

TRIUMPHANT PLUTOCRACY

The Story of
American Public Life
from 1870 to 1920

By
R. F. PETTIGREW
Formerly United States Senator
from South Dakota



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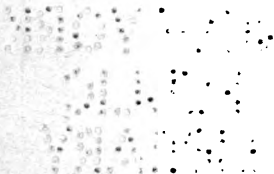
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TILDEN FOUNDATIONS
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VIII. LABOR

I have tried in the preceding chapters to describe some of the more important economic changes that have occurred in the United States during the past fifty years. All of them relate to business, to the rich, the powerful. The control of the banks; the right to issue money; the tariff-privileges enjoyed by the favored few; the organization of the trusts, and the manipulation of the railroads—these were the outstanding features of a system that gave property-holders first choice in all of the important economic relations of life.

A visitor to the United States, during these years, would have supposed that the workers did not count for much, one way or the other, but that the very heart and soul of existence consisted in putting more money into the hands of the rich. Indeed, this was the attitude taken by a majority of my colleagues in both houses of Congress.

The whole trend of legislation was toward the granting of privilege. The lawyers, who composed both houses of Congress, were representatives of the business interests. They never asked the question: "What does the public welfare demand?" Instead, their one thought was: "What do my clients want?" Therefore, their actions were always directed toward the protection of property and never toward the protection of the workers.

Perhaps I can best illustrate this point by reference to an experience which I had with a bill requiring the railroads to report accidents.

During the whole twelve years of my service in the Senate, only one bill, even remotely in the interests of labor, became a law. All of the others, and there were hundreds of them, were either reported from the committees adversely, or not reported at all. If reported and passed through the house where they originated, they were always killed in the other body. If a bill

originated in the Senate and passed the Senate, the committee in the House would never report it. If a bill passed the House and came to the Senate, the Senate committee would not report it; or, if the committee did make a report, it was done in such a manner that the bill was sure to receive no serious consideration. Although the American Federation of Labor always had its lobbyists at work, and there were other labor organizations that had their representatives urging the passage of legislation, the clever manipulation of bills by bodies of both houses offered a guarantee that nothing definite or effective would ever be accomplished.

Finally, during the last year of my service in the Senate, a bill passed the House requiring railroads to file with the Interstate Commerce Commission monthly reports of accidents—their causes and the names of the persons injured. The bill was referred to the Committee on Interstate Commerce.

Late in the session, the representative of the railroad men, who had been working for a year to have this bill passed, came to me and said he could not get the Senate Committee to report the bill. He asked me to take charge of it and see if I could not secure its passage. This was some time in January, 1901, and my term as a Senator expired on the 4th of March.

I asked him to describe in detail the steps that he had taken to secure its passage. He gave me the information, and concluded with the observation that, in his judgment, the Senate did not intend to pass the bill. I gathered that he came to me as a sort of forlorn last hope.

I finally told him that I would take charge of the bill, provided it was understood that I had full charge, and I promised him that I would make it exceedingly interesting for the Interstate Commerce Committee if it did not allow the bill to pass. I told him, furthermore, that it would be a hot fight in which some bitter enemies would be made for all who supported the bill. I further told him that my method would discourage him, but

that, in my judgment, it was the only method that had even a remote chance of success. If I would have his full support under these circumstances, and without any interference, I was willing to take the bill. To this proposition he heartily agreed.

I then went before the Committee on Interstate Commerce at its next session and gave vigorous reasons why the bill should be reported.* The railroad attorneys on the committee—Wolcott of Colorado and others—protested that the reports of the railroads would be examined by shyster lawyers and used to begin suits for damage. I said: "That is not the reason

* The bill was worded as follows: "An Act requiring common carriers engaged in interstate commerce to make full report of all accidents to the Interstate Commerce Commission.

"BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED:

"It shall be the duty of the general manager, superintendent or other proper officer of common carrier engaged in interstate commerce by railroad to make to the Interstate Commerce Commission, at its office in Washington, District of Columbia, a monthly report, under oath, of all collisions of trains or where any train or part of a train accidentally leaves the track, and of accidents which may occur to its passengers or employes while in the service of such common carrier and actually on duty, which report shall state the nature and causes thereof, and the circumstances connected therewith.

"Sec. 2. That any common carrier failing to make such report within thirty days after the end of any month shall be deemed guilty of a misdemeanor and, upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine of not more than one hundred dollars for each and every offense and for every day during which it shall fail to make such report after the time herein specified for making the same.

"Sec. 3. That neither said report nor any part thereof shall be admitted as evidence or used for any purpose against such railroad so making such report in any suit or action for damages growing out of any matter mentioned in said report.

"Sec. 4. That the Interstate Commerce Commission is authorized to prescribe for such common carriers a method and form for making the reports in the foregoing section provided.

"Approved March 3, 1901."

why you oppose this bill. Your clients have ordered you to kill this bill because they, the railroads, are not obeying the law as to safety appliances. It costs money to stop killing, so they refuse to obey the law while they continue to kill. You know as well as I do that more people, both employees and passengers, are killed on American railroads than by all the other railroads in the world. An amendment to the bill will prevent the report being used against the roads in damage suits." The next day the Committee reported the bill with four or five amendments, any one of which would have made the law, if passed, practically inoperative. I called up the bill for passage, and showed to the Senate the meaning of the amendments offered, with the result that I had the first amendment rejected by the Senate after a long discussion and bitter struggle on the floor. Thereupon the chairman of the Committee arose in his seat and moved that the bill be re-committed to the Committee, which is a motion that is always agreed to and, therefore, the bill was re-committed to what the railroad lawyers supposed would be its graveyard.

At the next meeting the Committee on Interstate Commerce did not act upon the bill nor report it back to the Senate. I, therefore, introduced a resolution in the Senate to discharge the Committee from further consideration of the bill and place it immediately upon the calendar. This led to a filibuster debate which was intended to wear out the session. Whereupon the chairman of the Committee arose in his seat and said that if I would withdraw my motion he would call a meeting the next day and would report the bill. So the bill was reported from the Committee the next day with amendments which wholly destroyed its original purpose. I moved the immediate consideration of the bill and I stated in the Senate that I had been a member of that body for twelve years and that during that time no labor bill had passed both Houses and become a law; that this sort of a record could not be justified

or defended by the Congress of the United States, especially should Congress defeat the present measure. I also stated that the railroads wanted to defeat this bill because, while the Congress of the United States had enacted laws compelling the railroads to use certain safety appliances upon their trains, appliances which cost money—the railroads were not using these appliances, with the result that many accidents occurred which could be traced directly to the absence of these appliances. The bill was particularly obnoxious because its passage would make a public record of these facts. I succeeded, therefore, in defeating all of the amendments but the one which provided that the reports should not be used in court. Thereupon the chairman of the Committee moved to recommit the bill to the Committee.

The next day I offered a resolution to discharge the Committee from further consideration of the measure and place it upon the calendar. The chairman of the Committee immediately arose in the Senate and said he would call an extra session for the next morning and would report the bill if I would withdraw my motion, which, of course, I did. The next day the bill was reported with the same amendment with regard to not using the reports against the railroads and with another amendment destroying the real intent of the bill. I defeated the pernicious amendment in the Senate and the railroad attorneys allowed the bill to pass with the amendment prohibiting the use of the reports against the railroads in any lawsuit.

The session was nearing a close and the opponents of the bill thought they could prevent it from going through the House of Representatives without amendments. The Speaker of the House was Henderson of Iowa, a one-legged soldier, veteran of the Civil War, an honest man—a rare quality in a Speaker of the House—whose sympathy was with the men who toil. The moment the bill passed the Senate, I went over to the House, for I had advised with Henderson several times

about the matter, and told him that I had got the railroad bill through with an amendment which would not affect the working of the law, but that if the amended bill was sent to the House Committee, there would be delay and the session would be over before action could be taken. I therefore asked Henderson to have the House concur in the amendment as soon as it came over, and have the bill immediately enrolled and returned to the Senate.

Henderson asked me who had charge of the bill on the floor of the House. I told him the name of the member and when that member arose and stated to the House that the Senate had passed House Bill 10,302, with an amendment, the Speaker immediately said: "The motion is upon agreeing to the amendment of the Senate to House Bill 10,302. All those in favor say 'Aye,' and all those opposed say 'No.' The ayes have it."

A day passed, and I heard nothing from the bill. I then went to the Clerk of the House, and he told me that he had had the bill enrolled and had sent it over to the Senate. I, therefore, returned to the Senate, and, after waiting a day and finding that the bill did not come, I stated in the Senate that the bill had been lost.

(Congressional Record, Vol. 344, p, 3533, 56th Congress, 2d session, March 2, 1901.)

Mr. PETTIGREW: "I am informed that the Senate amendments were accepted by the House, and that the bill was enrolled and placed in the hands of the messenger to bring to the Senate, and on the way, or somewhere, it has been lost. In other words, there seems to be an effort to steal the bill."

Mr. LODGE: "In connection with what the Senator from North Dakota is saying, I desire to say that I have been engaged in trying to find that bill. My attention was called to the fact that it was lost. It was announced to the Senate that the House had concurred in the amendments of the Senate."

Mr. PETTIGREW: "The bill was enrolled."

Mr. LODGE: "The bill was enrolled in the House, is was signed by the Speaker, according to the records of the House, Mr. Browning, and that is the last of it. Mr. Browning says he delivered it here. There is no record of it here at all. It cannot be found. I have been personally to the room of the Committee on Enrolled Bills and looked over the bunch of bills that was sent, and the bill is not there. I do not know what can be done, but the bill has disappeared between the two houses."

Mr. SPOONER: "Can it not be re-enrolled?"

Mr. LODGE: "The Speaker, I am told, on one occasion, when a bill had disappeared in that way, declined to sign the bill again. It has disappeared between the two houses."

Mr. SPOONER: "It cannot be, if a bill has been lost before it has been signed by the officer of the other house and that, that Congress is powerless about it. Both houses have passed it."

Mr. LODGE: "Certainly they have."

Mr. SPOONER: "I do not see any reason why it cannot be re-enrolled."

Mr. PETTIGREW: "If the bill is lost, it is lost on purpose. There is no question about that. That might do for some half-civilized community, but for the Senate of the United States it is a pretty tough proposition."

After some discussion, the Senate passed a resolution which requested the House to have the bill re-enrolled, signed by the Speaker and sent over to the Senate.

There was nothing further for the Senate to do, so I resolved to take the matter into my own hands. I went over to the House of Representatives, taking with me Louis Kimball, a Civil War veteran, who had been appointed, at my suggestion, messenger to one of the Senate Committees. On the way over to the House I told Kimball what had happened, and then explained my plan to him. I proposed to go to the Clerk of the

House and ask him which of his assistants had enrolled the railroad bill. When he told me, I was to attract the attention of this assistant while Kimball went through his desk.

The plan worked like a charm. McConnell was Clerk of the House—a Republican from Pennsylvania, who could be relied upon by the agents of big business to render faithful service. I knew him well. When I reached his desk I asked which of the clerks had enrolled the railroad bill. He indicated the man, and started toward him.

“No,” I interposed, “call him over here.” I stood stock still till the clerk came.

While I engaged him in conversation about the bill, Kimball went through his desk and, in the back end of the top drawer of the desk, he found the bill, enrolled and ready to be transmitted to the Senate.

“McConnell,” said I to the Chief Clerk, “you know what this means. If that bill is not over in the Senate by the time I arrive there, I will ask for the floor and recite to the Senate the circumstances under which we discovered that bill.”

Needless to say, the bill was in the Senate chamber before I got back. It was signed at once and sent to the President, who signed it on March 3, 1901, the day before my term as United States Senator expired.

On the day previous, Senator Lodge made the following explanation (March 2, 1901, p. 3537) :

“Mr. President, I desire to say a word in regard to the lost bill with respect to which we passed a resolution not long ago. I am informed while the debate was in progress on the North Carolina Claim Bill that the bill had been found in a desk in the enrolling room of the House of Representatives. It seems to have slipped into the drawer of the desk. I wish to say this in justice to the clerks and officers of the Senate. It never came here.”

That is the story of the one labor measure that, to my knowledge, passed both houses of Congress and

became a law during the twelve years that I was in the Senate. Every means, fair and foul, was employed to kill it, and it was rather by good luck than anything else that we found the bill and got it through in the closing hours of the Session.

During the last year I was in the Senate, that is, from 1899 to March 4, 1901, the Congress of the United States enacted laws upon every conceivable subject, which fill a volume of more than 2,000 pages and these laws were enacted by the attorneys of the property interests of this country who had complete control of both houses, and most of these laws were privileges to the owners of stolen property to exploit the people of the United States.

So much for the standing of labor before Congress—it had no standing at all. And why? Partly because of the lack of organization; partly because of the ignorance and weakness of the leaders; partly because labor can hope to gain little or nothing at the hands of a Congress composed of corporation lawyers and other representatives of the business interests. Perhaps a word with regard to my relations with the American Federation of Labor will help to make my meaning clear.

I became acquainted with Samuel Gompers, President of the American Federation of Labor, many years ago. At that time, I supposed that he represented the labor unions of the United States in the interests of the toiling masses, and that that interest extended to the public in general. But I very soon found that Samuel Gompers and the American Federation of Labor were a combination something in the nature of a trust, organized, even before the great industrial combinations were formed, for the purpose of exploiting everybody except the members of their own combination. I found that Gompers was standing in with the employers of labor and under-

taking to get all he could for his crowd, without reference to the general welfare.

On August 8, 1911, Mr. Almont, one of the organizers of the American Federation of Labor, came to me at Sioux Falls, S. D., and said that he had received a letter from Samuel Gompers, or from the office of the American Federation of Labor, requesting Almont to secure a letter from me giving my opinion regarding the trade union movement. I thereupon wrote Gompers the following letter:

“Sioux Falls, August 8, 1911.

“Samuel Gompers,

“President American Federation of Labor.

“Dear Sir:

“F. C. Almont, one of your organizers, has asked me to write you and give an opinion with regard to the Trade Union Movement.

“The Trade Union should be universal and include every man who toils, not only in the factory, but on the farm. The strike and boycott are but crude and savage and warlike remedies, and I am sure labor will never receive what it earns until the land and implements of production are co-operatively or publicly owned.

“Capital cannot exist without labor and is entirely dependent upon labor, while labor is independent of capital, can and does exist without it. Yet under the present system of production capital exploits labor, and takes more than two-thirds of the earnings of labor, and, until the system is changed, labor will struggle in vain to secure what it produces.

Yours truly,

“R. F. PETTIGREW.”

During the fall of 1911, I visited Washington and called upon Gompers. He brought up the subject of

my letter, said that he had received and read it and that it was an impertinence to write him such a letter. He began, in a rather excited way, to announce that it was socialism and then to attack the socialists and the socialist doctrine. That interested me very much, so I stayed and talked with him for a long time and got a very fair insight into his theory of the labor movement. Later, I continued the investigation and had at least one meeting with four or five of the principal union officers at the headquarters of the American Federation of Labor at Washington.

After I had thoroughly examined the American Federation of Labor and its processes and purposes, and had ascertained beyond question the relation Mr. Gompers held with the capitalistic and exploiting classes, on December 8, 1916, I wrote the following letter to Gompers:

“December 8, 1916.

“Hon Samuel Gompers,
“President American Federation of Labor,
“Washington, D. C.

“Dear Sir:

“The position of the American Federation of Labor as represented by you is that of standing in with the corporations who employ labor to secure a part of what labor is entitled to and make the corporations divide with organized labor what they take from the public.

“You seem to be ignorant of the purpose and objects of the Civic Federation and are getting acquainted with Professor Commons. The only way to make a federation of labor effective is to combine all those who are producers of wealth in a political organization and take charge of the government and then administer the government in the interest of the rights of man. It is now administered in the interests of the rights of property and ad-

ministered by the men who did not produce any of the property, but who have stolen it from those who did produce it.

"I am enclosing you copy of my article on the distribution of wealth in the United States, also copy of my letter to you of August 8, 1911.

"I very much hope that Congress will pass the Compulsory Arbitration laws, if that is necessary to open your eyes and the eyes of the American Federation of Labor as to what is going on. Commons is right—the Supreme Court will hold that it is constitutional.

"They sent Dred Scott back to slavery and if they will now hold that organized labor can be forced to work, whether they want to or not, and thus send it back to slavery, you will wake up and take possession of the Government and Congress and also of the courts.

"Right after the Dred Scott decision, Lincoln made a speech at Cincinnati, using the following language with reference to the Supreme Court:

" 'The people of these United States are the rightful masters of both Congress and the courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.'

"I have wondered if organized labor would still refuse to affiliate with the other laborers—would finally abandon their position as the aristocracy of labor—that of looking with contempt upon their fellow-workers. I wondered if the time will come when you get sufficiently jolted so that you will organize a labor party composed of farmers and other producers of wealth and take charge of the Government of the United States and administer it in the in-

terests of humanity instead of continuing to administer it in the interest of property—stolen property—with organized labor constantly trying to compromise.

“Your position and the position of organized labor has been a matter of great astonishment to me for years and I very much hope that they will pass the compulsory arbitration law, for the extreme measure is necessary to jolt organized labor off from the pedestal upon which it has been roosting on to the ground among its fellow-men.

“Yours very truly,

“R. F. PETTIGREW.”

Gompers had always insisted that labor should not go into politics, but that they should select from the two old parties the good men and vote for them without reference as to whether they are Democrats or Republicans, knowing full well that that policy would only result in perpetuating the system of universal exploitation, of which he was one of the representatives.

The people who produce the wealth and do the work in the United States are at least two-thirds of the population. A little over 2,000,000 of the American people own all of the wealth that the workers have produced, having taken it from the producers through special privileges, secured by every conceivable species of chicanery, bribery and corruption. Whenever the masters meet an opponent who exposes their methods and practices, and protests against the present economic system, they first undertake to buy him by agreeing to divide with him the favors which they receive. Failing in that, they undertake to destroy him. No man can succeed for any length of time politically under our system if he exposes the methods of the corporations who own all of the great natural resources and artificial facilities of the United States.

Soon after the American Federation of Labor was organized and Mr. Gompers became its chief, the interests took him into "camp," as they express it, and formulated for him the arguments and program by which he was to handle the American Federation of Labor, so that it would be an adjunct of the present economic system. Of course strikes were permitted where the men represented by Gompers insisted upon having more pay than some of the employers were willing to give. Strikes like those of the steel workers in 1919-1920 might come and go. It was all one to the big fellows. But whenever the strike became so widespread as to seem dangerous, or when the demands of the men were so reasonable that they made a wide public appeal, the smallest possible concessions were made, generally through the leaders of the strikers to the men.

Before making concessions, however, the great combinations would undertake to bribe the leaders; would hire private detectives and use force, if necessary, to beat the strikers into submission. In order to justify the use of force in the eyes of the public, they would send their secret agents among the strikers, advocating some act of violence which they represented as dangerous to the welfare of the workers. They would talk violently and excite the men and advise bomb-throwing and even murder. Sometimes they even perpetrated such outrages. Generally the assaults were against property, and of course immediately the army or the police, or both, were called in to restore law and order.

From a close observation of the operations of the American Federation of Labor, as conducted by Mr. Gompers, I am satisfied that he was a party to the methods employed for breaking great strikes, and that the strikes advised by him were manipulated very much more in the interests of the capitalists than in the interests of labor. And that is why I wrote in a second letter to Mr. Gompers:

“The only way to make a Federation of Labor effective is to combine all those who are producers of wealth in a political organization and take charge of the Government, and then administer the Government in the interests of the rights of property and administered by the men who did not produce any of the property, but who have stolen it from those who did produce it.”

Labor has no standing in Congress. Its acknowledged leaders—in conjunction with the masters of industry and finance—tie labor hand and foot. The American Federation of Labor has been in existence forty years (since 1881). During the period of its power the position of the American worker has become, on the whole, less, rather than more, advantageous. The big rewards, the great winnings have gone to the owners, while the workers have received only the crumbs.

Labor produces the world's wealth. The vast majority of the American people work for their living. Civilization is built upon labor, and labor is civilization. Yet the public life of the United States is so organized that the workers receive scant consideration, while every attention is paid to the owners of the property.

All our legislation has been aimed to increase the power and promote the interests of those who have, as against those who produce. The great question then that is presented to the laboring people of the United States is:

Shall the rights of man be superior to the rights of property?

Inasmuch as all property is created by labor, if the rights of man are safeguarded by legislation, no laws will be required to protect the rights of property in the hands of the men who produce it, but under our present system the laborer who produces the wealth has none of it. He is exploited out of it by the landlord, by

the corporation which employs him, by the corporations which furnish him public utilities, by the insurance companies and trust companies which charge three times what it is worth to do the business, and by the general system of combinations of the parasites and idlers of society, who get away from the producers of wealth what their labor has created.

If forty laboring men were shipwrecked upon a distant island in the ocean, which was practically never frequented by ships of commerce, and there were about one thousand acres of fertile land upon the island and only one spring of pure water, and one of their number should rush at once to the spring and the thousand acres of land and claim it as his property because he saw it first and insist that all the others should pay him a portion of their products before they would be permitted to raise food upon the land or to drink water from the spring, the other thirty-nine people would be justified in taking it away from him, and proceeding to exercise their natural rights, giving, of course, the greedy usurper the same right which they all possessed—that of going to work and earning, with the rest of them, his own living.

Of course, the exploiters of labor are always talking about the dignity of labor and extolling the laborers, and the Labor Day orators—men who have never done a day's work in their life or produced a dollar's worth of wealth of the country—will speak of the laborers in the highest terms.

Why then should not the producers of wealth organize and take possession of the Government and run it in the interests of the workers rather than to have it run in the interest of the idle few, as at present?

It seems to me that it is about time we abandoned the barbarous doctrine of "the devil take the hindmost," and that, instead of universal selfishness and competition, we could found a civilization based upon the rights of man in the interest of the general welfare

for all the people. Such a step would raise the mental, physical, and moral standard of the population, and would be the beginning of a new stage of civilization. This work must be done by the laboring classes. It will never be done by the beneficiaries of a special privilege economic system now existing in the United States.