

The most perfect government is one in which an injury to the most humble subject is regarded as an insult to the whole constitution.—Paine.

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MINNESOTA HISTORICAL SOCIETY. TWO CENTS.

## WHAT THE HOUSE AND SENATE WILL DIVIDE U. S. TO AID UNEMPLOYED

### Attempt to Abolish Senate Voted Down by Large Majority. May Raise Fares.

The poor railroads are to receive attention during the present session of the legislature. E. J. Westlake, senator from Minneapolis, has introduced a bill in the senate which if passed will allow the railroads to increase the passenger fares from the present rate of two cents per mile to two and a half cents. That there is a definite move in the nation on the part of the railroads to get legal sanction of the raising of rates is evidenced by the fact that a similar bill has been introduced in practically every state legislature this year. Even Wisconsin has such a bill pending in the upper chamber of the legislature. Won't Commit Suicide. Efforts on the part of Senator Campbell to abolish the archaic upper chamber of the legislature were frustrated on the first vote on his bill which provided for a constitutional amendment to allow the electorate to abolish the senate if they saw fit. Fifty-five senators out of sixty-three

## WILL DIVIDE U. S. TO AID UNEMPLOYED

### Plans to Carry Out Handicapped by Lack of Funds.

WASHINGTON, March 19.—In spite of the failure of congress to appropriate money to carry on the task of connecting the jobless man with the manless job, the department of labor is making rapid progress in its unemployment activities. For the purpose of carrying on its campaign officials of the divisions of information, bureau of immigration, have remapped the United States into 18 zones, each in charge of an official of the immigration service and each to serve as a unit in the general scheme. Chicago is the zone headquarters for Indiana, Illinois, Michigan and Wisconsin. Sub-branches for this zone are at Detroit and Sault Ste. Marie. Aid to Farmers. The first objective point in the campaign is the supplying of harvest labor to farmers of the middle west. Assistant Secretary of Labor Louis F. Post pictures the army of harvesters moving northward from Texas to Oklahoma, Kansas, Nebraska, and into the Dakotas. "This army," he declares, "must be recruited from outside regions. The need for it in the wheat belt lasts hardly more than six weeks. And when that need is over the harvesting army must melt away. "Of every 100 harvesters in that grain belt less than 50 can get opportunities for making a living in the entire belt, after six weeks of harvesting, and less than 25—probably not more than 10 or 15—after August. "Here is a region which from the first of June until the middle of July needs twice as many workers as can get employment there any longer till the following June, and more than three times as many as can get employment there from September to June. First Attempt of United States. For the first time in its history the federal government has tackled the problem of unemployment on a national scale. It is going about this business severely handicapped by lack of men and money, but with the cooperation of no less than three of the executive departments—the department of labor, the postoffice department and the department of agriculture. It will be the function of each postoffice in the country to act as a distributor of information. The special agents of the department of agriculture, of whom there are thousands, will turn in facts and figures about the job situation to the officials of the immigration service, who will issue their notices and orders through the postoffice. STREET CAR MEN STRIKE. EAST LIVERPOOL, Ohio, March 19.—Organized street car men of this city are on strike because of the company's failure to observe that portion of its contract which provides for seniority. The management persists in the use of "extra" men. The car men insist on a compliance with the contract which provides that the oldest man in the service shall be privileged to have first choice of runs.

## UNIVERSITY STUDENTS DENOUNCE EFFORT TO THROTTLE FREE SPEECH

### University of Pennsylvania Officials Take Unusual Position.

### STUDENTS HOLD MASS MEETING IN AUDITORIUM

### Gompers Accepts Invitation to Discuss Labor Problems Despite Opposition.

PHILADELPHIA, March 19.—A refusal by the University of Pennsylvania authorities to permit students to invite President Gompers to address them on the university grounds resulted in several hundred students securing an auditorium and inviting the trade union executive to speak on "The Struggles and Aspirations of Labor." The university officials vetoed a similar invitation to President Gompers at the time of the A. F. of L. convention in this city, last November, and resentment on the part of the students has developed as a result. Can't Throttle Free Speech. During his talk the unionist referred to attempts to suppress free speech, saying: "The movement with which I am engaged stands for free speech. But this is not the first time I have been in trouble over the question of free speech. A man who was a judge denied me the right of free speech, but I spoke freely, an injunction to the contrary notwithstanding. I was sentenced to a year imprisonment, but the man who sentenced me is no longer judge and I am still speaking. Has it come to this that in the great University of Pennsylvania a man cannot be heard for the cause which he espouses? Has it come to this that posters announcing my coming have been torn down and that the official publication of the university will steadfastly ignore that a meeting of public character is to be given?" Resolution Drawn. At the conclusion of his address, President Gompers retired. Later, resolutions of a condemnatory character were adopted by the mass meeting, which practically amounted to throwing down the gauntlet to university officials. A free speech society was organized and for the first time in the history of the institution students denounced members of the faculty and instructed a committee to record the sentiments of the speakers and forward the resolution to the provost and trustees. Resolutions were also passed protesting against the policy of the Pennsylvania, a daily student publication, which refused to publish notices of the meeting. A Student's Protest. Edward B. Gowan voiced the sentiment of the students present when he said: "We are led to believe that President Gompers was refused to speak because he is a propagandist. If this is so, why was Guggenheim, the copper king, permitted to speak with in the walls of the university? Why also, was an official of the Pennsylvania railroad allowed to speak about the full crew law? Again, why was James M. Beck selected as the principal orator at the Wash-

### New York World Scores Faculty of University For Their Unwarranted Act.

### A SANCTUARY BARRER TO PRESIDENT GOMPERS

### Quarantine System Acts As Bar Against Those Tainted With Radicalism.

NEW YORK, March 19.—The New York World makes this comment on the action of University of Pennsylvania authorities refusing to allow President Gompers to speak at that institution, on invitation of the students: "Samuel Gompers is not one of the men to whom God in His infinite wisdom intrusted the property interests of the country, as Mr. Baer used to say. He had no reason to think he was entitled to the privilege of addressing a body of students on any subject within the precincts of the University of Pennsylvania. In that sanctuary of learning the youth of the land is carefully guarded against the wiles of heretics and blasphemers, and the gates of its temple are closed to all who have not proved by act and word their faith in the infallibility of vested rights. "Any man who wants to go to West Philadelphia and talk to the under-graduates about wages is a disturber of the peace. That great and exclusive public forum is strictly reserved for persons absolutely free from any taint of radicalism. Under the wise quarantine system in force there, a stranger like Mr. Gompers, who sympathizes with labor, is barred. Even rightful students and members of the university staff, at the first indication of the dangerous disease, are liable to segregation and removal. "If Mr. Gompers were an advocate of a 10 per cent increase in railroad rates or a higher tariff on iron and steel, hosiery or carpets, he would have been eminently qualified to address a public meeting at the University of Pennsylvania with the official sanction of the student body. As a labor leader he fully deserves the stinging rebuke he suffered for presuming to accept an invitation to appear before the students."

### MINE FATALITIES INCREASE.

MAELTON, Pa., March 19.—Increased anthracite production in the eleventh district during 1914 resulted in an increase of fatalities, according to a report issued by Inspector Roderick of this city. The fatal accidents resulted in the making of fifteen widows as compared to fourteen for the previous year, while there were forty-nine orphans created during 1914 as compared with forty for 1913.

### INGTON BIRTHDAY EXERCISES, WHEN HE ALL KNOW HE IS A PROPAGANDIST?"

The faculty's action was not approved by two professors, according to statements at the meeting. Dr. Scott Nearing and Thomas D. O'Beirger did not favor the policies. Several students said that Dr. Nearing, while addressing his class, advised them to hear President Gompers' address.

## DRIVE UNIONS FROM MINES, IS COPPER CO. DEF

### CALUMET, Mich., March 19.—The mining companies of the Copper Country are behind the agitation to drive out every believer in the economic organization of the working class.

The tools of the corporations are using every effort to start bloodshed in that unhappy country. Frank Aaltonen, general organizer for the Western Federation of Miners, in an interview in Detroit this week, told of conditions in that region. "There is general industrial depression in the upper peninsula of Michigan, but a small improvement has taken place in the copper industry," said a miners' representative, "the mining companies are behind the so-called 'anti-Socialist movement.' It isn't. All the bosses want to do is to grab the former strikers, prejudice public sentiment against them by calling them 'Socialists' and then drive them out."

At a meeting, in Calumet, a few weeks ago, certain Finnish speakers declared that the Calumet and Hecla Mining company had said that if the labor leaders were driven out of the copper country some of the unemployed Finnish miners, who had struck, would be re-employed. "It would be well for organized labor everywhere to consider this situation."

### ORGANIZED LABOR EVERYWHERE SHOULD GIVE ADVICE TO THE COPPER COUNTRY TOILERS AND, IN CASE BLOODSHED SHOULD TAKE PLACE, ORGANIZED LABOR SHOULD APPEAL TO THE AUTHORITIES TO PROTECT THE INNOCENT."

### UNIONISM VINDICATED BY FEDERAL PROBE

WASHINGTON, March 19.—Organized labor in the American pottery industry is to be congratulated on the results of a government investigation of that industry at home and abroad. It is a vindication of the practical workings of trade unionism, and is a triumph for collective bargaining and wage scale and working agreements, which has made possible continuous peace in this industry for over 17 years. The investigation, conducted under the Federal department of commerce, bureau of foreign and domestic commerce, shows that the union pottery workers of this country have demonstrated their efficiency without the use of a "stop watch" or the Taylor system. Principally through their efforts the difference in the total cost of manufacture, in the United States and foreign countries, is from 14 to 40 per cent, although American wages is from 91 to 800 per cent higher than in foreign potteries.

## COLORADO SOLONS LIVE IN 'DARK AGES'

### Attempt To Strangle Labor Unions Through 'Treason' Laws is Proposed.

DENVER, March 19.—Trade unionists are putting obstacles in the path of corporation-controlled legislators in this state who insist on passing laws defining strikes as "treason," and denying a free press and free speech. The "treason" measure has been sent to the foot of the house calendar after a hard fight by opponents of the bill and it may not be reached this session. In opposing this bill Representative Dunlap declared that if it became a law it would give corporations, through controlled county officers, the power to have any worker who insisted on his rights convicted of treason to the state and "shot or imprisoned at the discretion of a corporation-picked jury."

A companion to the "treason" proposal is the "sedition" bill, another bright thought on the part of some one who still believes that "Dark Ages" methods can be applied to the people of today. It provides that any one "who shall make any public speech, or write, or cause to be published, any book, pamphlet or newspaper or magazine inflammatory in character, and having a tendency to incite public disorder or breach of the peace, shall be deemed guilty of sedition," and fined from \$1,000 to \$5,000 and imprisoned from one year to five years. Where special severity is necessary, a court will be permitted to inflict both fine and imprisonment if the bill becomes a law.

Strange as it may seem, these bills are being given serious consideration by certain Colorado legislators and trade unionists are called upon to fight their hardest that the proposals may not be legalized.

### TEXTILE WORKERS STRIKE; ORDERED FROM HOMES

LENOIR CITY, Tenn., March 19.—Mill owners in this city have ordered members of the Textile Workers' union, now on strike, to vacate their homes, which are rented from the company.

The mill management has secured a temporary injunction on the pretext that their property is endangered. The strikers are standing firm and declare they will not return to work under present conditions. Attorneys for the union will ask the court to dissolve its temporary order.

### PREFERENCE TO UNIONISTS.

MELBOURNE, Australia, March 19.—Discussing the question of preference to unionists in public employment, Federal Attorney General Hughes said: "The unionist has won the battles of the workers, but when the fight is won, and the advantages gained, the nonunionist elbows all aside, comes to the front and says: 'Me first.' He selfishly skulks from participating in the industrial battle, but seeks preference in sharing the fruits of victory."

## CITY TO BUILD ITS OWN PACKING PLANT

### Publicly Owned Plant Will Help Small Butcher Fight Beef Trust.

ST. LOUIS, March 19.—The Armour and Swift companies are fighting the proposal of the Board of Public Service to construct a \$1,000,000 municipal packing plant in St. Louis.

The plant, according to the proposed plan, would provide facilities for the killing of inspected animals by small butchers in competition with the so-called Beef Trust.

It is planned to establish a system of municipal inspection of animals and meat and to prohibit the sale in St. Louis of meat which does not bear the inspection stamp.

Robert Conway, superintendent of the Armour plant, in East St. Louis, and Superintendent Hunter of the Swift plant on the East Side, told the board that in their opinion the proposed municipal abattoir would not be a financial success.

L. A. Kramer, an expert on the construction of packing houses, told the board the plant and adequate equipment would cost less than \$1,000,000. Several such plants are in successful operation, he said, in other cities and Europe.

He said the facilities would be of inestimable value to small butchers and that the sale of by-products would produce a large revenue to the city.

## LABOR USES ANTI-LABOR LAW TO EXPOSE POLICE

### Ordered to Show Why Jobless Parade Should Not Be Held.

DETROIT, March 19.—Judge Codd Friday ordered the police department to show cause why it should not be enjoined from preventing parades of the unemployed. He refused to issue a temporary injunction.

Attorney Maurice Sugar appeared for the unemployed, using in the interests of the workers for the first time a law that has hitherto been applied only to prevent labor demonstrations. This statute gives the police power to regulate demonstrations by organizations of five members or more.

The law had a peculiar origin. It was passed to prevent noisy demonstrations by college students, but was seized on to prevent picketing by labor unions.

Six organizations were represented by Mr. Sugar. The Socialist party, the Socialist Labor party, the Francisco Ferrer Modern School, the I. W. W. and the Unemployed League.

### "LABOR" QUESTION FIRST.

WASHINGTON, Mar. 19.—At the annual dinner of the Washington Harvard club in this city, Dr. Harvey Wiley, the well-known food authority said:

"Greater than the question of what ships shall fly the American flag, greater than the question of what nation shall rule Europe, and greater than the question of what flag shall rule the seas is the question today of giving the laboring man his fair and just reward."

## HOME OWNING SUBJECT OF FEDERAL REPORT

### Important Bulletin On Government Aid To Home Builders Issued By Labor Dept.

WASHINGTON, March 19.—Government aid to home owning and housing of working people in foreign countries is the subject of bulletin No. 158, just issued by the United States department of labor. The report presents a comprehensive study of the work which has been done in the principal European and Australian countries, a work so important that it has already called for no less than ten international housing congresses. The report states that the activities of foreign officials in the aid of housing have grown out of the conviction that private initiative is inadequate to deal with the housing problem, and that systematic government regulation, encouragement and financial aid must be given.

### Three Classes of Aid.

The methods of granting public aid differ greatly in detail in the various countries, but the form in which the aid is given usually falls under one of the three following classes:

Building directly, for rental or sale to the government's own employees or for working people generally.

Making loans of public funds (including also government guaranty of loans) to local authorities, noncommercial building associations, employers and individuals.

Granting exemptions from or concessions in taxes or fees, or granting some other form of subsidy to building associations or others.

Most important among the loans of public funds are those from the funds of the state accident and sickness-insurance associations in Austria and of the funds of the invalidity and old-age institutes in France and Germany. These loans in Germany represent the most important financial aid to housing anywhere developed, having reached a total of over \$118,000,000.

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# LABOR AND THE LAW--A BIT OF HISTORY

By LOUIS F. POST.

Whoever works for a living knows what labor is; and all but lawyers and judges are presumed to know the law. So I shall not try to explain either the one or the other. But maybe I can tell a story about organized labor and judge-made law.

This is a story with a moral, but I shall save the moral to end it with. And it is a story of today, though it begins a long time ago. It begins so long ago indeed, that in telling it I shall set out in the good old-fashioned fairy-tale fashion, notwithstanding that this is no fairy tale.

"Once upon a time," then, there was a King of England whose name was Henry I. With his kingly crown he acquired a lot of private secretaries whom he organized into a working force with one of their number as foreman. The foreman was the King's Chancellor. It was no sinecure, this foremanship; for part of the Chancellor's job was to keep the King's conscience, and as kings' consciences went in those days, that duty alone almost called for the wit and nerve of an animal trainer.

Slipping down from there a couple of centuries toward our own time, we may find the Kings and their Chancellors had meanwhile died, one after another, making a long procession of office holders from the cradle to the office and from the office to the grave.

Long Live the King. For it was only the office holders that died and not the office. By a legal fiction which still survives, the office holder and his office were quite

different, the one from the other. Office holders were weak and selfish mortals of few years and full of trouble; but offices were things of power, of stability, of virtue untarnished and unquarrelsome, and very types of the square deal everlasting. When a king died the cry would go up that the king was still "doing business at the old stand," thus: "The King is dead, long live the king!" It was like that also with kings' chancellors. Nobody shouted it from the house tops about chancellors, as they did about kings; but chancery lawyers used to mention it when they got into chancery lawsuits such as Dickens has told about, which had been started before their great grandfathers were born.

When those two hundred years had gone by after Henry I. organized his private secretaries under the Chancellor as foreman, the King's conscience that needed keeping by a Chancellor was Edward's—the first of those Edwards of whom the Seventh has recently died. By that time this particular Chancellor's predecessors had very much increased the importance of their job. Among other things they had set up a factory for turning out judge-made law.

In that law factory the principal raw material was the King's conscience, for this is what it was the Chancellor's duty to keep. Nor did the supply ever give out. A particular King might have no personal conscience at all, and his Chancellor might have none of his own to use as a substitute; but the kingly office always had a conscience handy, and

to this any Chancellor worth his salt would go whenever he got an order for a consignment of judge-made law.

Well, the Chancellor's factory was not unionized. The union law shops were run by the regular judges, who were called "law judges" to distinguish them from "chancery judges." And the Chancellor had assistants, so bulky had the King's conscience got to be, and so complex its throbs. This was due to a growing line of chancery precedents—precedents being law what recipes are to cookery, except that the older they get the more sacred they become and the more savory the dish.

The way in which the Chancellors had got to making law out of the King's conscience was as natural as could be. Law judges applied the law to all cases alike, just as they found it. At least they said they did, and it was contrary to the rules of their union not to do so. This gave Madame Justice many a misfit. For general rules of law, when applied rigidly to particular cases, would sometimes produce absurd and unjust consequences, especially as they rested more on ancient custom than on moral principle. It was a little like the old "hand-me-down" clothing stores, where garments were made to fit no man in particular but any man in general. So the Chancellor set up his non-union factory for turning out judge-made law. He made particular laws to fit each case as it came before him, and did as well as the King's conscience and his own skill permitted. At least he said so.

Suppose one person threatened to do

an injury to his neighbor's property, and the person whose property was threatened asked the law judges to protect him. The law judges were likely to say, though in the more stilted language of their time and profession: "You are altogether too precious; wait until that wicked man does what he threatens to do; then come to us, and we will make him smart."

But suppose the fearful person explained that if he waited until the threatened injury was done, it would be too late; for after that nothing could restore his rights.

Then the law judges might tell him that possibly they could punish his vicious neighbor just for the threat; but not very severely; or make him give bonds to pay for any damage he might do.

But the suitor would respond: "That wouldn't help, either; for whether you punish him for the threat, or punish him for the wrong if he does it, or make him give bonds to pay damages the wrong he threatens me with, if once done, cannot be repaired. You must prevent his doing it."

No Hope. The law judges could then gravely assure the suitor that much as they sympathized with him they could not help him; that there was no power in human law to prevent any man from doing anything, unless it were to hang him in anticipation of what he might do.

But suppose now that the disappointed suitor got the ear of the Chancellor with his tale, and asked the Chancellor if all that foldered was in

keeping with the King's conscience. The Chancellor would say something like this: "The King can do no wrong, nor permit any of his subjects to wrong another. What your neighbor threatens is contrary to conscience—the King's conscience. If those law judges cannot head him off, I will." So he would issue an injunction ordering the man who made the threat not to carry it out.

### How it Was Done.

Do you ask how that order could prevent the carrying out of the threat any more than the law itself could if the law already forbade the act? You have it.

Of course, the injunction order could not prevent the act any more than the law could, unless it scared the man more. But the old Chancellors could have explained the difference. If the man enjoined were charged before law judges with breaking the regular law, he would have to be indicted by a grand jury on the testimony of witnesses, and then tried by a jury of his equals on the testimony of witnesses who would have to submit to cross-examination to see whether they were lying or not, and then he would have to be convicted by that jury of his equals. All this before he could be punished. The law judges could not punish men for breaking laws unless they were first proved guilty and duly convicted; for it was contrary to their rules to punish any person who might in reason be innocent.

Not so with the Chancellor's injunction. If a man were charged with breaking that, the Chancellor himself

could try him, with or without a jury; and could himself convict the man, himself impose any penalty he wished to impose; and himself decide whether and when to grant a pardon.

So the question of chancery injunctions was after all not a matter of heading off wickedness; it was a question of whether the person charged with wickedness should have a trial under the law of the land, applicable to all persons alike, or a Chancellor's trial under judge-made law ground out at the Chancellor's own factory for each particular case.

Nor did the Chancellors stop with making particular procedure laws for punishing breaches of the regular laws. Very often they would decide that it was contrary to the King's conscience for this man or that to do particular things against which there was no law at all outside the Chancellor's notion of what the King's conscience ought to be. And in those cases, just as in the others, if the injunction was disobeyed, or the Chancellor thought it was, he did the punishing himself and in his own way. No red tape for him. He punished whomsoever he hit upon as guilty, according to his own judge-made laws of procedure for distinguishing the guilty from the innocent. You see he was King, judge, jury, witness, sheriff, and parliament, all in one, whenever he wanted to be.

Origin of Injunction. This was the beginning of what Governor Altgeld of Illinois hundreds of years afterwards, and in a country that neither old King Henry nor his Chancellor ever heard of, called "in-

junction," which means government of organized labor by organized labor "sweaters," through judges who have got their training for judgeships by serving as lawyers for the "sweaters."

But to get back to those old Chancellors. Of course, they had trouble with the law judges. There are some pretty good things about their "bugging" with the King's conscience up their sleeves, but there were also some bad ones. And the law judges were jealous anyhow. Perhaps the worst thing about the Chancellors was the supple way in which they were getting to sidestep the time-honored safeguards of innocence in the criminal law such as trial by jury and cross-examination of accusing witnesses. It is likely that jealousy had quite as much to do with the quarrel that sprang up between the Chancellors and the law judges, but this makes little difference now. The quarrel resulted in a pretty good compromise, in which there was one highly important stipulation. Mind this now, for it profoundly and vitally affects organized labor, even in our own distant time and country.

The Chancellor agreed not to inject the King's elastic conscience into criminal matters. A wise stipulation that, in the interest of personal rights, if the Chancellor could make it in criminal matters, he might finally destroy the safeguards of English liberty; and while England had more than the usual supply of these safeguards, she had none to spare. Except for that stipulation a