believing and knowing as they do that it would be

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taking away their mode of providing a living for themselves and families. We know there is an undercurrent of feeling existing among the employes of "Q" road that is being held in check by very conscientions and conservative leaders, and should this feeling be not fully controlled, the disaster caused by the Debs union in 1804 would have repeated itself before this with multiplied disaster and auffering. The president of these United States has the credit of suppressing the revolt referred to, while the greater part of praise is due to the honest, conservative heads or leaders of such organizations as the Brotherhood of Locomotive Engineers, Order of Railway Conductors, Brotherhood of Locomotive Firemen and Brotherhood of Railway Trainmen.

Gentlemen, in consideration of these few remarks, in connection with the letters and affidavits from different employes of the Chicago, Burlington & Quiney system, I am willing for you to judge who is the properly authorized person to express the wishes of the railway trainmen, not only of the "Q" system but of the state of lowa, in a legislative sense.

I thank you for your attention.

Mr. WILLS: Mr. Chairman—I would like to introduce to you Mr. William Knight, who represents the Order of Railway Conductors.

CHAIRMAN: Gentlemen, we will listen to Mr. Knight, who represents the Order of Railway Conductors.

(Mr. Knight here read his paper to the committee.)

Mr. Chairman and Gentlemen of the Committee:

It is my desire to speak to you for a few moments from the standpoint of one, who, having by reason of his position in the ranks of organized labor, as an officer in one branch of its service, has been brought into close touch with a considerable per cent of the members of these railway organizations in this as well as in several other states. I desire more particularly to call your attention to certain facts as I know them to exist to-day.

It is conceeded by all thinking men in the ranks of these rallway orders that although the "atrike weapon" may possibly be a good club to hold, it is a very poor one to use, and should never be resorted to until every other means that can be devised to settle our differences with our employers has been tried, and that the day for resorting to at-likes to maintain our rights is practically gone by Especially is this true because of the great army of idle men throughout the country, many of whom, as has been demonstrated in the past, are ever ready to take advantage of such occasions to commit lawlessness and create riotous disturbances.

We fully realize that ours is a quest public service and that our conduct must, at all times, be such as will command the respect and sympathy of the public at large, and while we would not be, in any way, responsible for the lawless acts committed, yet they would certainly be laid to us, and our cause injured in proportion to their extent; therefore, it has been decided that some other means of maintaining those rights and privileges so dear to us all must be adopted. Such being the situation as we see it, where else could we look for relief except to the law-making bodies of our land?

The formation of the legislative board is the outcome of these conclusions. We realize that the time has arrived when we must look to legislation, both state and national, for the redress of the wrongs that may be heaped upon us. Thus, it has been decided by the railway employes, members of the brotherhoods, residents of this state, that they will, like their employers, have some one at the capitol to look after their interests during the sessions of the general assembly. Not only is this true of this, and several other states, but there are also kept at the national capitol representatives of these orders to look after our interests in that direction.

It is the general opinion among the laboring men throughout the length and breadth of our land to-day, that matters are getting to such a pass that, while it is a very easy matter for the rich to get laws enacted and courts to decide in their favor, it is getting more and more difficult each year for the laboring classes to get laws enacted or, if enacted, to have them executed by the courts-that are more directly to their benefit; that combinations of capital, known as trusts and corporations, may violate the laws of the land almost with impunity; while on the other hand, the man with small means, or no means at all, and without political influence, is made to feel the heavy hand of the law for the slightest misdemeanor, and should be forget himself so far as to continue to insist on demanding justice for himself and co-employes after some judge in his infinite wisdom has decided (widely in the interest of the corporation or trust) that he must not do so, he is liable to be thrown into prison for contempt of court-for contempt of the opinion of a man who sets himself up as the prosecutor, judge, jury and everything else that is supposed to go to make up a court of justice in this land of free and equal rights to all

Then again, it is a fact, in the minds of the thinking men in the ranks of organized labor, as well as of many others, there exists a feeling of almost dread of what the future has in store for this great republic of ours. It is a fact that we, who are close enough to these men to hear them express opinions that they would not care to express in public, are ofttimes surprised to hear men whom we have known for years to be very thoughtful and conservative in every way, express murmurings of discontent and opinions that ofttimes verge upon anarchy and treason. I assure you, these are in no way the pessimistic creations of my own brain, but are the oftenpressed opinions of the laboring men of this and other states, with whom I have recently come in contact.

Now, as regards the matter in the interest of which we have asked your indulgence this evening. I desire to say, first, that I am in no way antagonistic to any relief or other association which may be a benefit to any great number and is an injustice to none, and which is carried on under a liberal construction of the laws of the state. Neither am I in the least particular autagonistic to the best interests of any railway company in this or any other state. I assure you, no one realizes more fully than I do how nearly identical the interests of the railway employes and railway companies are; also, none realize more fully than I do the mistake that has been made by a great many people in the past in thinking that, because our interests are so nearly identical with the interests of our employers, we can have no interest in common with other laboring men, and especially with the agricultural portion of our population. These conclusions are all wrong, and we propose to show to the other laboring men and farmers of

this state that we are more broad and liberal, and more independent of the railway company, than they have given us credit for being. We propose to show to all that we are not only going to look after our interests as railway employes, but that we have the interest of all at heart, and will unite in assisting to better the condition of all.

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And now, briefly, as to the amendment asked for. The Ninth General Assembly enacted a statute known as "The co-employes liability act." This was intended to protect employes engaged in the extra hazardous occupation of operating our railways, etc., making the companies liable for injuries sustained by an employe, while in the discharge of his duties, and specifically says "that any contract which restricts such liability shall not be legal or binding." This has been declared to be good law and good public policy by some of the highest courts in the land, and the railway companies in this state have never succeeded in shirking that liability until recently, when one of them, taking advantage of the decision of sertain courts, which held "that if the company, in any way, contributed to the maintennace of an insurance or relief association, and the employe became a member of such association, and after having been injured, accepted any part of the premium agreed upon in such insurance contract, then he or she could not recover under the statute referred to, for such injury."

This, it seems to us, is allowing the railway companies to not only escape their just liability, but is allowing them to force their employes to contribute to a fund that is to be used by the railway company, to settle for that which the law plainly says they alone shall be liable. If the railway companies desire to operate insurance associations, they should be placed in the same position under the laws of the state as other associations of this kind are placed. It certainly can never be good policy to allow corporations to devise such schemes as this, so that they may not only be able to evade the law, but, as we believe is the purpose, to keep their employes more thoroughly under subjection and render them less independent

This contract of insurance does, according to the decision of our courts, allow the companies to escape their common law liability, and it is from these court decisions that we ask relief. We ask that an amendment be adopted that will cover this particular point, and that will compel the courts to render decisions in accordance with the intent and purpose of the law.

Gentlemen, it has been the boast of the railway employes of this state that we had as good, if not the best, set of laws for the protection of railway employes of any state in the union, and I beg of you, in the name of the 28,000 or 20,000 railway employes of the state, that you report favorably upon this measure, so that not only may justice be done to all, but that it may still be our boast that our laws are second to none and are superior to those of many of our alster states

I do not presume to think that I have presented any new facts to you, but have only tried in my humble way to lay before you the situation as I know it to exist, and in conclusion will only say that in asking you to support the Temple amendment I am only carrying out what I candidly believe to be for the best interest of all our people, and what I know is the earnest desire of my constituents throughout the state.

Gentlemen, I thank you.

W. F. KNIGHT,

Chairman Iowa State Legislative Board, Order Railway Conductors.

Mr. Wills: I would next like to introduce to you Mr. Pike, who is one of the brothers that represents the Brotherhood of Railroad Trainmen.

(Mr. Pike was introduced by the chairman and read a paper and extracts from several letters received from employes of the Chicago, Burlington & Quincy railroad addressed to Hon. L. M. Kilburn.)

Mr. Chairman and Gentlemen of the Committee:

The gentlemen who have preceded me have covered the ground very thoroughly and have left nothing of much interest to be said.

We do not wish to appear arbitrary in this matter, neither do we wish to have thrust upon us an insurance which will take from us the rights of freedom and recourse to law which every citizen of this country should enjoy. It has already been explained to you the benefits we derive from our brotherhoods, and they are composed of the best class of men in the employ of the railroads to-day, who do not wish to have some corporation insurance scheme drive them out of existence We have a record of which we are not ashamed and which we will stand by at any and all times. We cannot see where this amendment will affect or prohibit the corporations from continuing their insurance company if they so desire. That being the ease, their opposition must be purely a selfish one, and we think it is a direct way of forcing our brotherhoods to suspend business. They claim it is not compulsory, but there have been affidavits submitted to you to the contrary, and we are in receipt of letters daily from the railroad men of lows urging us to greater efforts in their behalf, and I must say that a large part of them come from men employed on the Chicago, Burlington & Quincy system, who pledge us to withhold their names for fear of dismissal from the service of the company. And we think from these appeals that we represent a majority of the men on that system, notwithstanding statements to the contrary.

I have a Burlington Hawkeye of March 1st, also an Ottumwa Courier of the same date, in which is an article describing a large meeting held in these two cities, on Sunday afternoon at 2 r. M., in which resolutions were passed favorable to the Burlington relief; and although those two cities are several miles apart the resolutions are identical in wording, showing conclusively that they sprung from the fountain-head of that company. And now, gentlemen, in a spirit of justice toward all and malice toward none, we sak you to make a favorable report on this Temple amendment to your honorable body.

With your indulgence I will read you extracts from some of the letters which we have received:

The men from this place who are in Des Moines, working against you and against the Temple amendment, were sant by the railroad company, so as to make it appear that the employes were there in person to protest against the bill. That is the impression they want to give to the senators and representatives; but there was not an employe knew they were going, so you don't need to this that they represent the employes, for they do not. We pay our money to this relief department in advance and there is no reason why we should be compelled to sign a release to get what we paid for. They call this the Volentary Relief, but they will not employ any man who does not become a member. I could give you numerous cases where they have abused the insurance.

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We want you to go ahead and not be governed by what those men say, as you represent us, and they represent the railroad company, and we insist that you take as much care of the memors of the Chicago, Burlington & Quincy as you do those on other lines in the state. Do not let these men fool you as to what the members on the "Q" want, and you may ree Lassured that your brothers so the "Q" will not only pay their share of your expenses, but will ever praise you for your efforts in their behalf.

SEVENTH BIENNIAL REPORT OF THE

Is regard to the Temple amendment I will tell you how the majority of us stand. We are surely in favor of it, for no class of men in the state are burdened with such a nulsance as the employes of the Chicago, Burlington & Quincy Railway company are with this relief department. We are compelled to be a member and pay \$2.50 per month, and then, in case of accident, we virtually have to take just what they want to allow us. Our officials here took a very high handed stand in regard to this amendment. They posted notices, calling for a meeting of all members of the relief department; we wasn't supposed to know what the meeting was called for netil we got there, but we did know, and it was talked around and we concluded it was best to stay away, although the notice read that each and every one make a special effort to be present, and so most of us did stay away and worked to keep others away, but about twenty or thirty of the most timid ones were present, and what they did would make assave hang his head in shame. The resolutions that were passed were all drafted by the officials beforehand and presented for us to sign. I have talked with quite a number of the boys to-day and every one of them talks the same way. We will surely do all we can for the Temple amendment.

The great majority of the employes on the Chicago, Burlington & Quincy at this place are heartily in favor of the Temple amendment, because they all realize what it is and what benefit it would be to our wives and little ones, but every one is afraid to say a worf for it, for our efficials between Burlington and Council Blufs would understand who was working for this amendment and would immediately disniss us from their service. I have talked to nearly all of the employes here and they are afraid to say that their souls are their own. The company is compelling their employes who belong to the relief department to make sworn affidavit to do all in their power against the Temple amendment. Nearly every man in the service is in favor of this amendment, but they dare not openly express their opinion in its favor, as we are watched constantly by the emissaries of the company, and any language which we might express to favor of it would immediately be reported to our officials.

These, gentlemen, are fair samples of many letters which we have received. I will not encroach further on your time, but thank you for your indulgence

MR. WILLS: Mr. Chairman—I would like to introduce to this committee Mr. Hinkson, of Stuart, whom I would be glad to have make a few remarks on this subject.

CHAIRMAN: Gentlemen, Mr. Hinkson.

MR. HINKSON: Mr. Chairman and Gentlemen—It might be proper, perhaps, for me to state how I happened to be here on this evening. Some three or four days ago I received a letter from a friend of mine, working on the Chicago, Burling. ton & Quincy system, an engineer on the railroad there, a copy of a portion of which letter has just been read to you. He requested that I should write to some of our senators and try, in the name of humanity, to help the boys on the system, and I showed it to Mr. Traver, an engineer there who has resigned and gone into business, and told him I had a notion to come down to Des Moines and try and help the men out the best I

could, and he suggested that he would come too. We arranged to come on this afternoon train and knew absolutely nothing about the meeting of this committee, had no expectation what ever of being here before you, but I desire to say to you, gen tlemen, that I had the letter in my pocket written by this man. a man that I have known since probably 1878. I know him to be an honorable, upright, straightforward man, and a man of more than ordinary intelligence and education among the rail. road men; and there is a little bit of it that was not included in that and if you desire I will read that portion of it, but I wouldn't under any circumstances reveal his name, because he requested it shouldn't be done, and the reading of the letter would plainly disclose the reason why his name should not be divulged. [Here reads letter.] That is the letter that I received. gentlemen, and it was in obedience to that that I came to Des Moines. I know this man and know him so well that I want to say that he is responsible and reliable in my judgment in every way whatever.

MR. WILLS: I want to say, gentlemen, that Mr. Hinkson is mayor-elect of Stuart, and would also say further that this committee, representing the employes, did not know that he would be with us. Mr. Hinkson came to me this evening with two gentlemen that I know to be highly respectable as locomotive engineers and one as a business man of Stuart. I am personally well acquainted with these men and can vouch, if necessary, more than has already been said by Mr. Hinkson.

SENATOR BERRY: Mr. Chairman—I would like to ask Mr. Hinkson a question, and before I ask it I want to say for the benefit of the committee that I have known Mr. Hinkson for a great many years and know him to be a man thoroughly reliable. I would like to know how long this man who wrote this letter has been at work on this Chicago, Burlington & Quincy system?

MR. HINKSON: I think he went to work about the time of the strike of locomotive engineers. I don't remember the year, but I think it was at that time he went to work there. He was an engineer of good standing.

Q. Had he run on any other system before that?

A. On the Rock Island.

Q. Did he live at Stuart?

A. Yes, sir.

SENATOR RANCK: Mr. Chairman—I would like to inquire if, as his letter says, 99 per cent of the workmen on that system condemn the Burlington Relief department.

A. All I know is he is a prominent man among the engineers and he says, judging from the sentiment there, that is the sentiment of at least 99 per cent. You will notice that is the way he puts it.

MR. WILLS: Mr. Conway has been employed on the "Q" system and came to us because the railroad employes took up a collection that he might come here and through the committee of railroad employes state his case to the railroad committee of the senate. Mr. Conway does not seem to be present. I was informed a minute ago that he was last seen in company with Mr. Hunter, the postmaster.

MR. HUNTER: Mr. Chairman—The statement of the gentleman is absolutely correct. When I came in the hall the gentleman came up and looked at me, saying, "I believe I used to know you a few years ago down in the western part of the state." I said, "Very likely; but," I said, "I don't recognize you." He said, "My name is Conway. I was injured at Red Oak some years ago, and," he said, "I used to know you when you was in southwestern Iowa." He said, "I am here for the purpose of attending this hearing." He says, "I was sent here by the engineers at Creston to appear before this committee this evening." Now that is all I know about Mr. Conway. If Mr. Conway is not here some other gentleman will have to explain for his absence.

MR. WILLS: The last I heard of him was as I stated. [Great laughter.]

Mr. Chairman—I would like to state further that Mr. Hunter was heard to tell this man Conway that this railway committee did not meet until to-morrow afternoon at 4 o'clock. Perhaps Mr. Conway will be ready to appear at that time.

MR. HUNTER: I would like to have that statement made again.

MR. WILLS: With your consent, Mr. Chairman.

CHAIRMAN: Certainly.

MR. WILLS: I have been informed that Mr. Hunter was heard to tell Mr. Conway that this railroad committee did not meet until 4 o'clock to morrow afternoon.

MR. HUNTER: I wish to state that that is absolutely untrue.

Mr. Conway said he was here to attend the meeting of this committee to night. He made that statement to me voluntarily, and I want to say, furthermore, that the statement is as I stated it.

He approached me at the door and I didn't reognize the man.



and I don't know that I ever saw him before, but he stated that he used to know me; but I didn't make that statement and I would like to know the gentleman that told you that I made the statement.

Mr. Wills: The gentleman is present. He may tell you if he desires to do so.

I would like to call upon Hon. L. S. Huntly.

MR. HUNTLY: Mr. Chairman-I hardly know what I am called upon to speak about. I suppose it is in reference to a conversation with a gentleman in regard to some statements - in regard to some facts-I gleaned from some of the employes of the Chicago, Burlington & Quincy last Monday while I was in Chariton. I arrived in Chariton along about 2 o'clock Monday and had not been out of my buggy five minutes until I was stopped on the street by some of the boys, employes of the Chicago, Burlington & Quincy railroad, and they told me about the meeting that was held in Chariton on Sunday and how that meeting was brought about, and I will say that it is just in line with the reports that have been read here to-night. They told me that there was not to exceed a half dozen employes out of 130 that live in Chariton that would endorse the sentiment of that meeting if they did not consider themselves compelled to do so or lose their job. That was the universal expression. and after these boys coming to me I concluded that, for my own benefit, I would look the matter up around among the railroad employes of Chariton, and after talking with those parties for a few minutes I thought I would go up towards the depot, and it is actually a fact that I was two hours in getting one block. I was stopped by the employes of the Chicago, Burlington & Quincy and they detained me for nearly two hours in traveling one block, and I talked with a good many of the employes there that day and they all told me the same story. They said there were not over seven men in Chariton that would not drop their relief association that day if they dared to. These are the facts as the men stated them to me, and I don't know, but I suppose that was all the gentleman wanted me to state.

Mr. Wills: Mr. Chairman.—I would like to ask Hon. R. E. Cook, of Red Oak, if he will kindly make a statement of facts of a similar nature.

CHAIRMAN: Gentlemen-Mr. Cook, of Red Oak.

MR. COOK: Gentlemen—My experience has been somewhat similar to Mr. Huntly's, in the same line, although perhaps not

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so large as his was. When I got out of my buggy Monday morning after I drove down town I was met by an engineer, and he wanted to know about this business. I explained to him so far as I could the Temple bill, and he stated to me that he was in favor of the amendment and he believed that most of the employes of the company were also; and he says you will get a petition in a day or two with a number of employes' names signed to it, and he says, "My name is signed on it with the rest; but," he says, "I signed this petition because I feared I would lose my employment if I did not sign it." Now, that is practically what some ten or eleven railroad employes of that place told me. After I met these gentlemen, in the course of ten or fifteen minutes I met another engineer that was going down to the postoffice; and the other gentleman having spoken to me as he did, I thought I would ask him and find out what his sentiments were; so I asked him about it. He is an old employe. I should judge he has been in the company's employ ten or twelve years; I have known him six years myself. I saw another employe when I came through, and he is a good man; I consider him in every sense reliable, and he told me practically the same thing-that he believed the majority of the employes were opposed to the "Q" system and were in favor of the Temple amendment. I talked with several others, some of them are freight handlers. Another, in particular, I talked to before I came away was an engineer at the depot. Now, I kind of inferred he might be on the other side, and he called me out to one side and said he wanted to talk to me; and when we got outside he told me practically the same thing the other gentleman told me, only he had one more thing to add: he said that the employes of the company will not be employed unless they go into the Burlington relief. All these gentlemen wished me to withhold their names, and I will have to do it, because they gave the reasonable excuse that they were afraid they would be discharged, and also afraid they would be discharged if they did not go into this relief department. Now, there were ten or twelve only of them in favor of the Burlington relief fund. One was a conductor and one other was a man that works around repairing pumps; those that have easy jobs were in favor of the Burlington relief fund.

MR. LAUDER: You are unprejudiced in this matter, are you,

Mr. Cook?

MR. COOK: I believe that I am. I can't see any reason why I should not be.

Q. You received a petition signed by a number of employes, did you not?

A. Yes, sir; I believe I stated these gentiemen told me I would receive one, and I have a petition with about sixty names on it.

Q. For what purpose was that petition sent to you?

A. That petition was not sent to me, to tell the truth about it. Mr. Long gave me the petition Monday. He didn't tell me what to do with it, but I proposed to deliver that petition to the house when necessary. If you, any of you gentlemen, desire that petition delivered to the house in the morning I will do so, or I will deliver it to the members of this committee. It is a matter of indifference to me, and I do not intend to withhold it at all.

SENATOR RANCK: I would like to inquire whether the subject matter of this petition pertains to the inquiry here.

A. Yes, sir; it is signed by sixty employes. I didn't count the names, but that is what Mr. Long told us. It is not in favor of the Temple amendment. He is agent for the railroad company—freight agent. He gave me the petition just as I was coming away from there. I didn't ask him anything concerning the relief fund, and he didn't make any statement to me; and I believe I have no prejudice in the matter. The petition, as I said, was against the Temple amendment.

REPRESENTATIVE DOUBLEDAY: From what you hear those employes say, do you think they signed that petition willingly or do you think they signed it under duress or for fear they might be thrown out of employment?

A. I say these ten gentlemen told me they signed it because they were afraid they would lose it if they didn't sign it.

MR. DOUBLEDAY: Mr. Cook, did those ten men who signed this petition tell you they signed it unwillingly?

A. They told me they signed it, and they were afraid for fear they would lose their places.

MR. DOUBLEDAY: Did any one of those ten men drop a remark that the other men who signed the petition did so for fear they might lose their place?

A. I wish to say that some two or three of these men that spoke to me said that this was nearly the universal feeling of the employes of the company.

SENATOR HEALY: Were you informed who it was that circulated the petition?

A. No, sir; I was not informed that it was circulated. I was informed that the men were called up to the office to sign it.

Q. Up to what office?

A. I don't know whether it was the telegraph office or what office it was; I can't tell you that part of it.

MR. HUNTLY: Mr. Chairman—I would say that I have a letter from Chariton confirming what I have stated, and if the committee desire it I will leave it with them to examine.

MR. COOK: Mr. Chairman—There is one thing I forgot. Mr. Long says when he handed this petition to me, "I don't suppose this will do you any good because the bill has passed the house." I remember that he stated that.

MR. WILLS: Mr. Chairman-I would like to have Mr. Porter, of Centerville, read a letter he has in his possession.

MR. PORTER: Gentlemen—There is not much in this letter, more than I received a copy of a resolution purporting to have been passed by railroad men at Moulton, in my county, and having heard these rumors, I wrote to a citizen there asking his opinion, and I will read his letter.

MR. WILLS: I would like to ask Mr. Temple if he will favor us with a few remarks upon this subject at this time.

SENATOR RANCE: Mr. Chairman—I would suggest that we are here to listen to these gentlemen on the facts. We are very much pleased to hear Mr. Temple, but we can hear him at any time on the other side of the house.

REPRESENTATIVE TEMPLE: I desire to be excused, because the committee desire to hear the men rather than a discussion of the principles involved in it.

MR. ED CORWIN: Mr. Chairman—There has been a number of things come up here to-night entirely unexpected, and we should like to have an opportunity to set some of these things right. Some of them we are positive, if we can have until next Tuesday night, we can put in entirely a different phase upon it. There have been two or three assertions, particularly, that have been made that are directly aimed at the employes of the road, that I don't believe the employes of the road want to let it stand in that shape, and I think it would be nothing more than fair and just to them to give them an opportunity to show you that at least mistakes have been made.



FT DODGE SHOE CU. DEPARTMENT, GREEN-WHEELER SECTION OF LASTING CHAIRMAN: I will say that to morrow we have a committee meeting and we will lay the matter before the committee and then the committee will decide, if they see fit, and we will let you know to morrow. I don't want to assume the responsibility of saying now myself, unless the committee shall determine here to night. I want to say here now that any questions, while we do not want any particular discussion entered into, any questions you are mind to ask these gentlemen are ready to answer.

MR. CORWIN: Mr. Chairman—There is one question I would like to ask Colonel Kingsbury. Presuming that the Temple amendment should become a law, what insurance can we give those who are not in any organization, but who are old employes of the Chicago, Burlington & Quincy, we will say from the fact that the relief department is in operation on no other road in the state, are old employes of the Chicago, Burlington & Quincy not members of any other organizations their employment does not give them an opportunity, their age has precluded the possibility of their going into any other insurance. Now, how are you going to provide for such employees?

MR. KINGSBURY: Mr. Chairman and Gentlemen of the Committee-I will answer the gentleman's question in this manner. Gentlemen, we believe that the insurance company as now in operation on the Chicago, Burlington & Quincy road works a detriment to our brotherhood. And we also believe that if that insurance company was not in force on that road that these men would be members of our brotherhood, and therefore would be protected by the brotherhood's insurance, and that is why we stand before you to-night, gentlemen, is because of the very fact that this insurance company as in operation on this road, we will admit, has weakened the brotherhood on that system. And why? Simply because the men that labor on those roads are not in position and do not earn the money to keep up three or four different insurance companies. That is the reason, gentlemen, and this, as I believe, we have shown you to-night, is a preponderance of testimony that it is compulsory insurance on that road - this relief business I mean - that you have got to join it and therefore, in general, they have to drop the brotherhood, because they cannot keep up the two, but if they did not exist, in answering the gentlemen's question, they would join the brotherhoods of our different organizations. That is the best of my ability to answer that question.

MR. ED CORWIN: The gentleman has not answered my question. I stated in the beginning that there were a large number of employes of the Burlington road in the relief department who are not eligible to either his or any of the other organizations, and as to the statement that he made with regard to weakening the organizations, I think he is in error there, from the fact that nearly all — I would not commit myself on the percent—but nearly all the conductors and trainmen of the Burlington system are members of the relief department and members of the organization on that road.

COLONEL KINGSBURY: I would like to ask the gentleman a question.

MR. CORWIN: I will try and answer it.

COLONEL KINGSBURY: I would like to ask you if this Temple amendment becomes a law, whether or not the Chicago, Burlington & Quincy system would not dissolve the relief association as now in force on that road?

- A. I think they would.
- Q. And for what reason?
- A. They would have no benefit; no reason to keep it up.
- Q. That is, in other words, the company would have no benefit?

(No response.) [Applause.]

SENATOR BERRY: I would like to ask Mr. Kingsbury a question.

CHAIRMAN: Will Mr. Kingsbury submit to the question?

MR. KINGSBURY: Certainly.

SENATOR BERRY: I would like to ask the same question asked by the gentleman here. If this relief association is dissolved and these men are not eligible to membership in any insurance departments of the brotherhood, how would these old men be provided for?

COLONEL KINGSBURY: Senator Berry, I would just like to ask your indulgence in this question, as I do not pretend to have the experience nor the age as a railroad man that some of my colleagues on this committee, and I want to say to you that I do not understand that there is any bar. If there is, I do not understand it so, and that is the reason why I said that if this insurance company was dissolved, that these men could enter the brotherhood of our different organizations. Now, perhaps our chairman, Mr. Wills, can answer you that question better than we can. I want to tell you, gentlemen, I do not pretend to

be an orator or speechmaker, and what I say to you is from the bottom of my heart, and I believe that I voice the sentiments of railroad men in general when I say it, that if this amendment is adopted, that the Chicago, Burlington & Quincy will dissolve; that is, every insurance company they have in operation, and for why? Because there would be no benefit in it to them?

SENATOR BERRY: Then there is another question I want an answer to: Is there any limit as to age or physical condition in the rule regulating admission to the insurance department of your brotherhoods?

COLONEL KINGSBURY: Not that I know of in my individual brotherhood. I can't speak for the rest.

MR. HAVEN: I would like to state, I think 45 years, and also the Burlington has a limit; we have a copy of their rules, but I can't just recollect the age or limit.

SENATOR BERRY: There are a number of us who would like to know definitely from these members of the brotherhoods whether there is any limit to age or physical condition to the insurance departments.

MR WILLS: There is.

SENATOR BERRY: Now, what would become of these older men of the Chicago, Burlington & Quincy employes too old to join, and in physical condition such that they could not join? Where would they get benefit if the benefit department of the Chicago, Burlington & Quincy is dissolved?

MR. WILLS: I don't think there is any man here that would be able to state where they would be able to get benefit where there is no relief on their roads, but I think it is fair to suppose, if they take the interest they pretend to, they might keep up for the benefit of their old employes.

Q. I want to know what the rules are of your organization. Could they, by joining your organization, get insurance benefits?

- A. Over the age of 50, no.
- Q. Is 50 the limit?
- A. Yes, sir.
- Q. And what as to the physical condition?
- A. They have to undergo a physical examination.
- Q. Then these men, as I understand you, would have to take their chances of being taken care of by the Chicago, Burlington & Quincy?
  - A. I know of no other way.

Mr. Corwin: Mr. Chairman—May I make a statement in regard to it?

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CHAIRMAN: Yes, sir.

Mr. Corwin: There is a large number of old men on the Chicago, Burlington & Quincy, members of the voluntary relief department, whose age and physical condition would preclude the idea of their getting into any other insurance on earth.

MR. WILLS: Mr. Chairman—I wish to state to Mr. Corwin and also Mr. Berry, and any other gentleman here present, we certainly have no intent to do anything towards injuring the Chicago, Burlington & Quincy relief department. It is not our intent or purpose to injure that or any other statuteable institution. We only ask that the laws that are already in existence may be lived up to and that these plans that have been arranged so as to defy the law there—that the laws may be changed, if necessary, by this amendment so as to prevent that. We have got nothing against the association. We shall not feel that the responsibility is with us if old men are thrown out of insurance. If the conditions are such that that company with their employes have arranged those plans contrary to law, as we believe they have, then let them be responsible who have done that, and not us.

MR. CORWIN: Mr. Wills, can I ask you a question?

MR. WILLS: Yes, sir.

Q. It has been admitted by the gentleman over there that in the event of the Temple amendment passing, it dissolves the voluntary relief and that the men on our road could join your brotherhood. I would like to ask you if you would admit into your brotherhood all of our Chicago, Burlington & Quincy engineers regardless of any further consideration?

A. I do not think the brotherhood would, sir. I am not prepared to say they would not, but I can say to you and the gentlemen here present, with all fairness, that all men on the Chicago, Burlington & Quincy, so far as I know, that come within the limitations of our law, may be admitted into our brotherhood. I know of no reason why they should not be except the influence that is held over them by the management of that road to keep them out.

Q. Would you accept members into your brotherhood that took engineers' places in 1887, at the time of the strike, and are still there?

A. If they are men who are willing to say that they did a wrong by doing that, and are otherwise qualified, we will take them in. If they will say they repent of the wrong we will take

them in; have taken them in. We have got many men in our brotherhood that have acknowledged the mistake and have become members, and have all the privileges, rights and benefits that the members of that organization are entitled to.

CHAIRMAN: Gentlemen, are there any further questions? MR. HUBBARD: Mr. Chairman—I would like to ask the gentleman who so ably represented the order of trainmen if he intended to be understood as saying that the Chicago, Burlington & Quincy were benefited whatever in a financial way by the funds paid in by members of that organization? I understood him to say that the Chicago, Burlington & Quincy derived such a benefit as he mentions to pay their expenses of litigation, and I didn't know whether that was claimed or not; whether the Chicago, Burlington & Quincy received any money whatever from the members of the organization which they could, under any circumstances, expend. Perhaps Mr. Wills can answer that.

Mr. Wills: I was listening very attentively, but I would like to ask the gentleman one question before I repeat it.

MR. HUBBARD: Certainly.

Mr. Wills: In what capacity do you come here to ask questions?

MR. HUBBARD: I don't believe that is very essential, but if I must state, I came here in my individual capacity. I have no authority to ask any questions for any body else, but I was interested in this, being an employe of the North-Western road, as you are interested, being an employe of the North-Western and a representative of the trainmen, to say that the Chicago, Burlington & Quincy derived a financial benefit; that is, that they derived money from this relief department with which to pay for the expenses of litigation in suits which were brought against them.

MR. HAVENS: Mr. Chairman.—I think, perhaps, the question was to me. I will explain as briefly as I can why the Chicago, Burlington & Quincy save money by this, or the statement that I made previously in answer to your question if the Chicago, Burlington & Quincy have an insurance association which sets a limit or a stipulated amount on the price of a man's head, the man signs that contract for that stipulated price and the law arranges or provides a higher price, is that money for the Chicago, Burlington & Quincy or is it money for the employes?

MR. HUBBARD: I don't understand the contract if it is any such as you stated. I don't understand that the contract was one that required a man to sign off his rights to sue the com pany. I read them very carefully and I have not discovered that. I simply want to know if, when you made that reference, you intended to state that the Chicago, Burlington & Quincy would deviate any funds which were paid in to them into the benefit association for any purpose whatever?

MR. HAVEN: For the benefit of the gentlemen I will state what I have already stated, that this organization is wholly under the control and influence of the president of the Chicago, Burlington & Quincy Railroad company, and all the officers in connection with this are, to an extent, under this control, and I believe—I don't know that it has been done, but I see no reason why it could not be done—if this board of directors and advisory board devote what money they have in their treasury to defray the expenses of litigation. I do not see why that could not be done.

MR. HUBBARD: Do you know of a case where they have done it?

A. I do not. I simply know that under their constitution and by their provisos they might do so.

SENATOR YOUNG: Mr. Chairman-I move that the committee do now arise.

CHAIRMAN: Will you hold that motion a minute, Senator? SENATOR YOUNG: Certainly.

CHAIRMAN: Is there any further question that any other gentleman in the room would like to ask?

MR. WILLS: There is one other gentleman, if Mr. Barnett desires to be heard.

CHAIRMAN: Do you desire to be heard, Mr. Barnett?

MR. BARNETT: I would rather postpone that for to-night.

MR. WILLS: I don't know, Mr. Chairman, as we have anything further in the way of documentary evidence to submit; but before we close, I wish to extend to you and your committee the sincere thanks of the committee that I have the honor to represent of the railroad employes for the very kind and courteous manner in which you have treated us. I also ask a careful consideration of these documents, submitted to you with the understanding that there are certain names to be withheld from the public, and I would like to say that while we realize fall well we have not been able to set out our side in a manner

such as might be done by gentlemen who have spent their lives studying up these matters instead of being on decks of locomotives and cars, but we ask you to give these matters such consideration so that you can see the line of argument that we present in this, and it will tell you, I believe, what we think, and why we think the injury will follow to us if the Temple amendment do not pass, and we feel if the Temple amendment does pass that no injury should come to any employes in this state. Thanking you again, as far as I am concerned, I am ready to submit the matter to you.

On motion, the committee herein arose.

## HEARING ON THE TEMPLE AMENDMENT BEFORE SENATE RAILWAY COMMITTEE, THURSDAY EVENING, MARCH, 11, 1897.

CHAIRMAN: It has been decided that the opponents of the Temple amendment be given one hour, either by the employes of their road or through other represe tatives, those who favor the Temple amendment one hour, and these who are opposed to the Temple amendment thirty minutes for rebuttal testimony only. No new matter is to be used in the last thirty minutes. There will be no questions asked until the speakers are through, and then only by the senate committee. Now, gentlemen, those who are opposed to the Temple amendment, you may call out whoever you please and occupy this hour as you please

MR. CORWIN: We had understood that the meet ng would be conducted a little bit differently and we had prepared an order of exercises that would have extended over a little more time and will have to cut it a little bit short. We will be just as brief as possible. I would like, in the first place, to call upon Mr. Guernsey, with your permission.

Mn. Guennery: Mr. Chairman and Gentlemen—I will not take the time to read the affidavit that is tendered here in response to the affidavit of Mr. Chambers, Mr. Chambers swore that he was saked whether or not be intended to become a member of the relief department. He said that when he responded in the negative he was told he would not be employed. I have here the affidavit of the trainmaster who employed Mr. Chambers, who denies Mr. Chambers, statement, and who says further that Mr.

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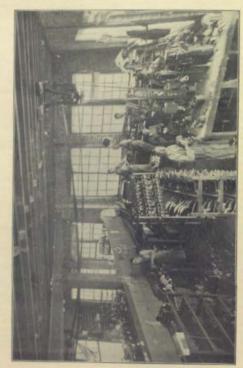
Chambers' application was in fact accepted and that Mr. Chambers was put on the extra list and that he did not get a job simply because he did not wait until he reached his turn.

The affidavit of Mr. Steele is another of the statements here that refers to specific facts. Mr. Steele said in substance that he was injured on the 17th of October, 1891, and that he was confined to his bed for several weeks, that he was not visited by the relief department physicians, that he cursed those physicians and that he was discharged by the company on account of the abusive language that he used in that connection. I have here the affidavit of Dr. E. E. McClelland, who was the relief physician who attended him, who swears that he attended him three days; who awears instead of being confined to the bed several weeks Mr. Steele was off duty four days; who swears there was controversy and swears Mr. Steele was not discharged. In response to Mr. Steele's claim that he received no compensation, I have here in my hand the check which was issued to Mr. Steele by the relief department for the indemnity for those four days in October, 1891, which shows on its face this amount is in payment of accident benefits from October 17th to 31st inclusive, and which is dated October 30, 1891, which is stamped paid and bears Mr. Steele's endorsement. In response to Mr. Steele's claim that he was discharged in October, 1891, because he resented the abusive language of the relief physician, I have here the voucher for the physician who attended him on account of an injury that he suffered in 1893. I have here the two checks that were issued to Mr. Steele for benefits aggregating about \$60 for the injury he received in 1893, eighteen months after he swears he was discharged, which are stamped paid, and which bear Mr. Steele's endorsement on their back. I have here the affidavit of the superintendent with reference to the facts and I have here an autograph letter of Mr. Steele's in which he states that he was discharged, not in October, 1891, but June S. 1893, for frequenting saloons. That letter will be filed with the committee,

This is the only positive proof that was offered by the representatives on the other side where facts were set out that could be investigated. We believe that this evidence, these checks signed by Mr. Steele and this letter written by him demonstrate that he is a liar.

Mn Conwin: Mr. Chairman and Gentlemen—I think you will see readily enough the object in taking up this method which we are going to take in showing the situation. Correspondence has been solicited and only one side has been presented. Questions have been asked the men on the road and when the information replying to those questions was satisfactory to that one side it was presented, the names as a rule not being presented with it. When the evidence is not satisfactory to the other side, we hear nothing of it. It may be possible that they intend to bring it in later on. We intend to show as far as we can and as closely as we can, the policy of the other side. Here is a letter written on a regular letter head which begins, "B. of L. E., O. R. C., B. of L. F., and B. of R. T., Iowa State Joint Legislative Committee," and then goes on and gives the full committee in each one of these organizations, under date of Des Moines, February, 25, 1897; to Ed Garrity, Des Moines, Iowa, and signed H. E. Wills, which I will read. [Beads letter \*] I don't know what the reply to that letter was but we

<sup>\*</sup> This letter could not be secured from the Senate railway committee, and hence cannot be reproduced.



have some letters to which we have the replics, or copies of replies. Here is one under date of February 25th, on the same letter head, over the same signature, to Charles Boggs. I think it will be taking up time unnecessarily to read it as I have read the one letter, and the others are almost reproductions of that, and unless you think it necessary I will simply read the reply to this letter. The reply to this letter would really be a reply to the other one, the names being changed. It is dated Des Moines, Iowa, March 3, 1807, addressed to Mc. H. E. Wills, Dos Moines, Iowa, and is as follows: [Reads] letter.\*

Here is another to Mr. Joe Noels, who was addressed at Burlington, but belongs at Creston, and the letter being forwarded, reached him March 6, 1897. This is almost identically the same thing and I guess perhaps it is just as well to do as I did with the other, and read the roply only. I will say with regard to that, we have the permission of Mr. Noels in the form of a message received from him to use this. Mr. Noels says: "I have no objection to your showing the letters to the sensete committee. We should be frank and open about these matters. J. J. Noels." Here is his reply, dated Creston, Iowa, March 10th, and addressed to H. E. Wills, Des Moines, Iowa. [Reads letter. \*]

These letters are referred to with the hope of clearing up that anonymous matter that came up the other night, doing away at least with a portion of the effect of it. It is pretty hard to fight a man in the dark when you don't know who he is or where he is.

Here is another thing that seems to me is worthy of a good deal of consideration from all. I will read it and allow you to decide yourselves. It is dated Des Moines, Iowa, March 9, 1897, and is from a man who is representing insurance which presumably would be right against us, and also from a man who is a good judge of insurance. [Reads letter.\*] Hesays if an employe of the Chicago, Burlington & Quincy wants to take insurance in the Pacific Mutual an arrangement can be made by which his payments can extend over a period of several months and the railway company, on an order given for that purpose, deducts the amount from the employe's pay and pays it over to the Pacific Mutual company. He says that the Chicago, Burlington & Quincy officials do not object to that.

Here is a large bundle of affidavits. There are two or three that I want to read to you because I think there is a good deal in them, and the balance we are going to let you do with just as you see fit. The first one is dated Des Moines, Iowa, March 6, 1897, and is as follows: [Reads affidavit.\*] It is signed Googe Hatton. Gentlemen, you can see his name there, and you can find him.

Here is another even stronger than that, and is signed by C. H. Yonnker. [Reads affidavit.\*]

Here is a man who has been employed since 1890. He became a member of the Burlington Voluntary Relief department last year. That man's name is Cozelle. He became a member not by compulsion, but by his own free will. It is in the form of an affidavit. And I am going to leave it with you folks, and you can read it yourselves or show it to others and let them take his name and find out whether he exists or not.

<sup>\*</sup> These letters and affidavits could not be secured from the Senate rallway committee, and cannot be reproduced.

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Here is another man who has been in the employ of the company since April, 1883, who says he has never been asked or approached in any way as to joining the Burlington Voluntary Relief company, and it has not affected his standing with the company. This is signed O. E. Slater. Here is another man who has been in the employ of the road a year, never has been in the relief department, and he does not feel that he is injured in any way. That is J. Phil, Ulrich. Frank J. Auger is not a member of the relief department. He is to be found at Des Moines, Iowa, employed in the mechanical department.

SEVENTH BIENNIAL REPORT OF THE

Here are the affidavits of Joseph H. Rogers and J. W. Brown, of Des Moines lowa, which I will leave with you.

Here is another point which is a little divergent from what we started in with, but it shows you the condition of the men's minds along the line of the road that we inquired about the other night, as to what we could do with them, feeling possibly this Temple bill might become a law and the relief department go out of existence in Iowa. We heard of this to-day, and wired to Chicago for the letter to be wired back. I make that explanation so you will understand why it is the copies appear in the shape they do. There is, in the first place, the message asking for the letter, and the letter wired back, and we have had it typewritten, so it can be easily handled. It is dated 2:23 P. M., Chicago, 3-11, addressed to J. M. Redfern, and is as follows: [Reads letter.\*]

In order that you may understand the situation exactly, I will say that this old man, Mr. McFarland, is 66 years of age. He has been employed in the West Burlington shops a good many years. When the force was cut down on account of slack times in this state Mr. McFarland unfortunately happened to be one of the number. The reply to that letter is here. [Reads letter.\*] Present age 66 years—can you wonder that he feels anxious about his insurance? Under circumstances of that kind, where there is a possibility of a member becoming delinquent, it is the custom of the department to send them out, a short time before, a postal card notifying them of the limit and that the limit has almost expired. That is only one among a great many just as serious or perhaps more serious cases. That old man is anxious.

Here are some more affidavits. These came from Chariton. You can go right there and find these folks if you want to As they do not differ very much from the ordinary run of affidavits, and the time being short, I am simply going to put them in among the other papers and let you do with them as you see fit.

It has been charged that there were some meetings held along the line of the road to draw up resolutions, and these meetings, according to the charges, were held under the supervision of some sort of work boss, men who used a club if necessary, etc. I think this will disprove that. I know the men personally who are making affidavit here. These are all in the form of affidavits. [Reads affidavits of W. A. Badger, W. S. Cozelle and W. L. Dykes.\*]

There is a good deal more of that which goes on the same line, a number of other good affidavits in there, good strong ones, and you can do as you see fit with them. I guess we will drop the balance of these and turn them right over to you folks. I would like to have Mr. Guernsey, with your permission, make some remarks on coercion.

MR. GUERNSEY: Mr. Chairman and Gentlemen.—There is one other matter besides the matter that has been suggested by Mr. Corwin that was called to my mind by a senator here this evening, who told me that an employe of the company, with whom I am not acquainted, had requested that special attention be called to the life insurance feature of this matter and to the effect that would be produced if that part of it were abolished, and I want, in response to that request to say a word before I take up this other matter

I have a list which shows the number of men who are 45 years of age or over and who on that account would be practically unable to obtain insurance anywhere else. This statement, however, does not include the men who are on what is known as the "K" line-St, Louis, Keokuk & North-Western, I believe is the name of it, Chicago, Burlington & Kansas City, or the Kansas City, St. Joe & Council Bluffs, but includes only the men on the Iowa division -that is, the eastern and western Iowa division There are on those divisions in the relief 2,054 men. Of these men 343 are 45 years of age or over I believe it is fair to assume that an equal number of men would, on account of inability to pass a physical examination, be unable to enter any ordinary insurance organization. These men, as evidenced by the letters that have been presented here, feel deeply upon the question as to what is to become of them if this amendment shall become a law. There has been no solution offered of this problem. These men are men who are especially dependent upon this institution because they have not the option of taking this or something else. They can take only what they have. They can keep only what they have. In their behalf I wish to ask your careful consideration of this matter.

I have been requested by the men here to say a few words upon this question of coercion. We are at this disadvantage on this proposition: we are asked to prove a negative, which is always difficult. Moreover, any proof that we may offer is met by the suggestion that that is not a voluntary statement, that it is coerced. These are the difficulties that we are met with in connection with this matter. We have already disposed of the only direct evidence that was introduced here at the hearing a week ago to-night, where the facts were pointed out so that we could investigate. The other matters we cannot investigate. I wish to call your attention to some things that I think are material and are substantially conclusive in connection with this matter. In the first place I want to call attention to what appears from the showing already made here with reference to the statement on the other side. It appears that the representatives of the other side of this controversy have endeavored to do what they charge us with doing-namely, to manufacture a sentiment here, and that then they have come before you and have not presented to you the results of that investigation. We do not know how many more letters they received of the character of the letters which have been presented here, and which, because they were adverse to them, were not presented to the committee. We do not know how many more letters they have sent out. We know nothing about it. But we do know this, that they have not presented to this committee the facts as they found them by their own investigation. A half truth is more dangerous than a falsehood. We do not contend that

<sup>\*</sup> These letters and affidavits could not be secured from the Senate railway committee, and cannot be reproduced.

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there are not a half dozen men on the Burlington system who for some reason or other are not entirely satisfied with this relief. I do not apprehend that any man has ever yet devised a plan that will be satisfactory to everybody. I think this legislature has had some difficulty along that line in its work of codification and found that it is difficult to devise something that is satisfactory to everybody. Our contention is that there is a substantially unanimous feeling among the men that this institution is an excellent institution, and the best institution of its kind that is offered to them.

Now, then, what is there in the inherent character of the claim that is made here that these men are coerced which tends to show that the claim is improbable. There are a good many things. In the first place, the railroad men are given credit for having more than the average amount of intelligence. If we should come here and tell this committee that we were coercing these men into doing something that was for their benefit, that is improbable. What men are correct into doing is something you would not expect they would want to do. There is another thing. This system has been in operation for eight years There have been periodical sessions of this legislature in the meantime. These men, it is said to you, are now voluntarily writing letters. If this is a voluntary expression of the opinion of these men on the Burlington road, if that is what it means, how does it happen that they never discovered they were coerced before now. There is another significant thing. How does it happen that these men never expressed their disapproval of this thing, if they have expressed it, until the most opportune time to assist in the objects of these other men who claim to be here for an entirely disinterested purpose. Isn't it strange if this coercion exists and has existed during this period, that it should never have found expression until the letters of Mr. Wills were going out? You would say that was a little remarkable as a coincidence. There is another thing. If those men are coerced, and there are over 2,000 of them in the state of Iowa, is it not remarkable that not one of them has been found up to this time who will come out and stand up and be counted and say so? I think that the hearing we have had has satisfied this committee that railroad men are not afraid to ask for what they want. And isn't it strange that out of 2,000 men who are being intimidated, who are being coerced, who are slaves, who say that they blush for their manhood, there is not one man that will stand up and say, "My name is John Smith and I am against this." Did you ever know of a parallel case? I don't believe anybody ever did. There is another thing. You have heard of men being coerced and of standing silent, but did you ever hear of a crowd of railroad men going out and earne-tly, apparently honestly, vigorously and persistently betraying their fellows. That is what these men like Mr. Corwin are charged with. That is what every one of these 300 men who have sent affidavits are charged with. I would like to have my friends point to a parallel case. These are some of the things that tend to show, in the very nature of things, that this coercion did not exist.

There is another thing that I think is significant. That is this, these men come here and they say to you they are maintaining this lobby from purely disinterested motives. That would be refreshing for you here to see one. I don't believe you see them around very often. I get pay for work I do. I don't pretend I am disinterested. I do pretend I don't tell

you any lies. I don't tell you I am here disinterested, I tell you who I represent. If their motive that they allege here is their true motive it is the end of this controversy because we have absolutely demonstrated that this contract is a fair contract, and if that is all they are afraid of they are laboring under a mistake of fact.

Now let me say a word with reference to compalsion. It is said men are compelled to join this department. I believe Senator Berry has been furnished with a statement that shows the exact condition with reference to the men here in Des Moines - I believe many of them are here this evening, in fact almost all of them. I know three of them; I don't know the others by sight, I believe, except the telegraph operator whose name I don't know. These men are half of them members of the department and half of them are not. I have a statement here of the total number of men employed on the lows divisions last year. On the east Iowa division 303 men were employed, not including men who were employed temporarily, and of those men 67 have joined the relief. That is verified by an affidavit I have in my pocket. On the west Iowa division there were employed, in 1896, 214, not including those for temporary employment, and but 92 joined the relief. Now these are facts. There have been 87 men in Iowa who have withdrawn from the department since its organization Of these men 47 are still in the employ of the road. That shows whether they are discharged or not if they withdraw. Another thing that shows whether it is compulsory or not is the fact that these men take more insurance than the minimum amount. I have a statement showing the amounts. These are facts. It is hard to get facts to meet a charge of the kind that has been made here, but these are facts that cannot be changed. cannot be manufactured. So far as we are able to get facts the statements that we make here are corroborated, and the statements of the gentlemen on the other side are refuted.

Gentlemen, I thank you for your attention.

CHAIRMAN: Whoever has charge for the friends of the amendment will now take up the hour aliotted to them.

Mn. Wills: Mr. Chairman and Gentlemen—I want to state that it had been my understanding until about an hour and fifteen minutes ago, that this meeting was to be exclusively for railway employes; no others would be admitted. We made no preparation of any kind because we did not know as we were going to be allowed to present our side of the case this evening, so we are unprepared. I wish to compliment Mr. Corwin and his able assistants for the very commendable manner in which they present their case, considering the facilities which they have for presenting documentary evidence.

I wish to say as far as the gentlemen who made the affidavits we presented here are concerned, I believe it was stated then, if not I will state it now, were men who were entire strangers to us. They came up and made their sworn affidavits and we presented them to you for what they were worth. I would say as far as letters are concerned that were written over my signature, if there is anything wrong in that, I plead guilty. I wrote eight such letters to gentlemen whose names were submitted to me. I will say I received two answers and I wish I had them here. If I can find them

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I will take pleasure in presenting them to the committee for their consideration. I will say out of eight letters I think I wrote, I received three replies. Two of them have been shown here. I will state I have received replies to other letters where they told me, as I asked them, if they did not want me to make the letters public I would not do so. Consequently I am upable to do so. I would like to ask, Mr. Chairman, if it is true you personally invited a number of Chicago, Burlington & Quincy employes to be here this evening?

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CHAIRMAN: I will state I selected six, I believe, out of a list of names who were to be present and make statements if they desired.

Mn. Wills: I would like to ask Mr. Corwin, or the counsel for the Chicago, Burlington & Quincy, whom I supposed until a few minutes before we started, would not be here to entertain us, if it is not true that there is in the book of rules covering the relief association, a clause that says the company will be responsible for the contracts made, and, if so, I would like to ask if the Temple amendment would pass, if those contracts would not still remain good for those men who have been members all these long years, and if they could not still remain members of that relief association, if the company carried out its part of the contract?

There are one or two gentlemen here, I believe, that we would like to hear from for a few moments, and I will call upon Mr. Stuart, who, I believe, is not a stranger to you all, but is known here among you.

MR. STUART: I shall occupy but a very few moments. My purpose was to listen to the other gentlemen. I did not expect to be called on myself. I have been somewhat struck with the showing that has been made here this evening, and it occurred to me that if right and wrong are governed in human affairs and in the administration of quasi-public affairs, that this insurance business connected with the Chicago, Burlington & Quincy road is such an excellent institution for the men of that system, that it is such a grand scheme and project, that this honorable senate committee ought to adjourn this meeting and go to a room and form a bill to compel all other railroad companies to adopt the same provision. If it is so good a thing I don't see why the other roads are not compelled to use it.

I had not investigated this subject very much until it was forced on my attention. I did not know until a few weeks ago that there were any members of the Voluntary Relief association in Chariton. I want to say to this honorable committee that this matter has been forced on the attention of the people in Chariton, the business men in Chariton, by the acts of the officials of that road, very respectable and very high minded gentlemen. Instead of the employes themselves agitating this subject, this subject was brought to the attention of the people of Chariton by the officials of the Chicago, Burlington & Quincy road, who came to our town Sunday, calling the men together by a very emphatic notice, as related to me by a number of employes, and if anyone doubts my statement, I stand here ready to take an oath here to night from anyone having authority to administer it. This matter has been brought to our attention by the officials of the Chicago, Burlington & Quincy road in bringing men together to send resolutions up to your honorable body for the purpose, as we think, of making you believe that the railroad employes of the Chicago, Burlington & Quincy are all opposed to this Temple amendment. That is what is agitating Chariton. It has not been the men; it has not been the employees themselves. I doubt if those who have taken an interest in this matter in Chariton would ever have said a word in favor of the passage of this bill had it not been that the initiative was taken by the railroad men bringing their men together and passing these resolutions.

Now, gentlemen, we are presented with some very strange evidence to-night One affidavit was to the effect that the Chicago, Burlington & Onincy Railroad company actually allowed insurance agents to solicit insurance among its emplo es. That is a great concession by the company. Affidavits have been produced to show this is a voluntary concera. Supnose that 2 000 men on that system do belong to it voluntarily -suppose that a majority of them do, which we do not for one moment concede; suppose that were true-but if there is one man, one employe of that system, who is coerced, or who has been attempted to be coerced, then the principle is at stake, gentlemen, that deserves your immediate attention. It is not a question whether all men are coerced, but whether one or ten or twenty or fifty. If a system is in effect on that road that coerces men into taking and paying for insurance which they do not care to be connected with, it. is a system that needs your attention, according to my way of thinking. Let me tell you in all candor that I have talked to numerous men in Chariton, or rather they have talked to me I didn't know the Temple amendment was before the lowa legislature; I had paid no atten ion to the subject. These men came to the business men of Chariton themselves and brought our attention to the subject, and since then numerous ones have talked to me; and it is the general impression in Chariton, and you will bave presented to you the affidavit of ninety-two leading representative business men of the city of Chariton, saying that nine-tenths of the railroad men in that section of the road are opposed to this system and opposed to the manner in which it is conducted. The men have called our attention to it, and the mere statement of the fact ought to convince any reasonable man that the business men of Chariton would not come out and oppose the Chicago, Burlington & Quincy road's policy, and also the policy of the men. for they would only lose the trade of both classes, and the company in Chariton is quite a patron of business houses. Let me call your attention to the fact that the business men of Chariton would not make these statements unless they believed they were telling the truth, and that every word they were stating was true.

I have been informed this afternoon that a very eminent railroad attorney in Chariton has written a certain letter. He has been a railroad attorney for thirty years, and he is a very good one. I think he is a nice man, but he looks at one side of this case alone. He has never looked at any other side but the railroad side. That is the trouble with a great many of our friends. But I don't think I ought to consume much time

The distinguished gentlemen who addressed you in behalf of the railroad company or association has said he would like to hear from some one man who objected to this system, some one employe. I think such a man will probably speak here to-night. Let me tell you, gentlemen of the committee, the way I view this matter. If you endorse a system that, in its effect and workings, compels men to join an association and surrender their common law rights, to recover for damages for the loss of an arm of leg, you are making a great mistake. They may claim all they please that these men are not coerced. I know as well as I know any fact of which I am not the personal subject, I know as well as I know any truththat a very large percentage of the employes of the Chicago, Burlington & Quincy in and about Chariton feel that it is by very far the best that they should join the association to-day. We grant you that when this organization was first formed they did not compel all the men to go into it. We grant you, the first year they did not compel it, nor the second year, nor the fourth, nor the fifth, nor the sixth, nor seventh, but they kept getting more and more in all the time and now they have got to the eighth year, and when work is begun a man is given to understand, as you know railroads can do inferentially, that they had better belong to the association if they expect to get advancement with the Chicago, Burlington & Quincy-I doubt not there are men sitting in this room to-night who in their hearts are opposed to this system but dare not say what they think in the premises. There were some 300 messages went out of this town yesterday afternoon, saying to this effect, a letter went to you by such and such a mail, he sure to get it and read it. I want to ask you who paid for all these telegrams?

Gentlemen, I say to you, that any system that says to American manhood you must submit to certain terms before you can earn bread according to the Rible injunction, any system that undertakes to enforce such a doctrine on American manhood before it is given the privilege of earning bread, is a bad system.

MR. WILLS: Mr. Chairman—I would like to call upon a Chicago, Burlington & Quincy engineer, Mr. Drake, for a few remarks:

MR. DRAKE: Mr. Chrisman and Gentlemen of the Committee—I am a common laborer, an engineer on the Chicago, Burlington & Quincy, and you will find I am a very common talker. I am sorry that Captain Huntley was not permitted to see the affidavits that have been presented here, trying to refute what he said here at the last meeting. I wish to say right here that if I were one of the best speakers in the atate of Iowa I could not express the gratiende which the people of Chariton feel for our representative, Captain Huntley.

I am here for a special reason. I am not here for any order or as a committee; I am here at my own selection. I am here because I believe that law, equity, justice and right is on the side of that man. I am here because I believe I am here in the interest of my family. I am here because I want to see those whom I have been working underhandedly with. I am here to state, gentlemen, that my name is E. W. Drake; I am an engineer on the Chicago, Burlington & Quincy; that I am the man who wrote the letter, and I wrote that letter in good faith; that I wrote that letter expecting at that time not to come before the committee; that I expected to do that and no more; that I believed what I was doing was doing justice; that I believed what I was doing was doing justice; that I believed what I was doing was in the cause of right and justice.

Gentlemen, I am in favor of this amendment because it is on behalf of the cripples, the dependent widows and orphans. I will ask you, gentlemen, to take into consideration human nature alone; is it possible that any man who understands this subject can come here and say to you that he is in favor of defeating that amendment when he knows that that law increases the legal rights of his heirs? That is the reason, gentlemen, why I am here speaking for that amendment; that is the real and only thing that is the object of the Burlington relief-to defeat some of the legal rights of the cripples, widows and orphaus, those that now exist and those who are liable to exist. The only real difference in the statement of facts on their side of this question, gentlemen, is as to the explaining of the purpose of the Burlington relief on the Chicago, Burlington & Oninev. It seems to me, gentlemen, we should get at the real sentiment of the members of this relief and get it before this committee; but there seems to be naturally a hesitancy. I cannot bring this matter before you in any better way than simply to relate one experience in the relief. I became a member of the Burlington relief when it first started. I was simply solicited and joined it without giving it any serious consideration I did not study it, and was satisfied with it. So far as insurance is concerned, I have no word to say against it. What I say against it is what I have already said in regard to the real and ultimate object.

So far as insurance itself is concerned, I say again, I have no word to say against it I might admit for the sake of the argument that the Burlingrelief pays out, it has been stated, some \$50,000 or \$60,000 a year. It also fell behind some \$7,000 or \$8,000 a year. Where do they get their remuneration for this \$50,000 or \$60,000, and the \$7,000 or \$8 000 that it lacks of being self-sustaining? Let me give you an example Supposing I am on my engine; through their negligence that engine is wrecked and my existence here on earth is terminated. The first thing that is done they will go to my wife and say to her, "If you are needing any immediate money, here we have got it here to supply you. We will supply all your wants." My wife will sign the receipt for this money, thereby barring her action against the Chicago, Burlington & Quincy company. I am supposing this an absolute case against the company. I am carrying only \$500 insurance, the company is ahead \$4,500 if she gets what she was entitled to. If she elects to sue the company, or make the company settle with her, she forfeits and gives to the company the \$300 or \$400 I have put into the relief. I was for four or five years in the fifth class, paying 845 a year. I am now paying \$1.50 a month, or \$18 a year. If you figure up the amount I have been paying in there it will amount to \$300 or \$400. That she donates to the company if she elects to take her right of action against the company. There is where the \$50,000 or \$60,000 comes from for paying expenses that the company lacks of being self-sustaining. Gentlemen, I am willing to admit further, that there are a great many law suits brought against the railroad company unjustly, where in the first place there is no cause of action against the company. Where there is one just cause of this kind let us give these people that are justly entitled to it this cause of action, do not bar them from it.

I was going to relate some of my experience in the Burlington relief. I am afraid some of my friends will say, or the officials, probably—and I have a great deal of respect for nearly all of our officials—that this is the

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second heinous offense Drake has committed as being a conspirator and working against the interests of the railroad company. Some three years ago I took it into my head I desired to withdraw from the relief I, with two other gentlemen, as good possibly as ever worked for any company, and done as much and their services were recognized to be as competent as any, possibly, that ever worked for any railroad company, we got it into our heads that we were being imposed upon to a slight extent, and didn't like it. We had found time to study up and we desired to withdraw, and we didn't know exactly the process to go through to withdraw. We therefore concluded it would be best to write up a paper, and I wrote up a paper asking the company to release us from the Burlington relief. The paper was handed to the others and signed, supposing that that would be the only way to get out of the relief It was handed to one gentleman, and he says: "Here, boys, you are doing something that the company is going to censure you for. They will look upon that as evidence that you are traitors to the Chicago, Burlington & Quincy." I said: "If the company has any idea of that kind, let's destroy the paper, if there is any regular form to go through to withdraw from the relief " He said: "We have discovered that there are regular blanks to sign " So we destroyed the paper and went and withdrew from the relief in the regular order. That was the cause of an investigation; somebody had reported us and it was the cause of an investigation and I made a statement. These other parties were called upon for a statement, and I made a statement afterwards, stating the exact truth, the exact cause for our desire to withdraw, and not knowing the regular form, and stating the facts to them as near as I could. In a few days our foreman got a letter that, on account of good services. Drake and one of the others you can retain in the service, but discharge the other. Since that time that other man has been reinstated for some cause. I, for awhile, was out of the relief, when different ones came to me, officials of the road, and says: "Drake, you had better get your name back on the relief - get your name back on our books; you will find that it will be to your laterest to get your name on our books " Well, I was not in a position that I decided I wanted to quit the road I desired to stay with them. They had always treated me heretofore as a gentleman, up to this time, and yet unjustly consuced us, gave us a pretty strong scoring as being traitors to the interests of the company, so I went back into the relief, and I have a policy. I have instructed my wife that in case of my death she have no dealings with the company's claim agents until she has had the case thoroughly investigated, and I give Mr. Corwin credit for giving all the men these instructions. If he can explain why he gives these instructions and they are in the interest of the company, I don't understand it.

You may wonder why I should undertake to do underhanded work in this manner. A man is naturally inclined to care for his interests, and where this relief has been censured once in an honest way as we did and one man discharged, it is enough to put us on guard and fear that any attack on this relief, or any opposition to the company, would be met with the same treatment that gentleman met. A week ago Sunday there was a meeting held in Chariton, as Mr. Corwin stated. Prior to that time there had been considerable talk as to the object of the Temple amendment, what effect it would have upon us and our families, and when this meeting

was called we had an idea what it was called for. I had already at that time made up my mind I was going to have nothing to do with it; that I would stay clear of these things; that I was not in a position to say one way or the other; that I desired to continue in the service of the company and I desired to do what they wanted me to. They called upon me about this meeting and insisted that I should be present. I asked to be permitted to stay away, but no, they insisted and I went, and after we got to the place of meeting it was insisted that I should act as chairman I acted as chairman, and all that there was to do was a statement of the object of the meeting by one of the lobbyists in this place and these resolutions presented, and a motion made and seconded and the resolutions passed. There was not a dozen persons there. Gentlemen, I am prepared to say, and I believe I could speak not only my own sentiments, but I could speak the sentiments of nine-tenths, ninety-nine-hundredths of the men of Chariton, outside of the clerks and officials and foremen, and that class of employes, that feel that they do not dare to get up and oppose these resolutions. Now, I want to state further that a week from that time your lobbyist here for this relief department asked for more time, and sent up there over the signature of no official - there was no official signature there - this request for the different members of the Burlington relief to sign affidavits. It was the intention to get every member there to sign affidavits, and I think every member in that city on that day was solicited, and I think they got eight or nine affinavits to the effect that the relief was a great and glorious thing to them and they didn't desire to see any legislation affecting it. I think seven or eight or nine signed it. I tell you, gentlemen, a man came to me with tears in his eyes and says, "Drake, I would sooner have that right arm taken off than to do what I believe to be unjust;" but he said further, "I have got a wife and I have got a family of little children depending on me. What shall I do?" I says, "If you feel like that you go and sign it." I tell you that plan has been followed not only in Chariton but all over the Chicago, Burlington & Quincy system. To prove what I say to be true, gentlemen, I want to state that you could travel from Pacific Junction to Burlington, and ask members of that Burlington relief how they feel, and nine out of ten of them would say, "We have no opinion to express." Right in that connection I want to relate a little bit of history In 1803, I believe it was, a railroad commissioner was to be elected in the state. There was not a man on the Chicago, Burlington & Quincy system but what was out and open in his declaration that he desired to see Mr. Dev elected railroad commissioner because they knew he was the man that the railroad company desired. At that time the employes of the Chieago, Burlington & Quincy went to their representatives and senators, I mean their prospective representatives and senators, and made them sign papers that they would not do anything or assist in bringing about any legislation that would affect the interests of the railroads whatever. We did everything in our power to elect representatives and senators that had that sentiment, and now at this last legislature do you suppose if you had gone to a Chicago, Burlington & Quiney employe and asked him how be felt about the two-cent a mile rate he would say he was in favor of it or hesitate about it? There was not a man on that system but what was really working for the interests of the company. When it comes to the 136

railroad company or our beneficiaries, gentlemen, we must stand by our families first, last and all the time.

The primary object in coming here was simply to make a confession that I had done underhanded work, and so that underhanded work would not fall on somebody else's head. There are several men there from the Rock Island road and I felt that it might be possible that they might be dropped as being the author of the letter to this committee, and that was one reason why I came before you. The other reason is strictly personal-I am sent here by no organization and no body of men, I am here simply in the interest of E. W. Drake, and I believe the railroad officials honor me as a man more highly for my coming out boldly and declaring my sentiments than they would if I had continued in the way I started.

I have stated as nearly as I can the real sentiment felt by myself, and what I honestly believe to be the sentiment of a great many men against the Burlington relief. You can see it is one point of human nature, whether it would be human nature for us to work in favor of the Burlington relief as against our own interests. There is nobody else interested in this. The outside world don't care one fig. The object of this insurance is to deprive my wife of the rights she has to not only secure what I have paid for, but retain her right of action against the railroad company in case she has one.

Gentlemen, I will not detain you longer. You certainly understand me, and understand my position, and I believe truth and justice is allpowerful and so must prevall.

MR. WILLS: With your kind permission, I would like to ask Hon. L. S. Huntley if he will make a few remarks.

MR. HUNTLEY: I did not intend to make any remarks now. I had heard previous to coming here that there were to be some affidavits presented here to rebut what I said before you the other night, and I had also been told that they would present affijavits here to make it appear before this committee that I had never talked with any of these railroad men in Chariton; but I don't know whether there are any to that effect or not. Personally I do not care. But I will just say that if this committee has any doubt on that subject, I have some personal letters from different men at Chariton who are in the employ of the Chicago, Burlington & Quincy railroad, and if they desire it, at some future time, if they will let me know, I will let them see those letters, all except the signatures. Those were confidential letters written to me, and I cannot disclose the signatures of those men under any consideration, but I will let the committee see those letters if they wish to substantiate what I said the other night; and in addition to that I have a sworn statement here, which has been alluded to by the gentlemen from Chariton, which I will turn over to the gentlemen on the other side, and if they want to read the heading of that they



can do so. I will just say that that sworn statement is signed by ninety three as good citizens as there are in the town of Chariton, including nearly all the city officials and all the county officials. I have looked over the list very carefully, and I am personally acquainted with nearly every man's signature that is on there; and there is also one member of your honorable committee who is personally acquainted with these men, and he can verify what I say in that respect.

I only wish to add just one word in regard to my friend Drake, who paid me a very high compliment in his remarks here to night. I will say that there is not a citizen in Lucas county who stands higher—both among the railroad cfficials and among citizens of the county—who stands higher in regard to integrity, than does Mr. Drake. He is a man whose character has never been assailed, and no one in our community ever questioned anything he would say, but what it was true.

CHAIRMAN: I would like to state to you, Mr. Huntley, that there is nothing in these affidavits that were sent up here that in any way contradicts the statement you made the other night.

MR. WILLS: May we have permission to read the document presented by Mr. Huntley?

CHAIRMAN: Yes, sir.

[Affidavit of Chariton citizens read.]

MR. WILLS: As I stated, we were unprepared for what we have met here and, in the language of my friend Corwin, we have met with a few surprises. But as we have ten minutes, I would like to state that there is a gentleman here in the room. Mr. Conway, and if any of the members of this committee would like to question Mr. Conway I would be pleased to have them do so; and, in fact, would ask you to question Mr. Conway, if you will.

CHAIRMAN: We will not take up the time to do that, but if Mr. Conway wishes to make any statement we will be pleased to hear it.

MR. CONWAY: I am the man that most mysteriously disappeared here the other night. You know a man is very liable to do that, especially when he meets an old-time friend. This Burlington relief I don't know very much about. But I have got a little family—a wife and two children—at home in a destitute condition to night, and I am crippled so I am not able to make a living for them, through this elegant Burlington relief, that our distinguished corporation friend stands there and says

is an elegant thing. I have got lots of friends in Creston, in the neighborhood where I live, and I have got lots of friends on the road - boys I worked with - that are afraid to speak to me on the street because I brought suit against the railroad com-

As far as the men on the Chicago, Burlington & Quincy are concerned not being in favor of the Temple amendment. I know better because I know them all on the west Iowa division. and I know their feeling in regard to it. I am not a lawyer and I am not going to try to make any speech, but if any of these gentlemen want to ask me any questions I would like to have them do it. I thank you.

MR. WILLS: I presume no exceptions will be taken to my hesitancy, as the hands of the clock move right along. I don't know of anything more that we wish to say on this subject. I believe that we are ready, under the circumstances, to consider our side of the case closed. The testimony that has come to us. most of it voluntary, has been put forth here with the best of our knowledge and ability. We won't attempt to sum up the case, point it up, as the attorney of the Chicago, Burlington & Quincy did about one hour ago. We will rest the matter where it is and hear the other side of the case for the next thirty minutes. We thank you most courteously for the kind consideration you have given to our committee.

MR. CORWIN: You asked to have some men brought here. We did not know anything about who you were going to have brought here. These men are here, and I expect you have retained the list you made. If you wish to call them they are at your disposal. There are two or three matters we would like to have presented by Mr. Guernsey.

Mu. Guernsey: Before doing that I would like to ask Mr. Drake, if he is still here, if he is willing to give us the name of the man who was discharged, he says, so we can run that down and find out what the records show with reference to it. We would like to have the name of that man and the date, and we can see no objection to it if the man has been discharged, because it certainly cannot hurt him any.

MR. DRAKE: The man has been reinstated, but I can see no reason why his name could do any harm because he is now not a member of the Burlington relief. His name is E. E. Grav. I can't tell you the date, but it was about three years ago.

MR. GUERNSEY: I want to thank Mr. Drake for his courtesy in the matter. What I have to say will be strictly in reply to what has been said by the other side. In the first place I shall take up the question asked by Mr. Wills, because I believe it is a pertinent question. It was one that had suggested itself to me and the answer was suggested to me by one of the Burlington men. It is this. The men, in conjunction with the other members of the advisory board, have the right to change these articles, and what he said they would do was this. He said the men in the other states would be unwilling to carry the Iowa men if they were not upon the same basis, and that they would demand a change in the rules that should separate the Iowa men and compel them to pay for what they got. That is the answer to that question that was suggested to me by a member of the department I have looked up the rules far enough to see that they contemplate such changes There would be no question about their power to do it, because the members are solicited from the different divisions and the Iowa members would be in the minority.

Now, I wish to say a word with reference to what has been said by Mr. Stuart. I dislike to be personal, but you doubtless, many of you know that Mr. Stuart is the editor of a free silver paper in Chariton. I have forgotten the name of it, but doubtless most of you do not know that the Burlington road did not renew its advertising contract with that paper this year. Why, I do not know, but I have been advised that the Burlington road was on that account almost immediately assailed in that paper, on that ground, and it was assailed in connection with this matter over Mr. Stuart's signature in one of the papers here yesterday. I feel more justified in doing this because the letter from the railroad attorney in Chariton which he mentioned is, I believe, from his brother, so that that family at least does not seem to be united upon this question. I do not care to answer Mr Stuart in detail, because I am satisfied that the members of the committee know that so far as he criticises the railroad his statements, when they were statements of fact, were founded upon a misapprehension, because it was manifest from his talk here that he is not familiar with the facts with reference to the relief; in fact, I believe he said so. I presume that is also true of a great many of these men who signed these affidavits.

I wish to thank Mr. Drake for coming here and standing up like a man

and telling what his objections are to this department.

I didn't believe that the men on the Burlington road had any less courage or manhood than the men on the other roads, and I am glad that instead of an anonymous we have a man who comes here like a man and tells you what his objection is, because we can answer that and we can't answer anonymous letters. I want, personally, and in behalf of those associated with me, to thank Mr. Drake for what he has done.

What was Mr. Drake's objection to the relief association? There is the nub of this thing. He stood up here and he told us what that objection was. He said in the first place it took away from his family a common law right. Now, we all know that that is not an accurate statement, that it took away no right, and that all that is claimed is that the relief requires his representatives if he is killed, or him, if he is injured, to elect whether he will exercise that right or not. He says that they come around to his wife if he is killed and tell her, "Here, don't you want a little money," and she, unsuspecting, accepts it and signs a receipt, and that ends it. In response to rule 63, which expressly prohibits that; that is, in death claims it is necessary that there shall be a release signed by the authorized representatives of the decedent as well as by the beneficiary before any money can be paid, and it can be shown by the book that I have in my hands. If you will turn to rule 63 you will find it there in the book, and it can be demonstrated that that is the uniform practice of the association. That simply means that the objection which was urged by Mr. Drake here was founded on a misapprehension of the facts. I give him credit for its being an honest misapprehension, but it, as a matter of fact, is a misapprehension.

What was the next objection? He said he had paid into that association some \$100, and that if he died and they elected to sue, that money would go to the company, and in that way the company was reimbursed for the money it paid out. The fact is that does not go to the company. Not one cent of it goes to the company. Not one single dollar of it has gone to the company. Every dollar of that is held for the benefit of this relief association, and belongs to them, and the company is not entitled to a cent of it. I can give Mr. Drake credit for an honest mistake, but it is a mistake.

What other objection did he make? None. Those are the only objections that he made, and those objections are not founded in fact. I will call attention to another thing that was said. I will give him credit for having a proper purpose, because I admire a man that has enough manhood to come here and not write an anonymous letter, and I believe there are more of them if they wanted to come. I don't believe he is the only man in the Burlington company who has got any courage, and I believe you would find others here, just as he is here, if they thought they ought to be here. He says this: When he wanted to withdraw from the association the boys said, "Why, you must not do this; the company will censure you." There is no claim here that anyone in authority had any knowledge of that. There is no claim here that any man in authority said that, There is no claim here that that is anything more than a surmise on the part of some one, and it is stated that instead of being permanently discharged, every one of those men who did that thing is now in the employ of the Burlington company. One of them was laid off and reinstated. I cannot tell you why, now. I cannot tell you what the records show now, because I have had no opportunity to ascertain. But the fact does stand here, confessed by Mr. Drake, that every one of these men is now in the service of the company, which is a complete refutation of the claim that a man who does not back up the relief cannot stay and cannot get into the service. Now, if I heard him properly, there was a reference made to the fact that Mr. Corwin had advised the men not to improvidently accept benefits. In the first place, it shows that Mr. Corwin, who was, I believe, then a member of the relief, was telling the men that they ought to look out and have their rights and exercise the right of election, which is their right, that they have under this agreement. It shows another thing-that the attention of the men was being brought to the character of this contract, and to what it was necessary for them to do under the contract, so that they were not being misled, so that they were not being put in a position where they might give away something inadvertantly. In other words, this man, who was a member of the advisory committee, was doing just what we have claimed for that advisory committee, namely, standing there as a representative of the men.

I am told at this moment that we have a list of the names of the men who have withdrawn from this association during the time it has been in operation here in Iowa—that is, the men on the Iowa division—and that record shows Mr. Drake is mistaken; that Mr. E. Gray never withdrew from the association. The record does not show that he ever withdrew from it. The record shows Mr. Drake's name, but not the name of Mr. Gray.

A reference was made, and I think there Mr. Drake let his fancies as an orator rather get away from the fairness of everything he said, to the lobbyist—a hard job, Mr. Wills will agree with me—to the lobbyist who presided at the meeting in Chariton. This disaffection seems to be confined to Chariton, which is only one station in Iowa. That lobbyist was an engineer by the name of Price, who is laid off by solatic rheumatism and stood up before this committee leaning on a cane, who told the committee what he thought of this department, and who is drawing \$1.50 a day from the department. You know just how much lobbying that man did. I don't, but you do.

There is another thing you gentlemen should know more about than I do. It is charged that the officers of the Burlington system went to their members in the legislature about four years ago and demanded of them a written pledge before their election, that they would not be guilty of any legislation that was inimical to the interests of the Burlington road. I never heard of that, and that is something we do not need to refute because the members of the legislature will know whather they have done that a great deal better than I do I don't suppose that they did it, and moreover, it is hardly material to this controversy. That I believe is all I care to say in response to what has been easid by Mr. Drake. In sammarizing that I simply want to call attention to the fact that his objections to the relief are founded upon what we have shown and what you know, so I do not take time to show it again, to be misapprehensions as to matters of fact. What his opinion would be If he were familiar with the facts I do not know.

Now I want to refer to the Conway case, and before I do it I want to any to this committee, and to everyone here, that I would be the last man in the world who would ask anyone not to sympathize with Mr. Conway in his present condition Mr. Conway has a right arm that is practically useless, but the Burlington Relief associatin is not responsible for that condition. I can confine what I say about the facts with reference to the way in which that accident happened almost entirely to what purports to be an interview with Mr. Conway in one of the morning papers, so that I can confine my statement to himself, though I believe that in some respects he is misquoted. He is reported to have said that at Red Oak, during the World's fair year, when he had a heavy train and was engineer, he was told that they were going to put on another engine and make it a double header. I understand that they were to couple on another engine. Knowing this, he was oiling his engine. A long stemmed oiler is provided for the men so as to avoid danger that would be incident to putting their arms into the machinery. I am advised that he was using a short stemmed offer. He stuck his arm through the drive wheel of the engine, the other engine or car was coupled on, his engine moved slightly and his arm was broken. He was at that time a member of the fourth class of the relief department, which pays benefits at the rate of \$2 per day. The contribution which he was making was 83 a month. At this rate he was paid benefits from October 16, 1893, to August 6, 1894, inclusive. He then thought he could T3G

go back to work. He tried to run an engine and could not run it satisfactorily. I don't know whether he thought he could himself or not, but I do know that no one would say that it was safe for a man with only one arm he could use to attempt to run an engine. Within a week after these benefits censed they commenced again and he was paid benefits at the rate of \$1 a day from August 13, 1894, to October 22, 1894, which completed fifty-three weeks. Thereafter he was paid benefits at the rate of SI per day until January 31, 1895. The trouble with his arm was that they did not get what they call a bony union, the bones where they had broken did not properly knit. He was taken to Chicago at the expense of the department and two surgeons, both of them men who stood at the very head of the profession in Chicago and in the country, examined him. They told him that they could operate on that arm, and that the chances were ninetynine in 100 that it would be made as good as ever. The relief department offered to pay the expense of the operation; to pay the charges of the surgeons; to pay his charges in the hospital, and continue these benefits to him while he was in the hospital if he would submit to the operation The operation, as I understand it, consists in removing a growth on the ends of the bones and getting them together properly so they would grow together again. Mr. Conway refused to do this The department then learned that there was a surgeon near his home in whom he had confidence, and who I believe is in this hall to-night, and they said if he would permit that man to perform the operation they would make the same proposition with reference to the expense. Mr. Conway declined this. The department. which was paying him \$1 a day benefits, then offered him a job as watchman at \$40 per month. Mr Conway declined this. The department then told him that under those circumstances it did not believe that it was just to compel the men to permanently pay him benefits and gave him, after all of these negotiations, two weeks within which to determine whether or not he would accept any of those propositions, telling him if he did not accept at the end of the two weeks the benefits would stop. Mr. Conway declined to accept. Mr. Conway has brought suit against the company, claiming benefts for the remainder of his life, and claiming \$15 000 on account of malpractice in setting his arm. I am advised, also, that the physician who set his arm was the physician who was selected by Mr. Conway, and that the claim for damages on account of alleged malpractice is based upon the fact that the relief department paid that surgeon his charges for the services that he rendered to Mr. Conway. Under these circumstances, I think you will agree with me that Mr Conway would be unable to recover a dollar from the Burlington road for which he brought suit, because I believe there was contributory negligence. I think you will agree with me in the next place that the relief department has not abused him. The total amount paid Mr. Conway, asshown by this statement of Mr. Conway, in benefits 8819 and doctor bills of some \$14, making an aggregate of about \$880. The statement that the benefits have been cut down since the department was org nized is founded upon a misapprehension. They have not been cut down, and every change that has been made in the rules has been in the direction of liberalizing them, except that, at the instance of the men, the requirements with reference to life insurance have been made stricter so far as physical condition is concerned, so as to put it on a sounder basis.

In that connection I believe I am safe in saying that there is not a single department of this character in this country that has as many liberal features as are found in the Burlington plan.

Gentlemen, I believe I have answered what I care to answer, and I thank you for your attention.

SENATOR BERRY: I desire to ask Mr. Conway a question. I would like to know who your attorneys are in this suit against the Chicago, Burlington & Quincy?

MR. CONWAY: Earle & Prouty.

SENATOR BERRY: I would like to ask Mr. Stuart the names of the officers of the company who were present at this meeting at Chariton a week ago last Sunday?

Mr. STUART: Mr. J. P. Evans was there. He is master mechanic. He employs the engineers at Chariton. I don't know whether that is his title or not.

SENATOR BERRY: Who else?

Mr. STUART: There was that distinguished Jim Harrison, the detective. Royal imperial detective on the Chicago, Burling on & Quincy.

MR. GUERNSEY: There are some men here who were sent for by the committee. I don't know what their names are and I never saw one of them in my life. It would please us very much if you gentlemen would retire to a room where there is nobody present who can give anything away and cross examine these men—where there is no one near that can be said to be sitting by to coerce.

CHAIRMAN: We do not desire to do that, but we will call some of them here.

Jacob Castline was called and examined as follows:

Q. Did you make that affidavit?

A. Yes, sir.

Q. Is that your signature?

A. That is my signature.

Q. I will ask you, Mr. Castline, if the statements made in that affidavit were made voluntarily and are true as you believe?

A. Yes, sir. The statements are exactly as I regard the Voluntary Relief association of the "Q."

Q. Who asked you to make that affidavit?

A. No one, more than Mr. Corwin and Mr. Robertson, who stated the amendment had been laid before the senate, which would be a detriment to the Voluntary Relief department. We studied over the amendment and found where the amendment,

if put in force, would cripple the department and we as employes would suffer.

Q. There was no one asked you except Mr. Corwin?

A. No one asked me.

Chas. O. Eggleston, being called, was examined as follows:

O. Did you make an affidavit?

A. No. sir; I just wrote a letter.

O. Were you coerced in doing it in any way?

A. No, sir; I did it because I wanted insurance.

Q. You live in Burlington? What do you think is the prevalent opinion of the boys in Burlington in regard to this department?

A. As a general thing they think it is a very good thing. Very nearly all the men are in the department, with very few exceptions.

Q Have you ever drawn any relief from this department?

A. I have never drawn a cent from it. I have never been injured and have never been sick since I have been a member of it.

Bryan Chanton, being called, was examined as follows:

Q. Are you a member of this department?

A. Yes, sir.

Q. Did you make an affidavit?

A. Yes, sir.

Q. Was that of your own free will and accord when you made it?

A. Yes, sir.

Q. Tell me the condition of the boys in Chariton as far as you know. Do your boys coincide with what Mr. Drake has said?

A. I could not say, as I have not talked with any of the boys for the last ten days.

Q. Are you perfectly satisfied with the workings of this relief department?

A. Yes, sir; as far as I am concerned.

Q. Have you ever drawn any benefits?

A. No, sir.

Q. Is there anything you desire to state to this committee?

A. Nothing.

Mr. Combs, of Red Oak, being called, was examined as follows:



Q. Have you written letters or made affidavit in regard to this relief department?

A. I have not, sir.

Q. In what department of railroad service are you employed?

A. Locomotive department.

Q. You carry insurance in this relief?

Have you ever drawn any benefits?

A. I have not, sir.

Are you perfectly satisfied with the relief and the manner in which you were enlisted in this relief?

A. Iam.

Were you coerced in joining the relief?

Do you think it would make any difference with you if you would let your relief lapse?

A. No, sir; I don't think it would.

Q. Do you know any of the boys in Red Oak who have let their relief lapse and still been retained by the company?

A. No, I do not. I do not call any to my mind at present.

Q. What is the prevailing sentiment at Red Oak, do they feel they are coerced into joining this relief out there?

A. No, sir: I don't think they are.

CHAIRMAN: We will consider ourselves adjourned.

Upon a motion to adopt the house amendment by the senate railroad committee the amendment was defeated, but two voting for it, Senators Hobart and Garst. Senator Berry of Indianola then introduced what is known as the Berry substitute and which is as follows:

If any such corporation maintain a relief department for the benefit of its employes, to which such employes in any manner contribute, and in the contract for which it agrees, in case of accident resulting in injury or death, to pay to its employes any insurance, relief, benefit or indemnity, and in which contract it is provided that if the person injured, his beneficlary, heirs or legal representative shall accept such insurance, relief, benefit or indemnity, such acceptance shall be a bar to any right of recovery on account of such accident, then and in such case, the person so injured, his beneficiary or legal representative shall have not less than thirty days from the date of such accident in which to elect as to whether he will accept such insurance, relief, benefit or indemnity, or rely on his right of action against the corporation, anything in the contract for such insurance, relief, benefit or indemnity to the contrary not withstanding; and the acceptance of any such insurance, relief, benefit or indemnity within said

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thirty days shall be no bar or defense to any action brought under the provisions of this section. In case any insurance, relief, benefit or indemnity is paid within said thirty days to the person injured, his beneficiary or legal representative, and suit is brought under the provisions of this section to recover on account thereof, then the said corporation shall have the right to have the amount so paid, act off, for the benefit of the relief department, against any claim which the person so injured, his heirs or legal representatives may have against it on account of such injury.

The senate committee recommended to the senate the adoption of the above substitute, Senators Hobart and Garst making a minority report recommending the passage of the Temple amendment. The report was made to the senate April 3d, and was set for a special order of business April 7, 1897. When the time arrived for the special order, Senator Penrose asked that the minority and the majority reports of the senate railroad committee be read. This was done. When they were read, Senator Hobart moved to substitute the minority report for the majority report, and in support of which he offered the following:

Senator Hobart, in speaking in support of the minority substitute, said:

The minority of the railway committee, after careful examination of the Temple amendment as it came over to the senate and as they have reported it back to the senate, have concluded that the substitute now offered would answer the purpose better, and would also answer some objections that they have made in regard to the Temple amendment as it passed the house. The word "auch" was inserted between the words "any" and "insurance." The minority has also added to that amendment after the word "injured" the words "his beirs or widow or legal representative," and at the end of the amendment we have added the words, "and nothing herein contained shall be construed to interfere with the settlement for damages." They believed that would answer the objections that had been made, that no settlement for damages could be made after the accident, independent of any contract of insurance. They also believed that it was actually necessary to bring out the idea as it was intended by the Temple amendment that the words "his helrs, his widow or legal representative" should be inserted. It should be provided that a settlement made with the widow, heirs or legal representative should not be binding. We offer this as a substitute for what is known as the Berry substitute for the Temple amendment. This was offered by the senator from Warren in the committee and was adopted by the majority.

I cannot conceive, Mr. President, of an amendment that would be more acceptable to the Chicago, Burlington & Quincy railroad, or to the relief department, than is the Berry ambatitute. It is a wonder to me that they have not heretofore had some such regulation as this incorporated into their little bock on rules and regulations. It is absolutely satisfactory to the relief department, and I am borne out in this view by the number of

petitions that have been presented here this morning, on the eve of the consideration of this measure, asking that the Berry substitute be adopted, coming, as they do, from the line of the Chicago, Burlington & Quincy railroad.

Now, we have heard something in regard to the unconstitutionality of the Temple amendment. I find piled upon my deak here various pamphlets and documents to the effect that the Temple amendment is unconstitutional; but let us see why it is unconstitutional. What argument do they urge? They say that it abridges a person's liberty, that it abridges his right of contract, and they tell you that the Berry substitute is the thing that should be adopted in lieu of the Temple amendment. What does the Berry substitute do? Why, it abridges the right of contract for thirty days. Now, I submit that in view of the fact that this argument is effect by the opponents of the Temple amendment, would not it also be open to the charge that it is unconstitutional? If one is unconstitutional, the other is unconstitutional.

They tell you of the beneficence of this institution that is organized down there on the Burlington road by the railroad company. Intended for charity, they would have you believe. Why, I have heard in the committee night after night as we met together that this was such a wonderful thing for the men on that road. After I had heard all these things I almost came to the conclusion that we had been mistaken, and that the old saving that "a corporation has no soul " was a mistake. But here was a corporation with a soul which had bubbled up and bubbled over in its beneficence to its employes. But I took up one of their pamphlets and read the statement of the amount that had been paid into the Burlington association and the amount that had been paid out thereof. The total amount that the men paid in was \$1,475,985.71. I then found in another place the total amount of benefits paid out to the men to be \$1,482,932.60; leaving a balance of 853,063,11 in the hands of the company as a result of the business. What a beneficent institution the Chicago, Burlington & Quincy is-to pay back to the men on that road what is collected from them except \$53,000, which is retained in its own hands.

SENATOR TREWIN: In making that statement have you taken into consideration the expense of conducting the relief department?

SENATOR HORART: Yea, I have. The Chicago, Burlington & Quincy railroad reports \$379,192 as the expenses of distributing this money. Yet the \$53,000 that was left over and above what they paid out to the men by their beneficence was sufficient to pay the expenses of distributing that money. Then I read further. I examined the little blue book. My faith had been somewhat shaken when I found this state of affairs; when I found that the men paid more money in than had been paid back to them. I found all these signal benefits destroyed. I also read that in consideration of the amount paid by said company for the maintenance of the relief department the acceptance of benefits from the relief association is a full satisfaction of all claims of damage against such company, whether responsible directly or indirectly, for such injury or death. When I read that it knocked the wind out of the whole business, it was a relief department, but it was a

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relief department for the benefit of the Chicago, Burlington & Quincy, and they resolved themselves into a common, ordinary corporation without any sonl at all. It is a good thing to have a relief department of this kind, when they have a balance of \$53,000 in their hands and when they can get the \$5,000 men on their road to abrogate their rights to sue for damages for the '05 pures received through the negligence of that company. Figures cannot tell what the "Q" has saved by this, but oh! they tell you that it is better for the men themselves. It saves them from law suits and saves lots of expenses to the men; that they do not have to go into court and engage in expensive litigation. It does not save these men a dollar. This benefit association is maintained and carried out for the benefit of the "Q" alone.

At this point the presiding officer rapped for time, and Senator Cheshire moved that the ten-minute rule be suspended for the present discussion. A roll call was demanded. The motion to suspend was defeated by the following vote:

Yeas—Senators Alexander, Bonson, Cheshire, Downey, Druet, Ellison, Funk, Gilbertson, Gorrell, Healy, Henderson, Hobart, Lothrop, Penrose, Ranck, Sargent, Trewin—17.

Nays—Senators Allyn, Bell, Berry, Blanchard, Byers, Carney, Carroll, Craig, Eaton, Ericson, Everall, Harper, Harriman, Hotchkiss, Hurst, Junkin, Kilbura, Mitchell, Palmer, Perrin, Phelps, Pusey, Riggen, Rowen, Upton, Waterman—26.

Absent or not voting—Senators Lehfeldt, Ellis, Young, Carpenter, Hipwell, Hurst, Hospers—7.

As soon as the vote against long speeches was announced, Senator Blanchard took the floor and read the following paper:

The question involved in this proposed amendment is a grave one. Shall the legislature interfere and, by public law, prevent parties of mature age, of sound mind and discretion, from entering into the contract of the character of those described in the amendment? Ordinarily, parties are permitted to make their own contracts. The right to do so is one of the highest privileges and prerogatives of an American citizenship. It is the aim of the law, as it is the spirit of our institutions, to grant the widest freedom to the individual compatible with the rights of others. The right to labor, to earn money and accumulate property, is a barren right, if, after so acquiring property, the individual is deprived of his power to control it. The right to control one's own property involves the right to make contracts respecting it. The legislature has no constitutional or moral right to interfere with individual contracts, unless such contracts are in their nature immoral or are against public policy.

It is not claimed, and cannot be claimed for a moment, that these contracts of insurance are immoral, for they are of the same nature as those entered into with all life insurance companies. We can rarely find an individual who has not at some time in his life entered into similar contracts. The only reason I have heard suggested why these insurance contracts are

against public policy is that they are obtained by a species of force or coercion. In other words, that these contracts are not entered into voluntarily by the employes of the railway company. This is a serious charge, and, if true, the wrong should be prevented and the individual protected by legislative enactment. Both parties have had their representatives here who have appeared before the committee and have furnished it and the members full information on the subject.

After gaining what information I can on the subject, I am fully persuaded that the only plausible reason given why the legislature should declare such contracts illegal, is the claim made that the members of this relief association are compelled, or coerced, against their will, to join the association or department and to pay the monthly assessments.

If this charge is not sustained, then there is not only no reason why the legislature should interfere, but such interference would be in itself highly reprehensible as depriving the individual of his sacred right to manage his own affairs. It would also be a clear violation of his constitutional rights.

That these contracts are not compulsory—that the individual employes of the rallway company are not correct into joining the relief department—is, to my mind, clearly established by the following facts:

First—Five hundred members of the relief association have made their sworn statements, and filed them with the committee, to the effect that there was no coercion and that their connection with the relief association was voluntary on their part. This, alone, would be sufficient to establish the fact in any court of justice.

Second—It is established by the published statements of the railroad company and of the members of the relief department that during the past year over five hundred new men were employed by the railroad company and that less than one-third of them joined the relief association. If this be true—and I have not seen it denied—it furnishes the most conclusive proof that there was no coercion; otherwise all would have been compelled to join.

Third —The highest tribunal in the land, after a fall investigation of the facts, has judicially declared that the contract is "fair and not inequitable," and furthermore that "the department is purely voluntary."

This decision was used by our own supreme court, consisting of learned and impartial judges, in whom the people of the state have implicit confidence. It seems to me that this ought to be considered as absolutely conclusive of the question.

The proof is as strong as Holy Writ that there is no compulsion. Under such circumstances the legislature has no more right to declare such contracts void as being against public policy than it would have to declare marriage contracts void for the same reason.

The men in the employ of the rallway company are intelligent and industrious men, and there is no reason to believe that they are not fully competent to make their own contracts. The adoption of this amendment would cast a reflection upon them, as it carries the assumption that they require especial guardianship and are not capable of making their own contracts. Men of spirit who prize their liberties will resent such an assumption. If they are imposed upon by fraud—if they are compelled to

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enter into contracts against their will—the courts, without further legislation, will hold such contracts null and void.

Senate adjourned until 2 o'clock P. M.

At the convening of the afternoon session, Senator Ellison opened the debate in favor of the amendment. He spoke as follows:

The question of the Temple amendment has become as familiar to us as any of the important measures presented at this session. Literature has been circulated freely, and wise men have interviewed us and given us the benefit of their experience and knowledge as to the effect of such a measure. It is my opinion that when we consider this matter in all its features and in connection with the recent decision of the supreme court of this state, and like decisions made by other courts, we are forced to the conclusion that the time has come when some definite action should be taken by this legislature in harmony with public policy and in accord with what has heretofore been regarded as the statutory provisions of our state.

It has been said by the learned senator from Mahaska, who read "his charges to this jury," that there is but one question before us; that is, whether the men belonging to this relief association are competent to make their own contracts, and whether we should interfere with them in the exercise of such rights. But that is not the question. We had supposed that we had a statute already which limited the right of making such contracts, but the supreme court in a recent decision has practically nulfied that law, and by this amendment we are simply asked to give efficiency and potency to that statute. We are told that the supreme court of this state has decided a case upholding just such contracts. That is true, but we are not told to what extent the question of the employe's coercion was laid before that court. And to avoid the technicalities pointed out in that case and give force and efficiency to our present law, this amendment is offered and is set forth in the minority report.

We are told that there is no coercion used by the company in this matter, but I tell you that we all know that the very atmosphere of this room is saturated with the evidence and conviction that coercion has been used and that it has been satisfactorily established.

The fact that the power of the great Burlington & Quincy Railroad company is back of this association is no reason why we should not speak plainly if we are convinced that coercion has been used. It is our duty to deal fairly with this matter and to break forever the fetters of such contracts which bind the employes and laboring men of such companies by a bondage equal to that of the serf.

They tell us that men have equal rights in the management of the affairs of this association, but I contend that the controlling vote on the board of management is at all times under the control of the railroad company. They tell us it is a voluntary contract. This I deny. There may be no direct compulsion to join, but one thing is certain, and that is, that if they do not sign this contract they get no job. These companies have never felt the twinge of hunger, but thousands of employes have. They know what hunger and want mean. They know what it means to have

wife and children at home suffering for the necessaries of life. The heads of families must provide for them, and it is under such necessities that men yield to the force of circumstances and subscribe to the conditions imposed. Thus it is that the circumstances and surroundings and the unreasonable conditions of this contract practically robs a man of his independence and manhood, and is victous and degrading in its influence.

The railroad company is not entitled to any such unreasonable conditions of defense against its own liability as is given by this contract. When a man insured in this association is injured by reason of the negliwence of the company or its employes, he should have his right of action against that company for damages, and the fact that he has signed a contract practically waiving that right, should not be allowed to be set up as a defense by the company but such contract should be declared to be contrary to public policy and void. The men pay for the insurance benefits which they receive from the company and, in my judgment, the payment of that insurance should be no defense or waiver to an action against the company for a wrongful or negligent act. You know that when an accident happens these companies instantly sand their agents to interview the injured man or his family to assure them that the company will be glad to furnish a doctor, care and assistance in their hour of sorrow, and when care and assistance is needed. They promise to provide for the widow and the orphans, to bury the dead and wipe from the cheek the tears of sorrow, and for all this they simply want a receipt. There is no time for consideration or advice; the needs of the hour are pressing. The agent is kind, his argument convincing, and the receipt is signed, and the company is at once given a defense to an action for damages; it makes no difference how absolute the liability of the company was; it makes no difference who left the switch open that caused the fatal accident. It makes no difference whose negligent act brought sorrow and death to that family, after the receipt is signed, and the right of action is forever concluded, and the company that should have responded in damages goes free. I believe this to be a great wrong which never can receive the sanction of my vote.

I do not believe that men who are suffering from injuries, or widows whose hearts are wrung with sorrow should be concluded by accepting the insurance which they with their own means purchased, simply because the railroad company by shrewd manipulation have taken advantage of their misfortunes. And such contracts and such schemes should be declared to be null and void by the law making power.

Senator Harper followed Senator Ellison, but took the opposite side of the question, and addressed the senate in the following words:

Mr. President—I presume that I have the honor to represent, in my district, a larger number of persons, directly or indirectly interested in this question, than any other one member upon this floor. Because of this road's large shops. I suppose there are more Chicago, Burlington & Quincy railroad employes in my district than in any other single district in the state. There are said to be in my city more than 800 members of this relief adepartment. Therefore, in taking the floor to speak against the minority report, I do so as the representative of more than 4,000 people, directly or

indirectly affected by this proposed change in our law. I do not represent the rallroad further than any other individual or concern in my district; but on behalf, simply, of the beneficiaries of this relief department, I appeal to you, senators, to leave this matter alone. This minority report asks you to enter the sacred precincts of this great industrial family and destroy a beneficent arrangement that, in my opinion, should receive your fostering care. I am told that on one of the two eastern roads that originated this plan or system they are now able to retire their old men upon a pension, and if this be true, then we should encourage rather than discourage the system.

Where does the demand for this legislation come from? Does it come up from the 13,000 employes of the Burlington road? I say no. Representing more of them than any other senator on this floor I ought to know. From the time this question began to be agitated here until now I have not heard one word from them against this relief department. Out of 800 men, employes of the road, who are members of the department, not a single one has asked me to support the amendment; not one has asked me to help lift the heavy and coercive hand of this awful road from their backs; but, on the contrary, I have here a stack of letters from these men urging me to vote against the amendment. You would imagine from the remarks of the senator from Jones that these men were mere tools in the hands of this corporation. Do you believe that? Do you believe that a body of 13,000 men can be gathered up from our splendid citizens, our free men, who can thus be led around by the nose? And for what—for the mere privilege of being allowed to saru a mere living.

It is well for the senators to bear in mind that the railroad bears a burden in this department as well as the beneficiaries. Running through this entire fabric like a golden thread is the guarantee on the part of the railroad company of every dollar of the obligations to these beneficiaries created by these contracts. When you consider they pay a sick benefit , ordinary death as well as accidental death loss, accidents happening on and off the road, during service or while off work, you can comprehend the sweeping extent of this guarantee. The senator from Cherokee said the contributions of the members had left a balance during the last year of \$53,000 in the hands of the company, after paying all claims against the association. This is a misstatement which I am willing to believe was not intentionally made. The fact is that the figures he quoted covered a period of six years, the life of the department. During this period the road has furnished offices for the system's officers, have paid all the running expenses of the department, and paid in money more than \$350,000 to make. up the deficits and to meet the demands on the association. The question is, what effect will it have upon these men connected with the system If we crush the association out of existence? I warn you, sepators, that this involves material rights of families; rights of men who for years have been connected with and contributing to this department; men who have paid for this benefit for years and now find themselves too old to obtain the protection elsewhere, and they appeal to you not to destroy this benefit which they have provided for their families when they are dead and gone. Before taking this step I appeal to you to weigh well what it involves and dare to do right in the sight of God and men.

Here the speaker began reading from an address by Superintendent J. C. Bartlett, of the relief department, before the St. Louis Railway club, setting forth the advantages of the department. He occupied the remainder of his time with this quotation.

Senator Lothrop addressed the senate as follows:

Mr. President—It is not my purpose in the few remarks I may make upon this measure to attempt the enlightenment of my brother senators, nor in any degree to inflaence their vote, but merely to explain my own. Once only before have I felt called upon to do this, and now appearing to me to be necessary from the character of the legislation proposed, the peculiar circumstances of its introduction here, the grave importance, direct and contingent, of the questions involved, not only to those directly affected, but to the state at large, as well as those considerations that more directly concern myself as an individual.

I will not attempt to conceal the fact that in the consideration I have given to this bill. I have been subjected to an influence appealing to my personal interests, so far at least as my personal relations to a large number of my constituents is concerned—those whose interests may be affected by my vote to be given upon this measure.

At my home and in my district there are large numbers of railroad employes, in no way connected with the Burlington system, who, so far as they have made their wishes known, most earnestly desire the passage of this amendment, honestly believing, I am persuaded, that their interests as laboring men, and especially as railway operatives and laborers, are directly involved with its fate. Among them are many whom I have been happy to claim as my warm personal friends and whose kindly regards I most highly prize, while to a much larger number am I indebted for the votes that gave to me the high honor of sitting in this hall as the representative of a large and important constituting.

In view of these considerations, I have endeavored to persuade enyself that notwithstanding I do not agree with them, that I am fully convinced that they are mistaken, that the failure or success of this measure can in no way materially affect them and that in no way can they by injured by its defeat, I ought to cast my vote for it because it is their desire that I should; but, Mr. President, I have studied this question for myself, and from all the light I have been able to secure, I am satisfied not only that my railway friends are mistaken, but that there is involved in the passage of this bill questions more momentous in character, more extended in effect, than those who are urging that I give to it my support have, in my judgment, considered; and that so far beyond the interests of any individual or class of citizens does the fate of this amendment affect the great in terests of the state at large, that my inclination and desire to gratify my constituents by giving my vole therefor, must yield to the higher and more urgent demand of duty.

Believing that I can neither save them by my support of the measure, nor injure them by assisting in its defeat, and fully convinced that its adoption into law will establish a dangerous and victous precedent, work

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an irreparable injury to a large number of our citizens directly and contingently affected thereby, and bring upon the state the odium of engaging in legislation extraneous to the purposes of government, having no other object in view than to prevent the free exercise of the right of contract between citizens, I am compelled to record my vote in the negative, knowing when I do so that I incur the disapprobation of those for whose good opinion I entertain a most profound respect

I am compelled to this conclusion, first, because there does not appear to be any demand for such legislation. When I became a candidate for the office I now hold and during the campaign preceding my election, the necessity for such action was never mentioned. Up to the hour of the passage of this amendment through the other house, I had not been informed and had no information whatever of any trouble requiring such legislation as this. I did not know of the existence of the wrong that is now claimed is so great as to demand the attention of the law-makers of the state. I never heard of the relief department of the Burlington road, much less of any trouble connected with it, or of wrong growing out of it, and though for the past eight years those alleged grounds of complaint have existed, no railway constituent of mine, nor other person, ever whispered to me that it was an evil that needed correcting by law. It has remained until now to be brought to our attention, not in obedience to a public demand, not because the people of this state in any number, great or small, have in any manner asked for it, nor because the railway employes of the state anywhere had requested it.

I must be opposed to the bill because, in my judgment, its passage will work an irreparable injury to those directly affected thereby. It is designed for the destruction of what is known as the relief department of the Burlington road; or whether so designed, the effect will be the dissolution or compelling its reorganization upon lines greatly impairing its usefulness to its beneficiaries, increasing largely the cost of the protection it may give, materially limit the benefits and otherwise result in disadvantage and loss to its members.

It will not be contended that the Burlington relief department is not a good thing. I ndeed, I believe that the candid friends of the Temple amendment will admit that it is an extraordinarily good thing, and in every respect desirable for those engaged in the extra hazardous employment of handling and conducting railroad trains. A glance at its principal features will determine this.

The association for relief purposes is divided into five classes, thus determining the cost to the member and the amount of the benefits he may expect, and in his respective class the beneficiary will receive daily benefits, for disability from sickness, for disability from accident from any cause, whether at his home or on the street, or from his own fault or negligence in connection with his employment as well as when occasioned by the fault of others. The disability benefits are paid in full for one year, and thereafter one-half the maximum sum is paid until disability ceases. While under disability for any cause, he is entitled to and receives, free of cost, hospital treatment, all medical and surgical attendance, and the service of

While under disability he pays nothing whatever into the relief fund, being wholly relieved from contributing thereto while unable to labor.

He receives a death benefit when death occurs from disease, or from accident at his own home, or on the street, or elsewhere, or from his own fault or negligence in connection with the duties of his employment, as well as when resulting from the fault of others.

When death ensues after a protracted illness, or confinement from injury, the full death benefit is paid, there being no deduction therefrom because of the disability benefits received during such illness or confinement, or of the cost of hospital treatment, medical or surgical attendance, and the services of nurses.

The sum he pays is fixed and certain, there being no possibility of it being increased or additional assessments made upon him. He pays no entrance or initiation fee, no reinstatement fee, and pays no part of the cost of maintaining and operating the department, and there are other advantages of direct benefit to the members of which my limited time will not permit me to speak.

The part of the railway company in this scheme is:

To pay all operating and management expenses of the department so that every dollar of the money contributed by the members is a fund sacredly devoted to their exclusive benefit.

To pay all deficiencies so that in case the benefit fund is not sufficient at any time to meet the demands made upon it, no member is required to increase or make extra contribution.

To guarantee the fidelity of the custodian of the money so that the members are under no burden of apprehension that the trust fund may be lost or impaired through the speculation or rascality of the holder.

Such in brief is the plan and operation of this relief department, a plan by which the men and the company have by a mutual organization, in which the employer and employed share in the contribution of capital employed, creating a benefit association that for actual value to the assured may challenge the world as the most magnificent and munificent scheme of insurance ever devised and put into operation.

The question now occurs, why should this department be destroyed or crippled in its operation? And the answer given us is, because, first, the party who enters this association contracts with the company that in case he is injured in the company's service, through the negligence of its agents, and a cause of action has arisen in favor of the injured against the company, he must, if he receives the insurance benefits, release his claim against the company. And, second, because the men are not free to go in or remain out of the relief department and at the same time be permitted to enter or remain in the company's employ; that the department is a clab by which the will and action of the employe is coerced into submission to the will of the corporation in the matter of joining the relief department, and in other direc ions as well.

Concerning the first, I have to say that it is a fact that members of the relief department do agree that when they have a claim against the company for injuries occurring from the negligence of the company's agents, he will release the company from all liability in case the disability or death benefits are accepted by himself or his beneficiary, and herein the company derives in part its share of the benefits of this mutual association. But it is not true that the party injured is compelled to accept such

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benefits. He may elect to hold the company liable and collect for his injuries therefrom. If he believes the sum he is entitled to have from the company is better than the benefits he is entitled to receive from the department, he may leave the benefits and proceed against the company, but he cannot have both, and as the company has borne its part of the department burdens under the department contract, he ought not in justice to have both.

To the charge of coercion, I have given very earnest and careful attention for I consider it a most important feature of this controversy. If I believed that the men are not free to act as they please in any material matter, I should favor this law, but when it is considered that there are in the employ of the Burlington system over 20,000 men, and but little over 13,000 of them are members of the relief department, it does not appear that the supposed coercion is very effective. It is also shown that during 1896, some over 500 men were taken into the employ of that company and not 200 of them are in the department, so from those facts, as well as from the overwhelming testimony of the men employed by the company, members and non-members of the department, I am satisfied that the charge of coercion in not sustained.

The mutual organization known as the Burlington Relief department is satisfactory to the men and the company, to all those directly affected thereby, and I have no right as a member of this senate, by my vote or otherwise, to enter upon that great family association and destroy it. I should feel, were I to do so, that I have violated my oath of office and proved grossly recreant to the high trust reposed in me as a representative of the great interests of not only my own district, but of the state, inficing an injury, the extent of which there is now no way of determining.

## Senator Healy addressed the senate in the following words:

I have no fear of being misquoted, and have not written out my remarks in order to be sure that they will be satisfactorily reported. We have too large an andience to make it possible for any man to be seriously misrepresented.

I am not as circumspect as the gentleman from Mahaska (Mr. Blanchard), who has prepared a prosy written instrument.

I am not responsible to any corporation or labor organization, whether it be a regular labor union or an organization of scabs.

What is the question involved in the Temple amendment? I will aim to answer it as I understand it. In 1862 the Iowa legislature passed a law making railway companies liable to an employe engaged in the hazardous occupation of operating a train for an injury done such employe by the negligence of his co-employe.

It was new legislation then, and it was good and righteous legislation, and time has proven the wisdom of such enactment.

In 1868 an amendment was passed strengthening its provisions.

In the revision of the Code in 1873, the law as amended was re-enacted. It has been a part of the laws of this state ever since. No decision of the court has weakened the force of this statute until the decision was rendered which upheld the Burlington Voluntary Relief association. It was asserted in that litigation that the Burlington Voluntary Relief association

contract was an indirect evasion of the provision of the statute, but the supreme court in an opinion which does not satisfy the judgment of the bar, nor the labor organizations of Iowa, holds that the contract of this association did not constitute an infringement of the statute.

Not until this decision was there a wound inflicted on the fair figure of this beneficent law. The supreme court in its decision inserted the poinard under the fifth rib of the statute, and the Temple amendment seeks to bind and heal the wound thus made.

We are asked to give the same right that has always been held by the employe since the law of 1163 was passed. That is the broad question. It is far more reaching than some of the opponents of the measure seem to apprehend. It involves more interests than the Burlington railway, and far more employes than those of the Burlington system. Every railway employe in Iowa, every wife of such employe, every member of his family, and every citizen who believes in maintaining the integrity of our laws are interested in maintaining the statute passed in 1862, and which is indirectly repealed, if the legislature of Iowa does not cure the decision of the supreme court. In principle, if the Burlington association contract is to be upheld, the railway company has transferred to the defenseless employes the responsibility and the duty which the statute placed upon the company. It takes from the compensation of the employe an exaction, in order that the company may be saved harmless for the pecuviary liability placed upon it by the statute.

Instead of the managing officers and directors of the railway being responsible for the management of the road, for the employment of safe, sober and prudent men, for the use of the most approved appliances, and every other safeguard known to railroading, the decision of the supreme court has transferred this duty and this responsibility to the employe. This is why the employes of the railway systems, and kindred labor organizations are practically a unit in asking this legislature to pass the Temple amendment.

This is the way the matter presents itself to my judgment. No argument nor artifice can seduce me from my sincere conviction that the Temple amendment is one of the most righteous measures presented to this legislature, and should be made a part of our laws. I will never vote for a law which permits the employe, under the stress of his circumstances, and the subjection under which he is naturally held in his relations with the employer, to contract away the statutory liability of the railway company. The Berry amendment seeks to do this. It is indefensible. No one asks it. Even the railways do not ask it. No labor organizations ask it. No railway employe asks it, and yet this senate will deliver to the railway employe and the labor organization, the Berry substitute as an answer to the demand for the Temple amendment.

Young as I am, and although I am not the seventh son of a seventh son, and therefor not gifted with prophecy, I say to you that you will live to see a legislature within four years set in these halls that will say, and will enact its declaration into law, that you can not evade the law of 1862, and do by indirection what the wisdom of the lawmakers then said you could not do directly.

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I have listened to hear a reason why we should vote for this amendment, and I have failed to hear one, save the suggestion that consciences have been stifled by the lobby in the hotel Savery. All have been heard and what have they told us? The fact is, a blow is aimed at the life of this association. Somebody seeks to destroy it. Who is it? Should we pass this amendment, it means that the road could no longer operate the department, free of cost, for the benefit of its employes. The average expense of operating insurance societies is about 40 per cent. This is a charge which the company now bears, and which the association could not bear. The result must be to destroy the department. Are the employes talking thus? Not one. They seem satisfied. I hold in my hand a monthly sheet issued by this organization, showing almost 1,000 names of beneficiaries of the organization who received in the month of March last \$21,000, paid out largely for sick benefits, more than half of it used in this way rather than in payment of death losses.

In replying to the senator from Webster who claims that the C., B. & Q. railway compels applicants for positions on its road to state that they would join the relief association, I wish to say that I hold in my hand one of their printed blanks and there is nothing of the kind contained therein and that the joining of the association is purely voluntary. It is true that the men applying to it for membership might be asked some questions that would be distasteful to the senator from Webster. He might be asked if he were color blind, for instance. The men are not required to join as a condition precedent to their employment. The examination is for the purpose of ascertaining whether the men are in possession of their faculties, as no road could well afford to employ men who were color blind or whose faculties were otherwise impaired, because that would tend to produce accidents and would jeopardize the lives of passengers.

The railway brotherhoods see a chance to destroy a rival organization in this voluntary relief department. What do they offer in place of it? A chance to take out insurance elsewhere, at rates so immensely higher that the men, even if they were not too old to get admission, could not afford

It is conceded on both sides that if an accident occurred to an employe, he has the right of election whether he would sue the company for damages or would accept his benefits from the relief association and waive damages, and the only injustice claimed is that after an accident has occurred an adjuster would rush around and importune the man to settle before he had time to consider what his rights were. Adjuster or claim agents could take the same advantage of any man injured, whether he was in or out of the association. The law could not prevent the importantities or over-reaching of claim agents, adjuster or lawyers in either case I say that because of the system of examination, the Burlington road has men who are in possession of their faculties. Their firemen are promoted to their engines, having become thoroughly familiar with the road, and as a result they have but few widows along the Burlington road. They kill but few men and accidents are constantly on the decrease.

At this point Senator Garst arose and addressed the senate, favoring the minority report. He spoke as follows:

It has been said that there is no coercion used in connection with this relief department. But I quote from the statement of the superintendent, Mr. Bartlett, before the senate committee. He said that if there was one position to be filled, and ten applicants for it, the man who would enter the relief department would be given the preference Now, that man must have employment. He can get it by entering the relief, and he enters it. I care not for the result on this question, save as to the principle involved. Any citizen should have all the rights that are guaranteed to any other. If this system is carried to its logical end, it means finally a system of peon alavery like that of Mexico. As to the argument that the adoption of this amendment will destroy the relief association, I leave it to any lawyer on the floor of this senate, if the obligation of the Burlington road to make this insurance good will not continue, whether the amendment is adopted or no.

Senator Carpenter arose to ask if the senator did not know the company's statement concerning the number of men employed who do not become members of the association. Senator Garst replied that the statement was not germane to the point he was making.

SENATOR CHESHIRE'S SPEECH ON THE TEMPLE AMENDMENT.

I regret very much that the senate is opposed to free and unlimited debate on this question, for it is one of the most important questions before this body at this session. I regard it of sufficient importance to claim the earnest and undivided attention of this general assembly, and, under the ten minute rule, there is no opportunity to even state, much less discuss the question

Mr. President, section 2002 of McClain's Code was adopted, as has been said, almost forty years ago, making railway companies liable for injuries to their employes, when the party injured did not contribute thereto. That law has been upon the statute books for that great length of time without amendment, except when amended in the interest of the poor, injured railway man who has met with accident while at his post of duty on the train. But in these modern times there has come into this state an organization known as the Burlington Relief association, with its main purpose, so far as the railway company is concerned, to nullify and destroy the statutes of the state of Iows. I am here to-day, as I was here yesterday, the day before and last week, to contend for the right of contract between persons where they stand in an independent relation one to the other; but I am not here to defend a contract which, in my judgment, is contrary to the statutes of my state, and therefore against public policy, and null and void. When I say that, I am aware of the decision of the supreme court on this question, but the supreme court decided the case upon the record before it, and that record did not disclose facts which are patent to every senator upon this floor. The supreme court found, as it was bound to find from the record before it, that this relief association was purely voluntary, or

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they, perhaps, would have rendered a different decision. I am here to-day to contend that this contract of the Burlington Relief association is contrary to the spirit and letter of section 2002 of McClain's Code I cannot, in the short time I have, recite all the facts bearing upon this controversy, but I want to read, for the consideration of this senate, the testimony of Mr. Drake, an employe on the "Q" road, who tells how the 2,000 names that the senator from Pottawattamie tells of came into the doors of this senate. He, Drake, says that the officers who controlled the "O" road commanded these men to go into those meetings and adopt resolutions and sign petitions and telegrams protesting against the Temple amendment. Drake was one of the trusted employes of the company, and in his statement before the railway committee of the senate, said: "A week ago Sunday there was a meeting held in Chariton, as Mr Corwin stated. Prior to that time there had been considerable talk as to the object of the Temple amendment, what effect it would have upon us and our families, and when this meeting was called we had an idea what it was called for. I had already at that time made up my mind I was going to have nothing to do with it; that I would stay clear of these things; that I was not in a position to say one way or the other; that I desired to stay in the service of the company, and that I desired to do what they wanted me to. They called upon me about this meeting and insisted that I should be present. I asked to be permitted to stay away, but no, they insisted and I went, and after we got to the place of meeting, it was insisted that I should act as chairman. I acted as chairman and all there was to do was a statement of the object of the meeting by one of the lobbylsts in this place (Des Moines) and these resolutions presented and a motion made and seconded and the resolutions passed. There were not a dozen persons present. Gentlemen, I am prepared to say, and I believe I could speak not only my own sentiments, but I could speak the sentiments of nine-tenths, yes, ninety-nine hundredths of the men of Chariton outside of the clerks and officials and foremen, and that class of employes, that they feel that they dare not get up and oppose these resolutions. Now, I want to state further, that a week from that time your lobbyist there, over the signature of no officialthere was no official signature there-this request, for the different members of the Burlington relief to sign affidavits, and I think every member in that city on that day was solicited, and I think they got eight or nine affidavita to the effect that the relief was a great and glorious thing to them and they didn't desire to see any legislation affecting it. I think seven or eight or nine signed it I tell you, gentlemen, a man came to me with tears in his eyes, and said: 'Drake, I would sooner have that right arm taken off than do what I believe to be unjust.' He said further: 'I have a wife and I have got a family of little children depending on me. What shall I do?' I said: If you feel like that, you go and sign it. I tell you that plan has been followed not only in Chariton, but all along the Chicago, Burlington & Quincy system."

I, therefore, answer the senator from Pottawattamie by saying that this is the way the 2,027 names of the members of the Burlington Relief assocition became signed to these patitions, which have been borne through the doors into this senate chamber by the lobbyists and lackeys of the railway company, according to the testimoney of Drake, one of their trusted men who holds the throttle of one of the company's engines and as a trusted and faithful engineer has in his keeping the lives of those who travel on

The distinguished representative of the people of Lucas county (Mr. Huntley), who holds and honors a seat across the corridor, said there in that room (pointing to the railroad committee room), that he talked with the men of Chariton for over two hours and that in his judgment nine out of ten, who signed the resolution, petitions and telegrams received here, were in favor of the abrogation of the Burlington Relief association, in so far as it prevented them from claiming their rights under the statute, and were in favor of the passage of the Temple amendment. The Hon, R. E. Cook, who honors me with his presence, whom I am now looking in the face, and who represents another county of the state in this assembly. testified before the same committee, that he talked with the men at Red Oak, and that he knew the men who sent these letters and telegrams, down deep in their hearts, said: "For God's sake pass the Temple amendment!" There is where your 2,000 names have come from and that is the manner in which they were obtained, and yet, you thrust them in our faces and say they demand the defent of the Temple amendment!

Now, Mr. President, the senator from Des Moines (Senator Harper). whom I honor and admire, said he had not heard of any employes in his district that were in favor of the amendment. On March 26th, he introduced a resolution from his county which was from the trainmen of his city, asking for the passage of the Temple amendment. The senator enquires, who is asking for the Temple amendment? I answer him by saying that the 38,000 railroad men of Iowa demand the adoption of the Temple amendment. They are the ones who want it. Ninety-nine hundredths of the men who belong to the Burlington Relief association demand it, according to Drake, and some of them with tears in their eyes. The evidence here satisfies me that the men who belong to the Burlington Relief association in this state, while they signed the resolutions at the direction of the officers of this company, and while they sent petitions and telegrams here at the behest of the officers of this company, yet, deep down in their heart of hearts they say: "For God's sake improve this opportunity to make us free men, and men who are absolutely free! Let it not be said that a contract is to be held over us to take the bread from the mouths of our children, and the right of ourselves or the representatives of our estates to recover lawful and just damages for injuries sustained in the hour of accident and adversity. Let it be enacted that no adjuster of this railroad company can come around in ten days after an accident, and before the extent of our injuries are known, and take from us what is our due."

Senators, these are the considerations which appeal to me, and so help me God, I will do what I can, here and elsewhere, to make these men free!

Senator Waterman followed Senator Cheshire and answering the argument which Cheshire had brought in favor of the Temple amendment in the shape of the testimony of an engineer on the 'Q" road that the men were coerced to join the relief, and were coerced to sign petitions against the Temple amendment, he said this

same man, Drake, had left the Burlington Relief association several times, and had as many times gone back to it; that he had come to Des Moines and testified before the senate committee, and was still in the employ of the "Q" road. He said that in all his extended acquaintance with Burlington employes he had never found one that opposed the relief association. On the other hand, he had met with many who thought it was a beneficent organization. He declared himself in favor of the Berry substitute, and was of the opinion that no arguments had been presented in favor of the amendment which had any grounds whatever.

Senator Berry next spoke, and said he had made a careful investigation of both sides of the question; had listened to the presentation made to the committee of the reasons why one side favored and the other side opposed the so called "Temple amendment," and had come at last to the conclusion that the right thing to do is to vote for the substitute. That he impugned the motives of no senator who might have reached a different conclusion. He called attention to the various relief associations throughout the United States, and said that in his judgment benefits had accrued to both the railroad companies and the members by their maintenance. He further said:

I am ready to support the committee substitute and pass the amendment for the reason that there are about four hundred members of the Chicago, Burlington & Quincy Railway Relief association, the only one organized in this state, who cannot get insurance in any of the labor relief associations on account of age, and many more who no doubt would be excluded because of physical disability; to legislate in a way that would strike down this association, which I believe would be the result if this amendment should become a law and be upheld by the courts, would be to take from these men and those dependent upon them protection which they cannot get anywhere else and would be wrong. The only court that ever passed upon the question held a statute similar to the proposed amendment void because repugnant to the constitution of the United States; but this is not controlling with me, for the reason that I think the question of its constitutionality not free from doubt, and a court of last resort may hold a law such as is proposed in this amendment to be constitutional. It seems to me that such legislation is an unconstitutional interference with the right of private contract. The other, however, is the reason that controls my vote to day. Two thousand and more of our fellow citizens; laboring men, and their families, will be deprived by such legislation of benefits in which they feel secure, growing out of contracts they had voluntarily made and after losing them can find no way of securing relief in any brotherhood organization except a few in the order of railway conductors. This I do not believe is right, and I cannot vote for it. I favor the substitute offered by the committee because I think the members of the railway association should have at least thirty days in which to recover from the immediate effects of an accident, and investigate and determine as to their rights before being required to elect as to which remedy they will avail themselves of. I believe in organized labor, and believe that it is a necessity, in order that labor may protect itself against organized capital, but I do not believe that as a legislator I will be doing my duty in so voting as to do an injustice to one class of laboring men in order to benefit another class of laboring men.

Several other senators spoke for and against the amendment of which no record could be procured.

## SENATOR HOBERT, CLOSING SPEECH.

I also was a faithful attendant upon the meetings of the railway committee. I was there and listened attentively. The judgment I formed from the statements made before the committee was entirely different from that formed by the senator from Warren. The senator from Warren maintains the position that there was nothing introduced before that committee that would lead one to believe that coercion was used on the "Q" with reference to the relief department. I think that it was the natural coercision that could be drawn from the testimony that was introduced and the manner in which it was introduced.

There was one witness a bout whom the senator from Polk spoke—Mr. Drake—whose testimony to my mind was conclusive upon that question, and when it came to the question of that man's reliability there was no person to question it; not even the officials of the road who were present would do that. They said he was a man worthy of helief. There has not been a word said against his character up to the present time. We have heard a portion of his testimony read. I will read another part of it [quotes from Mr. Drake's testimony]: "After I had withdrawn from the Borlington relief the question came up as to whether it would be safe for me not to be a member of the association," etc. There is the evidence of a man whose testimony has not been impeached. The universal sentiment was that they would like to get out of it. "We are coerced," they said, "and it is not a voluntary matter with us."

We have heard much here to-day about the wonderful benefits of this association. It is a pretty good insurance society, but we have others just as good. Why, I have in common with others been solicited by insurance agents, each of whom claimed to have some additional benefits that made his company better than any other company that had preceded him, and so the Burlington relief his something a little different from the other insurance companies.

The question of insurance, as has been stated here, is not the question at lasse. We do not want to destroy the Burlington. Let them goon. Let them build their hospitals, and continue in the good work of insu lag the men on their road. We do not seek to destroy it, but we do ask to have one little provision in that agreement that will protect the men and their families—that is, where a man must give up his rights into the company's keeping. That is what we say is wrong. We want this association

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to go on, and it can go on if we strike out this clause in relation to the contract. They say that we want to destroy the organization, when we are not seeking any such thing. The men, in order to hold their employment, must sign what has been termed their death warrant.

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Under sections 1306 and 1307 of the Code, a like restriction is imposed on railway companies, and it has been held constitutional. The legislature has the power to say that these unjust contracts shall not be made. It seems to me that the supreme court decision was not right. They have stepped out of their way to approve of this contract. Any single senator is just as competent to decide this question on the facts presented. I say that it is their duty to decide whether that contract is directly against public policy or not.

Labor found that it must organize in order to maintain its rights. They assume the position and theory that railway companies and other corporations furnish the capital and they furnish the labor, and that they are both entitled to a just proportion of the profits. That has been their theory, and labor has finally obtained a hearing. They simply expect and sak for a just share of the profits, and if the adoption of the Temple amendment would only aid in doing this, I see no reason why it should not be adopted. They have not demanded what is unjust. They never have, they never will.

The Temple amendment was an amendment offered by Representative Temple, of Clarke county, to a senate code revision committee bill, known as senate file No. 20, entitled a bill for an act to revise, amend and codify the statutes in relation to the construction and operation of railways. This bill was first introduced in the senate by their code revision committee on January 22, 1897. It was read first and second times and referred to the committee on railways. This committee submitted a report on January 30, recommending several amendments. On February 9th the bill was called up by the chairman of the committee on railroads. On motion of the chairman the bill was read by sections for the purpose of amendments. Several amendments were adopted. When the time for adjournment had arrived the bill was yet incomplete and it went over until the morning session, January 10th, when the bill as amended received a constitutional majority and was declared to have passed the senate.

On February 11th this bill was sent to the house for its consideration. It was read first and second times and referred to committee on railroads and commerce. On February 13th this committee reported favorably on the bill and recommended that it pass the house. February 18th the bill was taken up and considered and the report of the committee adopted. February 19th the reading of the bill was resumed, several amendments being offered by various members of the house, some of

them being carried and some of them not being carried. House adjourned without completing the bill. February 20th, further consideration of the bill was had, and it was upon this date that Representative Temple introduced his famous amendment. The amendment was adopted. Upon motion of Representative Lauder, the rule was suspended and the bill considered engrossed and read a third time. On the question shall the bill pass the yeas were 78, the nays were none, the absent or not voting was 22. February 23d the bill was sent back to the senate for consideration of house amendments, and was referred to the senate railroad committee.

March 26th the senate railroad committee reported, recommending that what was known as the Berry substitute be substituted for the Temple amendment, Senators Hobart and Garst submitting a minority report favoring the Temple amendment. On April 3d, by motion senate file No. 20 was made a special order for Wednesday, April 7th, at 10 o'clock A. M. Senator Hobart presented a substitute for the minority report on senate file No. 20, slightly changing the Temple amendment. Wednesday. April 7th, the day set for the special order for the consideration of senate file No. 20 having arrived, Senator Lothrop moved the consideration be postponed until house file No. 18 be disposed of. Carried. No. 18 being disposed of, Senator Penrose called up report of committee on senate file No. 20. Senator Hobart moved to withdraw the minority report formerly introduced by him and offered a substitute therefor. Carried. He then moved that the substitute minority report be substituted for the majority report of the committee on section 38 of the bill. Senator Cheshire moved that the rule limiting speeches in debate to ten minutes, be suspended during the consideration of this section. The motion to suspend was lost. On April 8th the senate resumed consideration of the report of the committee on house amendments to senate file No. 20. Several amendments were offered by various senators, most of which did not carry. Senator Healy moved to insert in line 1, of the Berry substitute, after the word "corporation" the words, "with authority to transact a voluntary insurance or indemnity business under the insurance laws of the state of Iowa." Senator Waterman moved the previous question on the amendment and substitute. On the question shall the main question be put, the yeas were: Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Byers, Carney, Carpenter, Carroll, Craig, Downey,

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Druet, Ericson, Harper, Healy, Henderson, Hospers, Hotchkiss, Lothrop, Mitchell, Palmer, Perrin, Phelps, Pusey, Ranck, Riggen, Sargent, Trewin, Upton, Waterman—31 The nays were: Senators Cheshire, Eaton, Ellison, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Hipwell, Hobart, Hurst, Junkin, Kiburn, Penrose, Rowen—16. Absent or not voting: Senators Ellis, Lehfeldt, Young—3. The previous question was ordered. Several other amendments were offered at this time. The senate then took up other house amendments and concurred or nonconcurred as they saw best. On the question, shall all the amendments recommended by the committee to senate file No. 20 be adopted, the yeas were 33, the nays 13, and those absent or not voting 4. The house amendments were concurred in.

April 9th Senator Carney filed a motion to reconsider the vote by which all the amendments recommended by the committee to senate file No. 20 passed the senate. The motion to reconsider carried and further action was postponed until Wednesday, at 10 o'clock, April 14th. When the day for the special order arrived, Senator Penrose moved that the amendments be divided, and the amendments to section 38 be acted on separately. Motion carried. Senator Penrose moved that a roll call be had on the Berry substitute. On the question, shall the committee amendment to section 38 of senate file No 20 be adopted, the yeas were: Senators Allyn, Bell, Berry, Byers, Carpenter, Carroll, Craig. Downey, Druet, Eaton, Harper, Hipwell, Hurst, Kilburn, Lahfeldt Lothrop, Mitchell, Palmer, Phelps, Pusey, Ranck, Riggen, Trewin, Upton, Waterman, Young-26. The nays were: Senators Alexander, Bonson, Carney, Cteshire, Ellis, Eilison, Ericson, Everall, Funk, Garst, Gilbertson, Gorrell, Harriman, Healy, Henderson, Hobart, Hospers, Hotchkiss, Junkin, Penrose, Perrin, Rowen, Sargent -23. Absent or not voting: Senator Blanchard.

On April 15th senate file No. 20 was messaged to the house with the information that the senate had concurred in house amendments to sections 22, 36, 42 and 72, but had refused to concur in the house amendments to sections 42 and 45, and that the senate had adopted a substitute for the house amendment to section 38. The amendment to section 38 was the "Temple amendment," and the substitute offered was what was known as the "Berry substitute," both of which have been given in preceding pages of this report.

On motion of Representative Lauder, senate file No. 20 was made a special order for 2 P. M. When the time arrived for the special order R presentative Lauder moved that the house recede from its amendments to sections 42 and 45; also, that the house agree to senate amendments to house amendments to section 42. On the question, should the motion prevail, there were 63 yeas, 18 nays, and 19 absent or not voting. So the motion prevailed.

Representative Lauder then moved that the house agree to senate substitute (the Berry substitute for the Temple amendment) for the house amendment to section 33.

On the question, shall the house agree to the senate substitute, the yeas were: Messrs. Bowen, Brighton, Clark, Davis, Elwards, Evans, Garner, Gurley. Hendershot, Hunt, Luuder. McArthur, Manahan, Marriam, Miller of Warren, Morrison of Keokuk, Parker, Prentis, Weaver—19

The nays were: Messrs. Bailey, Baker, B-ll, Bird, Brady, Brant, Brinton, Byington, Chapman, Classen, Cook, Cornwall, Crow. Dubleday, Dowell, Early, Finch, Frazee, Frink, Funk, Good, Grote. Hauger, Hayes, Hinman, Huatley, Jackson, Johnson of Webster, Johnston of Franklin, Klemme, L. dd, Lambert, Lavender, Loomis, Lowry, McAchran, McDonald, McDowell, McQuin, Marti, Martin, Mayne, Miller of Cherokee, Miller of Buena Vista, Morrison of Grundy, Mullin, Nietert, Nolan, Perrott, Porter, Power, Putnam, Ray, Reed, Scott, Smith, Sullivan, Temple, Thompson, Van Houten, Voelker, Wells, Whelan, Whittier, Williams, Wilson, Mr. Speaker—68.

Absent or not voting: Messrs. Allen, Griswold. Haugen, Hazen, Hinkhouse, Jay, McNulty, Spaulding St. John, Tibbitts, Watters, Wheeler, Wood—13.

So the house refused to agree to the senate substitute and the senate was so notified.

On April 16th a message was received by the house from the senate to the effect that the senate had refused to recede from its substitute for section 38, and that a conference committee had been appointed by the president of the senate, composed of the following senators: Berry, Palmer, Trewin and Ranck.

On April 19th the speaker of the house appointed as a conference committee from that body Messrs. Temple, Finch, Whelan and Sullivan.

On April 80th this conference committee reported to the senate and house that they were unable to reach an agreement on the

Temple amendment and the Berry substitute, and recommended that another conference committee be appointed.

The speaker of the house, on May 1st, appointed as a second conference committee on the part of the house Messrs. Lauder, Bell, Brighton and Hayes. The senate committee on the second conference consisted of Senators Pusey, Waterman, Lothrop and Harper.

On May 4th this committee reported to their respective bodies that they unanimously recommended that the senate recede from its substitute for the house amendment to section 38 of the bill, and that the house recede from its amendment to said section.

This recommendation was concurred in by the house on May 4th by the following vote:

The yeas were: Messrs. Allen, Baker, Bell, Bird, Bowen, Brant, Brighton, Brinton, Clark, Cornwall, Crow, Davis, Doubleday, Early, Edwards, Evans, Frink, Funk, Garner, Good, Grote, Gurley, Haugen, Hayer, Hendershot, Hinkhouse, Klemme, Lambert, Lauder, Loomis, Lowry, McAchran, McArthur, McDonald, McNulty, Manaban, Martin, Mayne, Merriam, Miller of Buena Vista, Miller of Warren, Morrison of Keokuk, Mullin, Nietert, Parker, Prentis, Reed, Scott, Spaulding, St. John, Thompson, Tibbitts, Van Houten, Watters, Weaver, Whittier, Williams, Wood, Mr. Speaker—59.

The nays were: Messrs. Bailey, Brady, Byington, Chapman, Classen, Cook, Dowell, Finch, Frazee, Hazen, Hinman, Huntley, Jackson, Johnson of Webster, McDowell, McQuin, Marti, Miller of Cherokee, Morrison of Grundy, Nolan, Perrott, Porter, Power, Putnam, Ray, Smith, Sullivan, Temple, Voelker, Wells, Wheeler, Whelan, Wilson—33.

Absent or not voting: Messrs. Griswold, Hauger, Hunt, Jay, Johnston of Franklin, Ladd, Lavender, Potter—8.

So the report of the second conference committee was adopted by the house.

The report of the second conference committee was adopted by the senate upon the same date by the following vote:

The yeas were: Senators Alexander, Allyn, Bell, Berry, Blanchard, Bonson, Carney, Carpenter, Carroll, Craig, Downey, Druet, Ellis, Ericson, Garst, Harper, Henderson, Hipwell, Hotchkiss, Hurst, Kilburn, Palmer, Penrose, Pnelps, Pusey, Ranck, Riggen, Sargent, Trewin, Upton, Waterman, Young—32.

The pays were: Sepators Cheshire, Ellison, Everall, Funk, Gibertson, Gorrell, Harriman, Healy, Hobart, Perrin, Rowen - 11.

Absent or not voting: Senators Byers, Eaton, Hospers, Junkin, Lehfeldt, Lothrop, Mitchell-7.

Thus, on May 4th, ended the controversy, and the bill, so far as the Temple amendment and the Berry substitute were concerned, remained the same as the old law, the joint committee on enrolled bills reporting the fact on May 8, 1897.

The railroad brotherhoods of the state maintained a joint committee at the state house during the entire session of the general assembly, consisting of H. E. Wills, Clinton: J. A. Brownfield, Des Moines; C. A. Beebe, Mason City, of the B. of L E. Col. J. F. Kingsbury, Clinton; Fred. L. Barnett, Des Moines: Wm. McArdle, Estherville, of the B. of L. F. W. F. Knight, Clinton; A. W. Bell, Marion; G. G. Phillips, Des Moines, of the O. R. C. F. R. Pike, Clinton: E. O. Haven, Waterloo: F. S. Barnes, Creston of the B. of R. T. In the organization of this committee, H. E. Wills of Clinton was chosen chairman. The manner in which he carried on the work of the committee, presenting the brotherhoods' side of question to the general assembly, and to all others interested, elicited the profoundest respect from every member of the house and senate The brotherhoods builded better than they knew when they placed H. E. Wills at the throitle. His patience, his untiring energy, his everlasting stick-to-it iveness, and the courteous and careful consideration he gave to every phase of the question, stamped him as a man to be trusted at all times and in all places. The entire committee consisted of the very best of men, men who were workers, men who did the work thoroughly and well that was intrusted to them, and the brotherhoods may well feel proud of the men who represented them at the special session.

The following statement was issued about March 1st, as being the brotherhoods' position on the question:

The hearing on next Thursday evening will be largely attended by railroad employes of the state, insisting on the amendment. A very full hearing was given on Tuesiday and Thursday evenings of last week to the management of the Chicago, Burlington & Quincy railroad, who atrenuously opposed this amendment. The matter seems to be of more than passing interest to those concerned, and is said to involve principles of great importance and very far reaching in their effects.

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For the purpose of fully understanding the full scope of the amendment, we give the section sought to be amended, which is section 2003 of McClain's Code, and was originally enacted by the Ninth General Assembly. It is as follows: "Every corporation operating a railway shall be liable for the damages sustained by any person, including employes of such corporation, in consequence of the neglect of agents, or by any mismanagement of the engineers or other employes of the corporation, and in consequence of the lawful wrongs, whether of commission or omission of such agents, engineers, or other employes when such wrongs are in a manner connected with the use and operation of any railway on or about which they shall be employed, and no contract which restricts such liability shall be legal or binding."

It will be seen in brief, that the substance of this section is to imprese liability upon corporations for any injuries occurring to persons engaged in operating trains, when such injuries occur by reason of negligence, either on the part of the corporation or any of its employes, other than the party injured, and the last clause of the section provides that the corporation shall not make any contract with the employe which shall restrict its liability, or in any manner limit the application of this section. This statute has stood on the books since 1862, and was enacted from motives of a wise public policy. It is a notable fact that the railways of the country draw annually from among the most capable young men of the state, and enlist them in their service. It is the duty of the state to see that they are protected in life and limb, and that their producing power shall not be impaired by any negligence, either in the construction or operation of the railways which they operate.

It has been the experience of the past that cheapness of construction and negligence of operation tends to wastefulness of human life and energy. The statistics for the year ending June 30, 1892, show that there were killed on the railroads of the United States during that year 2,554 employes, and that 38,268 were injured, or one for every 323 engaged in that industry was killed and one injured for every twenty-nine men in the employ of the railroads. In the case of trainmen, the statistics for the same year show that the mortality was greater than among the general employes, one being killed out of every 113, and one being injured out of every ten. The accidents were most numerous in the states where railroads are the most cheaply constructed, and are managed the cheapest, and where the law gives the least protection. In the state of Virginia and the Carolinas, one trainman was killed for every thirty-three employed and one injured for every six.

In the middle southern states, where the same conditions obtain, the proportion was equally high. This experience may be said to demonstrate the necessity and absolute wisdom of the statutes above quoted. It is believed that the statute, having remained upon our books for more than a third of a century, has been approved by time and experience, that no one would dare to advocate its repeal.

The burden of paying for the injury of these killed and maimed employes who suffer from the negligence defined in the statute, is imposed upon the railroad companies to insure the proper construction and careful operation of their railways. It is intended that not only shall the railways be constructed and equipped in the best possible manner, but that the rail-

road company shall be put under bonds to necessitate the carefulness of all its employes. Not only are railroad men interested, but every natron of the road has a like interest. The statute imposes what may appear to be a serious burden, but for a wise and sufficient purpose, and expressly provides. "that no contract which restricts such liability shall be legal or binding." Several of the railroads of the country, and among them the Chicago, Burlington & Quincy, have sought by various devices to accomplish indirectly what they cannot by direct means-that is, to avoid the force and effect of this statute, and so far as the company is concerned, to relieve it from the greater part of the liability thereunder. They have organized what are known as voluntary relief associations, which associations are practically under the control of the railroad companies, in which the railway men are classified into five classes, graded according to their wages as shown upon the pay roll, and the men are required to con tribute monthly a sum varying in the different classes from 75 cents per month up to \$3 75 per month, which is retained by the company from their wages, and which forms an insurance fund, out of which the employe is paid certain benefits in case of sickness or injury, and in case of death a sum varying from \$250 in class 1 to \$1 250 in class 5.

This relief work would be unobjectionable, so far as the statute is concerned, were it not for the following provisions contained in the contract: "I also agree, that in consideration of the amounts paid and to be paid by the said company for the maintenance of the relief department, the acceptance of benefits from said relief fund for injury or death, shall operate as a release and satisfaction of all claims or damages against the said company, arising from such injury or death, which could be made by me or my legal representatives." Under this clause the acceptance of any relief bars any action under the provisions of the section above quoted, although the relief or insurance has in large part been paid for by the money of the employe. In fact, it often occurs that the party receives relief without knowledge of the extent of the injury from which he is suffering, and under the belief that the injury is only temporary, when he afterwards discovers that the injury is permanent or may result in death. One of the rules of the company made a part of the contract is as follows: "Should a member or his legal representatives bring suit against the company, for damages on account of injury or death of such member, the payment of benefits from the relief fund on account of the same shall not be made until such suit is discontinued, and if such suit shall proceed to judgment or shall be compromised, all claims upon the relief fund for benefits on account of such injury or death shall be thereby precluded."

Thus the company is enabled to practically avoid the provisions of saction 2002 and shift the responsibility, in whole or in part, upon the employes, and the courts have construed the law to be that, if the injured employe accepts any small portion of the benefits, it shall be construed as a revocation of the contract theretofore entered into and shall operate as a revocation of the claim for injury, without regard to the inadequacy of the amount received from the relief fund. The alternative is presented to the injured employe of waiving the benefits for which he has paid, or of waiving the injury for which the statute seeks to give him redress. To correct this apparent evasion of the law, the amendment under consideration was offered in the house by the member from Clarke, and is as fol-

lows: Add to the section as it now stands, the words, "nor shall any contract of insurance, relief, benefit or indemnity in case of injury or death, nor any other contract entered into prior to the injury between the person so injured and such corporation or any other person or association acting for such corporation, nor shall the acceptance of any such insurance, relief, benefit or indemnity by the person injured, after an injury from such corporation, person or association constitute any bar or defense to any cause of action under the provisions of this chapter."

The object of this amendment is not to destroy relief associations, but to give effect to the statute as it now stands, which is being effectively evaded by the corporations. Those in favor of the amendment do not desire to interfere with the noble work of relief of the sickness, injuries and disabilities of the employes in a manner, but simply to provide that the corporations shall not, by any device, escape the responsibility which a wise public policy has laid upon them for valid and well approved reasons. The impression seems to have gained ground in certain quarters that the amendment would destroy the relief associations. Such is not the case, and cannot be the case unless it be that the railroad companies are maintaining these charitable and humane institutions for the sole consideration that they may avoid the responsibility imposed upon them by the statute, by collecting from their employes a fund and disbursing it among their fellows, under the pretense and guise of charity. If the company will not maintain a relief association, if this amendment should become a law, then no stronger proof can be offered that its acts are false and deceitful, and its sole object is to avoid reliability imposed by the statute on public policy, and to escape a burden which has been laid upon it by a rational discriminating government. It cannot be discharged of the duty imposed upon it by the statute, nor rid itself of the obligation to avoid negligence and the exercise of care in dealing with human life and limb by dispensing charity in case of sickness or unavoidable injuries, much less by acting as manager. of a charity whose funds are contributed by the labor of the employes, which could as well be distributed by their own well-known, safely managed, conservative and careful organizations which have resulted from centuries of experienced, conservative organized labor.

It is hoped that the senate will keep in view the point in the case and not be misled by specious pleas of railway managers, corporation counsel, or even pet employes, who, by cajolery in part, and intimidation in part, are brought before the committee to act as the mouthpieces for the managers of corporations, WHAT THE BURLINGTON VOLUNTARY RELIEF DEPARTMENT IS.

A BRIEF STATEMENT BY J. N. REDFERN, ASSISTANT SUPERINTENDENT OF DEPARTMENT.

The Burlington Relief department was organized in 1889 as a department of the Chicago, Burlington & Quiney Railroad company, and of certain other companies controlled by it, but operated under separate organizations. The scheme of the organization of the department contemplates that it shall be operated with a single management, but that the funds raised from contributions upon each of the roads embraced in the Burlington system shall be a separate fund for the sole benefit of the employee of that particular road.

When the department was organized, all employes were admitted for a time, without regard to age, but since that time no members are admitted who are over 45 years of age, or who are not in good physical health; nor are any members admitted who are not exclusively in the service of some company in the Burlington system. Members are taken and come from all branches of the service, and all who join contribute in like proportion, no distinction being made between different branches of the service.

The regulations of the relief department provide for an advisory committee, of whom one half are appointed by the railroad companies and the other half are elected by the members, from their own number, upon the associated roads; the general manager of the Chicago, Burlington & Quincy Railroad company is coefficion member and chairman of the committee. To this committee are referred all disputes of any kind arising between the men and the relief department, and it is also charged with the duty of seeing that the department is administered in accordance with the rules.

Membership in the relief department is purely voluntary. No empicye is required to be a nember, and any member can withdraw at pleasure, and, having withdraw at an again become a member if he can then pass the necessary examinations and has not passed the prescribed age. The voluntary character of membership is further shown by the report of the apperintendent of the relief department for the year ending December 21, 1896, which states that there were then in the service of the associated roads 21,373 men; of these there were 13,755 members of the relief department, showing that only about 59 per cent of the whole number of the employes of the Burlington system are members. In the year 1896, 516 new men were employed on the Chicago, Burlington & Quincy in lows (not including men employed for only short periods of time), of which 159 became members of the relief department, or only about 30 per cent. The total number of men in lowa who have withdrawn from the department since its organization is eighty-seven. Out of these eighty-seven men, forty-seven are still

in the service of the company, showing that continuance of membership is not compulsory.

The membership is divided into five classes, as follows:

CLASS.	Contribu- tion per month	Benefits por day.	Death ben-	Ad Richard dath be - reise a be had, ager- gaven all.
Pirat Second Third Pourth Pirit Second Third Pourth Pirit Second Third Second Pirit Pirit Second Pirit Pirit Second Pirit	\$ .75	1 00	8 255 (0	\$ 1,000,00
	1.50	1 00	500 00	2,000,00
	2.25	1 50	7 0 00	3,000,00
	3.00	2 00	1,000 00	4,000,00
	3.15	2 50	1.250 00	5,400,00

All dues collected from members are set apart in the relief fund, and can only be used in the payment of benefits. The cost of the administration of the department, including salaries of all officers, medical examiners, office rent, etc., are paid by the associated railroad companies. Besides this, the railroad companies furnish services of employes of other departments, mail, express, telegraph and other facilities free of charge. The whole expense of administration of the department is, therefore, borne by the railroad companies. In addition to all this, the companies guarantee that the fund shall be sufficient to pay all benefits accruing to the members. and in case of any deficiency the companies must make it good; they also agree to pay interest on balances left in their hands. In practice the companies have contributed \$42,532.94 to make good deficiency in relief fund, so that (including the undistributed balance which belongs to the members), the members have not only received back from the department, without any deduction for expenses (which expenses of operation have cost the rallroad companies in each and services about \$700,000) every dollar they have paid in, but in addition they have been repaid \$42,532.94 more than the whole sum paid in by them

The contributions by the railroad companies, from organization of the department to the 31st day of December, 1896, were, in cash, \$42,533 94 to make up deficiency in benefit fund; \$338,331.56 to pay salaries and office expenses; other expenses and services, estimated, \$309,400; total, \$740,264.50, to which, if you choose to add interest paid by the companies, \$11,672.24, would make \$751,905.74.

Benefits are paid in cases of disability from slekness, disability from injury, and death from any cause. The disability benefits are as heratofore shown, for the lowest class, 50 cents a day, and for the highest class, \$3 50 a day. In case of disability from sickness, benefits are paid for an aggregate not exceeding fifty-two weeks, after which sick benefits are no longer paid; in case of injury, disability benefits are paid during disability at the full rate for fifty-two weeks, and thereafter during the disability at half-rates, and also bills for surgical and hospital attention and nursing. Benefits are paid in all cases of disability from sickness or injury, except where the sickness or injury results from the vicious act of the sick or injured person; in case of death, benefits are paid according to the discretion of the member in his lifetime.

The following is a brief statement of the operation of the Burlington Voluntary Relief department up to December 31, 1896:

BECKIPTS.		
Contributions from members.  Interest paid by rathroad companies on monthly balances.  ONTRIBUTIONS BY BALESOAD COMPANIES:  To make up deficiencies in benefit fund.  # \$2.532.94		
Salaries of officers, medical examiners, and expenses(s) 308.311.55 Other expenses and services, estimated(x) 209.400.00		
Total paid by railroad companies	740,004	50
Total receipts from members and railroad companies	82,501,106	AT.
EXPENDITURES.		
Paid in benefits for sickness and death from sickness		
Total benefits paid	\$1,614,768	
Balance on hand in relief fund, December 32, 1886	186,630	66
Work!	#2.50T.T36	.47

It appears from this that there was \$188,639.66 in the relief fund December 31, 1898. Outstanding on that date were unpresented benefit orders and other maturing liabilities which, if taken out, would reduce this balance to about \$115,000

This surplus and any future surplus can, however, be used only in the payment of benefits, and so belongs to the members, and the fact that there is a surplus does not mean either that the relief is self-sustaining, or that the railroad companies are making money out of the men who join it. On the contrary, the truth is that if the operating expenses of the relief had not been paid by the companies, but had been charged against the relief fund, that fund would show as of date Desember 31, 1896, a cash deficit of about \$550,000 and outstanding and maturing liabilities of about \$75,000, or a total deficiency of about \$625,000. The term surplus as used in our reports means only that there is a balance in the relief fund applicable to the payment of benefits, and not that the net operations of the relief department show a profit This balance may be needed for the payment of benefits at any time if epidemic or other cause should increase the proportion of members disabled, and it is desirable that an adequate balance be retained on hand to provide for such emergencies. The railroad companies pay interest on monthly balances, and this interest is added to the relief fund, applicable, as already said, only to the payment of benefits. The liability of the companies to pay all other expenses besides benefits, and to also pay any deficit, is not in any way affected by the fact that there is a surpins, nor by the amount of that surplus.

The regulations provide that in case of accident to a member while in the service of the company, the acceptance of benefits by the member shall discharge the company from liability for that particular accident only, the right to sue and recover for subsequent injuries remaining unimpaired. The injured man is not limited in the time within which he must make his election; he can take as much time as he wants, and, when he has made up his mind, may receive the benefits and release the company, or may refuse his benefits and sue the company. If he refuses his benefits and elects to sue, the rejected benefits remain in the fund for the benefit of the other members, and do not go to the companies. It is objected to this by the

friends of the Temple amendment, that the member, having paid for his insurance, is entitled to it when injury occurs, and that he ought not to be required to waive his right of action against the company in order to secure benefits for which he has paid. Whatever might be said about this, if the member paid for all of his insurance, the argument is not sound, in view of the fact, as already stated, that the member does not pay for all of the insurance, but that the railroad companies have paid in cash and services about 44 per cent of the amount paid in benefits to members. This release clause in the regulations is the only regulation securing to the companies any return for what they pay into the relief department for the benefit of the members. To require the companies to give this up would result in one of two things-either the department would be compelled to largely increase the dues paid by the members, so as to cover the whole cost of the insurance, or the companies would have to abandon the plan of co-operative relief, since it is evident that there would be no co-operation if the companies received no return whatever for their expenditure in this behalf. The cases in which a member would need to make such election would obviously be comparatively few. In all cases of death or disability from sickness, and in the large majority of cases of death or disability the result of accident, no question of the liability of the company can arise. In 1806 there were 5,324 cases of disability and death from sickness, as against 3,094 cases of disability and death from accident.

It is also frequently claimed by advocates of the Temple amendment that when a man enters the department he is required to sign an agreeme relinquishing some right. The agreement made on entering the depa ment does not in the least restrict or surrender any right which the membmight otherwise have, and the supreme court of lows in the case of Donald v. Chicago, Burlington & Quincy has so held; on the contrary, it greatly enlarges instead of limits the member's rights and privileges.

Since the organization of the department, the average number of accidental injuries has decreased from 17 per 1,000 members in 1890 to 12 per 1,000 members in 1890, and the average death rate from accident from 6.8 per 1,000 members in 1890 to 1.5 per 1,000 members in 1895. These figures are significant, in view of the assertions sometimes made by advocates of the Temple amendment that it is against public policy to permit the railroad companies to maintain the relief department, because it is claimed the department as maintained tends to reduce the incentive to care on the part of the companies in the operation of the road. These figures are also significant as showing the diminished amount of human suffering and misery, in no small part due to the increased efficiency of the men in the service, the result of the high physical standard established through the operation of the relief department.

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