SAMUEL GOMPERS, THE ANTI-INJUNCTION MOVEMENT, AND THE CAMPAIGN OF 1908

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This study traces and analyzes the influence of Samuel Gompers, President of the American Federation of Labor, on the anti-injunction movement and the participation of the American Federation of Labor in the presidential campaign of 1908. Particular attention is given to the thought and position of Gompers concerning the labor injunction and the beginning of organized labor activity in national politics because it was his leadership that guided the AF of L response to these problems.

The labor injunction so stifled trade union growth that by the middle of the first decade of the twentieth century union leaders groped for solutions to their predicament. They hoped to find some way to eliminate the difficulties caused by injunctions. To obtain this relief, organized labor appealed to the judiciary, to Congress, and to the electorate in the American political process. Each source denied their assistance.

Necessary to an understanding of the campaign and its significance is a knowledge of the historical background of
the labor injunction and of the traditional political stance taken by the American Federation of Labor. The second step here is to discuss the effect of several important labor cases upon organized labor and probe into the congressional attitudes about labor injunction legislation. Central to this discussion is Gompers' interpretation that the labor injunction was a threat to the existence of trade unions. The third section delineates the AF of L's efforts to secure a helpful labor platform from the major political parties. It also questions the degree to which the AF of L committed itself in 1908 to the Democratic party. Although the first three chapters are topical in organizational structure, the fourth chapter is arranged on a chronological basis. The chapter narrates the campaign efforts of Gompers on behalf of the candidacy of William Jennings Bryan. The last chapter places the objectives of the anti-injunction movement into perspective and offers an explanation of the outcome of the AF of L efforts to solve the injunction problem.

Of the major conclusions of this study, the first points out that the impetus for involvement in national politics of 1908 came from the belief of Gompers and other union leaders that the existence of the trade union movement was in danger. Secondly, the inability of Gompers to
influence significantly the labor vote in the 1908 election guaranteed the immediate failure of the AF of L's primary objective of alleviating the injunction threat. The study makes clear that Gompers did not affect the labor vote because of the type of individual in the AF of L, because of the characteristics of the business trade unionism practiced by the AF of L, and because of the fallacies of the political program devised by Gompers. Finally, this study indicates that the only part of the AF of L political program even partially successful was the embryonic formation of a labor vote which helped produce favorable results in later years.

This paper is based predominantly on primary sources. Two sources, the AF of L trade journal, the *American Federationist*, and the *Samuel Gompers' Letterbooks* provide an exhaustive account of most events considered here. Additional sources include Gompers two-volume autobiography, *Seventy Years of Life and Labor*, the *Congressional Record* of the 58th, 59th, and 60th Congresses, and *The Letters of Theodore Roosevelt*, edited by Elting Morison. *The New York Times*, the *New York Herald-Tribune*, and the *Washington Post* were helpful in tracing the campaign activities of Gompers. Two contemporary articles examine the effect of labor in the 1908 election,
Graham Taylor's "Organized Labor and the Elections" and
Robert F. Hoxie's "President Gompers and the Labor Vote."
SAMUEL GOMPERS, THE ANTI-INJUNCTION MOVEMENT,
AND THE CAMPAIGN OF 1908

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CHAPTER I

BACKGROUND: INJUNCTIONS AND POLITICS

The American Federation of Labor, under the leadership of Samuel Gompers, survived the severe economic decline of the early 1890's. Yet by the early 1900's it languished under trying conditions fostered by the imposition of court injunctions in labor disputes. Facing bleak prospects for continued growth, Gompers began adjusting his strict trade union philosophy in seeking some means of relief from the employer's injunction threat.

The labor injunction represented one of the more formidable weapons in the employer's arsenal of weapons against organized labor. "Of all the anti-labor weapons, none so vividly illustrated property rights and the hostility of employers and government to unionism as the labor injunction." The labor injunction was essentially a judicial order requiring labor unions or individuals to refrain from any activity which the court considered injurious to the property rights of the employer. Employers found that the

\[1\] Marc Karson, American Labor Unions and Politics, 1900-1918 (Carbondale, 1958), p. 31.
injunction had several advantages in the struggle against labor unions. It allowed the employer to utilize the resources of the government in his struggle with his employees, and the force of the government amounted to an insurmountable obstacle for unions. A glance at some of the earlier labor injunctions indicates their scope, and their effect on organized labor.

After perusing the 1905-06 editorials of Samuel Gompers in the American Federationist, the official magazine of the American Federation of Labor, one might reach either one of two conclusions; the tenor of the writings could indicate either a hurried response to a fresh problem or an increasingly defiant stand against a long-known situation. Actually, it was both. To organized labor, the injunction was like the poor; it was always with them. And yet, in the early 1900's employers began to apply that combat weapon of industrial warfare in newer and more effective ways.

Samuel Gompers had encountered injunctions both before and after he became president of the American Federation of Labor. In the early 1880's Gompers witnessed an injunction in a Cigarmaker's Union strike in Binghamton, New York. A state court issued that particular injunction and state courts issued most of the early injunctions. Gompers recalled
that one of the earliest federal injunctions was directed against several trades in New Orleans. He believed that the injunctions by the federal courts in labor disputes made the issue acute.\(^2\)

That observation by Gompers became widely accepted in labor circles after 1894. In that year Eugene Debs led the American Railway Union in a strike against the Pullman Company. It was broken by a federal injunction enforced by the executive arm of the national government. That case amply illustrated the feasibility of utilizing the labor injunction in industrial disputes, and afterwards both state and federal courts issued injunctions frequently.

The direct experience of Gompers with early labor injunctions was limited primarily to two cases, the first in 1893. In New York that year the clothing firm of Sinsheimer and Levinson approached the cutters in their shops asking them to sign statements signifying that they did not belong to the United Garment Workers Union. Upon refusal of the cutters to sign, the firm threatened to lock them out. The obvious intention of that maneuver was to oust the union employees from the shops. After the Garment Workers attempted to prevent this, the Clothing Manufacturers Association of

New York obtained an injunction against the Garment Workers Union and the AF of L as well; yet, the association failed to obtain an injunction because the court decided that the firm of Sinsheimer and Levinson had prejudiced its position by previously locking the employees out.³

Gompers again became involved in an injunction case in the United Mine Workers strike of 1897. The miners had to endure conditions that were probably worse than in any other large industry. The mine owners systematically reduced wages of the miners at that time, alluding to various causes for their actions. Following another wage reduction, in 1897 Gompers called a conference of several labor union officials in Pittsburg. The conference improvised plans and issued a statement demanding that the mine operators restore the recent wage cut; if they refused, a general strike of all bituminous coal miners would begin on July 4, 1897. The mine operators discounted the possibility that the miners would support the strike but soon after the appointed deadline less than five percent of the miners were at work. Labor union organizers went into West Virginia and Pennsylvania to induce the miners to support the strike and stop the flow of coal into Pittsburg.⁴

³Ibid., pp. 197-198.
⁴Ibid., pp. 198-204.
To combat this obstinate stand by the unions the mine operators sought an injunction. A local judge who was also a mine operator and attorney, issued an injunction prohibiting the union officials from holding meetings or speaking to the miners to solicit their cooperation in the strike. An AF of L conference at Wheeling dispatched a committee of three to present a petition for "free assemblage and free speech" to the Governor of West Virginia. The Governor honored their plea. Next, the mine operators secured a sweeping federal court injunction forbidding anyone from inducing the miners to strike or come near the roads going to or from mine property. Gompers protested that the latter part of the court order was a Pandora's box for obstructing legal union activity, for, as he noted, any road in the world could eventually lead to some mine property. Gompers advised labor union officials and organizers to ignore the injunction, and continue their activities on behalf of the strike. They did. Law officials served many injunctions upon the union officers; Gompers claimed to have been served with six at one time, but no arrests were made and the United Mine Workers won their first strike.

\[^{5}\textit{American Federationist}, \text{IV (September, 1897), 159.}\]
Notwithstanding the victory of the U.M.W. the injunction had proved its worth to employers. While the injunction was initially used to enjoin the boycott or strike, after 1900 it was broadened to cover other areas of industrial conflict. In 1900 a New York injunction prohibited picketing and the payment of strike benefit funds to any non-union worker. In this strike the Cigarmakers Union tried to entice non-union workers to join them in striking by offering to pay strike benefits to them. In 1901 an injunction in a Cleveland Molder's Union strike prohibited any effort by that union to persuade other workers to join their cause. The court stated that "persuasion itself, long continued may become a nuisance and unlawful." Picketing was described as "organized espionage." At New Haven, Connecticut, an injunction prohibited any manner of interference by violence and "other means." In 1902 the St. Louis garment workers issued circulars asking the public to boycott a clothing firm. The company obtained an injunction to prevent this but on appeal the Missouri Supreme Court reversed the judgment. The next year the United States Circuit Court at St. Louis prohibited the Railway Union leaders from coercing their members to strike.  

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6 "American Federationist, V (June, 1900), 162; (September, 1901), 359; (June, 1902), 300; (May, 1903), 362."
These decisions had far reaching implications but labor considered them mild compared to the major injunction cases of 1905-06. The Massachusetts Supreme Court in 1905 practically nullified the union shop agreement. The court held that such an agreement did not require the employer to discharge non-union men. The same year a judge in Cincinnati ruled against the Iron Molder's Union of that city. The employers in that case sought an injunction to stop the iron molders from persuading some of their strike-breakers to leave and join the union as full fledged members with initiation fees paid. The judge ruled that the union had maliciously and unlawfully injured the employer by interfering with his business. During the latter part of 1905 Judge Jesse M. Holdom issued an injunction against the Chicago Typographical Union in a strike to secure the eight hour day. The court order restrained picketing, any type of moral persuasion, and any effort of the union printers to get non-union printers to join the union. Gompers bitterly attacked this injunction because of the situation involved. The union had conducted a model strike in quest of an issue, the eight hour day, which had been often recognized. Yet as punishment for contempt, Judge Holdom jailed two union leaders and fined the union $1,500. Gompers
admitted the extremely galling feature that organized labor had offered no resistance when Judge Holdom previously ran for his judicial office as a "business judge."  

The injunctions just reviewed do not offer a complete list of labor injunctions for the period prior to or immediately after 1900. They are cited to provide an overview of the manner in which the labor injunction was abused. One authority stated that there were twelve federal cases reported between 1894 and 1901 and then proceeded to demonstrate that a great many cases were never reported. Compers felt that the entire number of cases in the United States from 1898 to 1908 numbered "not less than a thousand."  

Regardless of the numbers, a partial survey of labor injunctions revealed that they grew in intensity and scope after 1900. This pattern closely paralleled the anti-labor activities of the foremost employer organizations.

The chief employers organization was the National Association of Manufacturers. Employers founded this

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organization in 1895 to advocate tariff reform and promote foreign trade. By 1903 President David Parry had headed the NAM on a course to check and resist unionism. Declaring itself against all vestiges of unionism like boycotts, blacklists, strikes, lock-outs, and the closed shop, the NAM solidified local employer alliances in a drive for the open shop. The Citizens' Industrial Alliance grew out of a meeting called by the NAM in October, 1903, to devise ways to enforce the open shop. These and other local organizations carried on a wide range of anti-union activities such as dissemination of propaganda, dismissal of union employees, and aggressive actions employing force in time of industrial disputes. The employer organizations utilized the labor injunction as the highest plane on which their campaign against unionism was waged. 

Gompers was cognizant of the aim of the NAM to restrict unionism, and correlated it with the effects of the labor injunctions. In answer to a writer in the New York Journal who demanded to know where an injunction had prevented

anything that ought to be done, Gompers replied in specifics and then stated that labor knew the aim of the employers who requested injunctions. Their objective was to "render futile any combined effort to resist any encroachment or injustice which employers, combinations, and trusts may seek to impose upon the workers."¹⁰ Gompers interpreted most labor injunctions as attempts to negate any union effort to improve its position.

Opponents argued that Gompers oversimplified the issue. They maintained that labor could get unjust injunctions dissolved by a higher court. Gompers pointed out that injunctions, if obeyed, meant that the strike was lost because the cohesion of the workers was destroyed. The opponents retorted that if damages were suffered by the union, it could bring a suit for recovery. Gompers replied that a broken strike accrued injuries "so far reaching and complete as can never be assessable in a case for damages."¹¹ He stressed that injunctions could destroy a strike in a psychological moment and that legal proceedings in behalf of labor, no matter what the outcome, could not remedy

¹⁰ American Federationist, V (July, 1900), 214.
¹¹ Ibid. (June, 1900), 163.
the fault. Because of the effects that labor injunctions had in industrial disputes Gompers used the pages of the American Federationist to outline the opposition of labor to them.

The opposition of the AF of L to the injunction movement confined itself predominantly to a refutation of arguments on the issues brought up by specific cases. The editorials and related stories dealing with the problem in the American Federationist illustrated the increased consideration the injunction received from 1900 to 1906. Gompers often reiterated arguments about the more flagrant abuses of the labor injunction. He did not want to limit his opposition to a concise well-defined treatise. His purposes necessitated a combination of reason and emotional outbursts intentionally constructed to keep the rank and file of organized labor ever familiar with the problem. These arguments contained little legal reasoning to meet the court decisions; Gompers was not trained for such; rather they were on a humanatarian plane exhibiting a personal view of justice. With these general observations in mind, the anti-injunction position can be better understood.

At first the anti-injunction argument maintained that the courts often violated the rights guaranteed to all
American citizens in the Constitution. The foremost contention used here included the plea for the First Amendment guarantees of free speech, free press, and freedom of assembly. In 1897 Gompers characterized the injunction in a Pennsylvania strike as denying free speech and freedom of assembly. Employers continually asked that "persuasion" of their employees not be allowed, and the courts willingly obliged. Gompers commented on this aspect of a 1901 case where the Federal District Court in Indiana cited the "right to work" of the employees as a basis for the injunction. Nobody quarreled with the "right to work" doctrine, asserted Gompers, but what of the unionists right to appeal to the sense of honor and self-respect of the employee? He argued that the strikers had the right to peaceably argue, appeal, and persuade the men who had taken their positions to quit, and thereby enable the strikers to win.12

All too often the court made no distinction between violent persuasion and peaceful persuasion. The net effect, Gompers declared, was that "moral suasion and free speech" were made criminal, and constitutional liberties were in danger of being "irrevocably stolen." The AF of L chieftain

12 Ibid., IV (September, 1897), 159; V (November, 1901), 474-475.
expressed the hope that President Roosevelt might uphold the grievances of labor in this issue; Roosevelt agreed with the principle of peaceful persuasion but did very little. In 1902 the Missouri Supreme Court provided one of the few victories in this area when it overturned a judgment that had prohibited circulars advocated the union position on the grounds it denied free speech. This case, however, proved to be the exception rather than the rule because freedom of speech was generally relegated below the property rights of business.

Labor claimed that injunctions infringed upon another area of constitutional liberties as a result of judicial procedure in contempt cases. Labor officials felt they had two alternatives when faced with an injunction, to lose their cause or ignore the court order. When injunctions were violated, the court held the defendants in contempt. At a hearing the same judge who issued the injunction would determine the guilt or innocence of those charged. Gompers contended that not only was it unfair to have the same judge try the case but that the procedure denied the accused

the right of trial by jury. Opponents of labor charged that a jury trial in a contempt case was contrary to judicial precedent and would cause an unnecessary delay. Gompers scoffed at these excuses. He believed that any delay would be a small price to pay for justice and reminded the legalists that delay was allowed in criminal cases. Why could it not be allowed in contempt cases? When a county judge of Cook County, Illinois, issued an injunction enjoining only violent picketing and recognizing the right of a jury trial in contempt proceedings, Gompers applauded the decision. He was especially happy that the judicial expression coincided with his belief that a jury trial in contempt cases would instill more confidence in the general labor citizenry concerning judicial rulings.\(^\text{14}\)

Anti-injunction protests listed another complaint which might be loosely classified as an encroachment on constitutional liberties under the "due process" clause. The objection was to the manner in which injunctions were issued without any evidence or proof of the basis on which they were issued. Thus courts issued injunctions to protect business from threatened ruin when there was no proof or evidence of unlawful acts or of the business being hurt.

\(^{14}\)American Federationist, V (July, 1900), 214; (March, 1902), 124.
Gompers charged that a mere allegation should not constitute grounds for an injunction. In one case the court found malicious and willful intent to harm a business, amounting to a conspiracy, because a union paid strike benefits to its workers engaged in a sympathy strike. The AF of L leader protested that the court only assumed a malicious intent to exist because it certainly was not proven; therefore, the court lacked sufficient grounds on which to issue an injunction. In issuing the injunction without a proper basis, the court did not follow the duly constituted processes of law.

The *American Federationist* occasionally displayed a line of reasoning against the labor injunction which was based on sociological grounds. Gompers and many labor leaders believed the judiciary to be so steeped in conservatism that they were incapable of meeting the modern issues imbedded in industrial disputes. Labor thought these judges, by training and temperament, to be behind the times. Gompers expressed such sentiments frequently in his editorial opinions, but at the same time he declined to accept the socialist view that the judiciary was merely a tool of the capitalist class.

\[15\] *Ibid.* (June, 1901), 217; XII (May, 1904), 398.
This did not mean that Gompers absolved the judiciary of any responsibility; he castigated it in no uncertain terms, claiming it was "oblivious of present economic, industrial, and social conditions and tendencies."\(^{16}\)

The feelings of organized labor about the judiciary ranged from hope to apathy and eventually descended into despondency after the turn of the century. Seldom did the courts rule in favor of labor in industrial disputes and when they did the cases did not constitute landmark cases. The failure of labor to secure judicial remedies in injunction cases made it necessary that relief be sought by other means.

It was due to the deficiency of the judiciary in its social outlook, thought labor, that the courts subordinated human rights to property rights. Equity courts issued labor injunctions on the thesis that they were a protection for property rights and that the action taken by labor bodies represented a threat to these rights. Thus any interference with the business procedures caught up in labor quarrels involved action meeting the criteria for jurisdiction by the courts. When employers obtained injunctions the court might enjoin persuasion, picketing, strike benefits, sympathy strikes (secondary boycotts), or any number of activities.

\(^{16}\) Ibid., V (May, 1902), 235.
with the end result being the dissolution of the ultimate weapon of labor in the dispute—the strike.

By 1905 Gompers and other labor leaders had become concerned with what they considered a gross injustice. They saw any form of a strike or any peaceful means to obtain labor's ends as an inalienable right to withhold its labor. When injunctions were issued prohibiting the secondary boycott or persuasion in connection with a labor dispute Gompers strongly disagreed. The decision assumed the worker had no right to quit because the employer had some sort of a property right in the services of his employee. "No man can have a property right in the service of a free man," asserted Gompers. American labor pointed out historical differences between property rights and personal rights under English law. In testimony before the House Judiciary Committee on March 14, 1906, Andrew Furuseth, a California labor leader and confidant of Gompers, delineated the historical antecedents of the injunction and tried to relate them to the American principle of no property rights in man. "Man's labor power is a part of him; it fluctuates with his health, decreases when he grows old, and ceases at his death. It cannot be divorced from man and therefore under
our system can not be property."  Gompers differentiated between property and labor by describing property as an inanimate object while labor was an essential part of a human being. Opponents of labor retorted that they claimed no property rights in labor; they sought only to protect their vested interests. Labor spokesmen replied that intentions mattered little, the net effect of the labor injunction denied the worker the right to quit on the grounds that it interfered with property rights.

Gompers attributed this development of the property rights argument to a failure by the judiciary adequately to consider both sides of the issue. In 1898 he wrote, "The powerful arm of the judiciary of our government has been thrown in the balance on the side of the strongest, most powerful, and influential by reason of their possessions, as against the men who are working day after day ... to earn their bread." Gompers saw this lack of objectivity by the courts not as a predetermined alliance between employer and judge but he believed it was due to fallacious premises on the part of judges. Yet, at the same time he felt that the judiciary knew where power of the day resided. His

17 Ibid., XII (November, 1905), 835; XIII (May, 1906), 311-316.
editorials revealed points of interest to labor in injunctions that the courts failed to consider. By 1903 Gompers concluded that the judiciary lacked the proper balance and perspective to solve the problem. ¹⁸

Perhaps the broadest area of opposition to the labor injunction was the argument that it was improperly used. Gompers declared that it was used improperly when used in labor disputes, that it forbade legal activities peculiar to labor, and as a result it led to judicial legislation. The AF of L saw the injunction as a proper tool of the equity courts to protect property when there was no other remedy at law. Opponents claimed that labor wanted to abolish the injunction. The AF of L, however, sought only to limit it to its proper use. When President Roosevelt spoke against any limitation of the equity powers of the courts in his Presidential message of January, 1906, Gompers asked, "In what particular is it or can it be unwise to limit a judge in the issuance of a writ never contemplated by any existing law?" ¹⁹ The AF of L leader believed that the sole basis for issuing labor injunctions would be when the employers

¹⁸Ibid., V (November, 1898), 183; Gompers, Life, II, p. 195; American Federationist, V (May, 1903), 362-364.

¹⁹American Federationist, XIII (May, 1906), 311; (February, 1906), 90; V (June, 1901), 217.
had property rights in their workmen, and labor denied that such existed.

Labor adversaries ridiculed this argument and exhibited it as proof that Samuel Gompers did not care for the justice of property rights. Gompers denied such assertions and upheld the right of physical property. In a 1901 case, prohibiting unionists from interfering with a woman who remained at work during a strike, he criticized the court order but upheld the right of protection due the employer. If the woman was annoyed, said Gompers, let the police arrest the offenders. If union members did any wrong, let them be prosecuted. But Gompers said that to use an injunction when legal means were available perverted the proper use of the court order.\(^{20}\)

In criticizing injunctions Gompers called special attention to the acts which were prohibited. Through the years the courts had enjoined activities peculiar to labor tactics. These acts were the methods employed by unions to attain their goals. Gompers believed that all of these labor tactics, if peaceful, were legal, whether done singularly or in combination. One of the gravest dangers of the injunction, thought Gompers, was that it prevented

\(^{20}\)Ibid., V (June, 1901), 217.
men from exercising their legal rights. Injunctions most often enjoined the means by which labor hoped to attract workers to the primary or secondary boycott. Gompers felt such to be illogical; the court stopped men from advising others to do what the law allowed them to do.

Gompers believed that some activities not provided for by law were still legal. He pointed out that no legislature would pass a law against strikes or picketing. Yet the courts accomplished the same object through injunctions. What the law-making bodies chose not to prohibit the courts proceeded to make illegal. Gompers labeled this practice judicial usurpation of legislative functions. He declared that this government by injunction was the most rigid form of plutocratic power, and he pledged the AF of L to fight against it. Labor, contended Gompers, did not want immunity from the law, only equality under it.

The editorials of Gompers from the 1890's to 1907 outlined his opposition to the labor injunction. First, it demonstrated conclusively that the major obstacle to trade union advancement was the labor injunction. In doing this it focused the attention of labor on the inequities caused by abusive injunctions. The editorials also showed

21Ibid., XIII (May, 1906), 321; (July, 1906), 469; V (November, 1901), 475; (November, 1900), 351.
the futility anticipating any judicial relief from the injunction. Thus labor had to look to other means to secure redress of their grievances. Analysis of the injunction problem and its effect on organized labor made Gompers believe that the AF of L could not progress satisfactorily. But the trade union movement needed more than just editorial opposition to secure relief from the injunction.

Regardless of the reasons why labor opposed injunctions it continued to feel their effects. It was apparent that the injunction movement proved to be more successful than the anti-injunction movement. Efforts to obtain legislation restricting use of the injunction was equally unsuccessful. In 1901 a bill, introduced in the Senate, partially withdrawing trade disputes from the jurisdiction of the Sherman Anti-trust Act contained the phrase, "nor shall any restraining order or injunction be issued in relation thereto." In 1902 a similar measure passed the House. Gompers advocated the passage of this bill and urged organized labor to petition Congress in favor of it. The AF of L Legislative Committee reported that the bill was eventually defeated through the efforts of Representative Joseph Cannon, Speaker of the House, and Representative Charles E. Littlefield of

Maine. The AF of L continued to press for passage of an anti-injunction bill but had their attempts stymied by increased hostility from the NAM and sister organizations. Both sessions of the Fifty-eighth Congress witnessed such bills introduced but to no avail.²³

In early 1906 Gompers indicated that additional methods would be utilized in hopes of accomplishing tangible results. He accused Congress of stifling anti-injunction legislation and indignantly exclaimed that "session after session has gone by without an attempt being made at an earnest, honest settlement of the question." In the March and April issues of the American Federationist Gompers vigorously assailed the Holden injunction against the Chicago Typographical Union. He counseled the AF of L that anti-injunction legislation could only be secured by defeating "every bigoted, ignorant, or class-serving judge, and every legislator who is not willing to pledge himself to oppose the destruction of liberty and the acquiescence of legislatures."²⁴ Appeals had called upon labor to defeat its enemies and elect its

²³American Federationist, V (May, 1903), 364; Frankfurter and Greene, The Labor Injunction, p. 154; American Federationist, V (April, 1902), 180-181, 185.

²⁴American Federationist, XIII (February, 1906), 89; (April, 1906), 230.
friends before, but this time the request envisioned political involvement other than just the use of the individual franchise.

Some studies have catalogued the reasons why labor became further involved politically in 1906. They emphasized such things as the injunction issue, the punishment of unionists by fines and imprisonment, the organized hostility of employer groups, the decline of membership and finances of the AF of L, and the challenge posed by the growing socialist element. All of these reasons related directly or indirectly to the injunction problem. The injunction issue involved the first three reasons directly; it primarily caused the decline of membership and finances because it arrested growth of the AF of L; and the socialist groups presented a threat only because certain obstacles to labor, especially the injunction, required greater political efforts to overcome those obstacles. One contemporary organ pointed out the influence that recent successes of the British Labor Party had on the AF of L. In addition to these reasons

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the progressive reform movement, growing daily, encouraged political participation. These influences made political participation inviting, but the overriding factor remained the failure to deal effectively with the injunction movement.

The traditional conception of the AF of L political program envisioned little union activity. Gompers had steered the AF of L on a non-political course emphasizing the view that trade unions should work out their problems through economic pressure. Early experience with labor movements in politics had taught him that it was disastrous. He believed that efforts to involve labor unions politically would disrupt their cohesive power and that funds expended for such purposes could be used better in industrial conflicts. Gompers feared that expansion of government functions would be detrimental to trade unions in the long run. He did not want the government to have additional power which could be used against the labor movement and felt that if the government policy enjoyed any success it would divert the loyalty of the workers away from trade unionism. Thus the political policy of the AF of L followed the pure and simple path of "no politics in the unions and no unions in politics."  

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27 Foner, History of the Labor Movement, pp. 282-287; Mandel, Samuel Gompers, pp. 149-159.
This view imparted an accurate picture of the way events developed through 1904. By then, however, the effect of the injunction precipitated a change in political policy. The AF of L had previously endorsed the policy of "reward your friends and punish your enemies" but neglected to push the matter. Soon Gompers began taking pains to explain why trade unions should no longer keep out of politics.

In a speech before the Cigarmaker’s Union of New York Gompers tried to show that trade unions had never kept out of politics. He pointed out that from its inception the AF of L had urged independent political action and referred to resolutions passed by the AF of L in 1886, 1891, 1899, and 1901. In 1902 the New Orleans Convention commissioned the Legislative Committee to draw up bills to present to Congress and to lobby in behalf of them and other measures beneficial to labor. Gompers then expounded upon his definition of union political action. It was not just electing candidates to office but political involvement by lobbying, by protest, and by making the justice of one’s position known. He maintained that labor did not need a party of its own because they were always taken over by “faddists, theorists, and self-seekers.” Trade unions, continued Gompers, go into politics for three reasons, to
prevent hostile legislation, to secure such action by the government that cannot be secured by trade union action, and to give trade unions their full and free rights in the exercise of their functions. Gompers explained British trade union participation in politics as being nothing more than support of the Liberal Party candidates who advocated their views. He believed that the AF of L should take no new political steps; it should simply begin doing what it had said it had always done.

At about the same time Gompers was laboring over the Holden injunction against the Chicago Typographical Union, he was considering the recent message of President Roosevelt to Congress. Roosevelt mentioned the injustice of some injunctions but felt that any limitation of the equity powers of the courts would be unwise. On February 9 and 13, 1906, Gompers wrote to the Executive Council of the AF of L that the outlook for legislation in Congress looked barren. The make-up of congressional committees and their total disregard for the interests of labor influenced his outlook. Gompers recommended that a petition be drafted on matters that labor desired and a protest be made to Congress about

28 American Federationist, XIII (August, 1906), 541-545.
its failure to pass laws beneficial to them. The Legislative Committee would further discuss the matter on March 3, 1906, and report to the Executive Council at an informal meeting on Sunday afternoon, March 18.29

At the meeting of the AF of L Legislative Committee on March 3, Gompers reviewed the difficulties of the situation in Congress. Gompers concentrated on the injunction and the significance of the Sherman Anti-trust act as it was being used against labor unions. The group agreed that a conference of all leading AF of L officials should be called into a session with the Executive Council to protest the inaction of Congress, and that if no laws ensued, they "would hold the dominant party in Congress responsible for the failure to secure its passage." On March 5, 1906, Gompers invited the affiliated international union officers to the conference and then requested appointments for these delegates to visit President Roosevelt, William Frye, President pro-tempore of the Senate, and Joseph G. Cannon, Speaker of the House.30


Gompers was anxious to see that the protest to Congress was drafted and presented in proper fashion. He and Andrew Furuseth framed the protest document "giving [their] best thought to a clear statement of the fundamentals as well as an appealing presentation of the situation." After the Executive Council meeting of March 18 through 20, it and the representatives of the 118 affiliated internationals adopted the document known as "Labor's Bill of Grievances" on March 21, and presented it to Roosevelt, Frye, and Cannon. The bill enumerated complaints about the manner in which Congress had slighted the requests of labor concerning the eight-hour-day law, competitive convict labor, restrictive immigration, violations of the Chinese Exclusion act, the Seamen's Rights and Ship Subsidy bills, perversion of the Sherman Anti-trust law as applied to labor, and the anti-injunction bill. In asking for a redress of these grievances the bill expressed its dissatisfaction over labor committees being packed with anti-labor men and reminded Congress that it was responsible for legislation and for the failure of legislation. The Bill of Grievances concluded, "Labor now appeals to you and we trust that it may not be in vain. But, if perchance, you may not heed us, we shall appeal to the conscience and the support of our fellow citizens."³¹

³¹Gompers, Life, II, p. 242; American Federationist, XIII (May, 1906, 293-296.)
The presentation of the document encountered a dismal reception in government circles and in the press. President Roosevelt partially agreed with the immigration and Chinese exclusion items and with the eight-hour law but remained reserved on the rest. Senator Frye was non-committal. Speaker Cannon was openly antagonistic; he delivered the labor delegates a patronizing lecture saying, "You are not the whole thing. You are not the only pebble on the beach." Gompers replied, "We are just a few pebbles whom you ought to consider and whether we are small or large, influential or impotent, at least our earnest requests ought to be given favorable consideration." The dominant press denounced the move as "class politics" and "government by intimidation." Gompers retorted that labor had a right to voice its interests, that voter interest frightened the critics while voter apathy pleased them, and that past doctrines like populism that were condemned by the press had been adopted by Roosevelt and William Jennings Bryan. When questioned about the intrusion into politics, in testifying before the House Committee on Education and Labor, Gompers exploded,

For Heaven's sake, when has it become a crime or an offense for an American citizen to express his preference for one Congressman or another? . . . What shall we do--continue to come here year after year and year after year and decade after decade, and still go back
reporting to the men who selected us to come here and present their claims: 'Defeat! Defeat! Nothing accomplished!'?

Due to this negative response the AF of L leaders contemplated further action. The Executive Council resolved to follow up on its threat and enter the impending congressional elections. On April 7, 1906, the AF of L distributed the "Bill of Grievances" and the response it evoked to its members, and printed the same in the May American Federationist. On April 18, Gompers wrote Andrew Furuseth asking his opinion about getting a list of Congressmen who were "absolutely straight" for labor. On April 26, the Federation sent each Congressman a copy of the "Bill of Grievances" and requested a reply containing their views on it. Gompers promised that any authorized labor group could have this information upon request and that many individual Congressional viewpoints would be printed in the AF of L magazine. Gompers advised workingmen to act as a unit at the polls in order to rid themselves of harmful laws and secure favorable legislation. He urged that "straight-out trade unionists"

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be elected, but if no such candidate appeared, then defeat the enemies of labor by electing the best possible men who can be used "as a stick to beat the enemy." 33

As some sources have noted, these pronouncements did little except expound the AF of L theory of "reward your friends and punish your enemies"; yet, in some respects the AF of L did extend its action beyond its past political practices. The talk may have been the same but its temper was more demanding. Gompers believed the action to be the beginnings of an "effort to develop organizational discipline for the most effective use of the political power of labor." 34

Throughout the history of the AF of L Gompers had been pressured from both sides by socialists who wanted more action and by those who wanted absolutely no connection with politics. He had long since departed from the socialists and in 1906 he probably hoped to avoid additional political involvement; thus, the mass lobbying effort occurred. If Congress could be prodded into action on the anti-injunction bill, no further political moves would be necessary.

33 Gompers to Andrew Furuseth, April 18, 1906, GLB, CX, 597; American Federationist, XIII (June, 1906), 384; (May, 1906), 318-322.

Although the "Bill of Grievances" presented several items for consideration, the anti-injunction position and the related alteration of the Sherman Anti-trust law proved to be the major concerns of labor. On May 12, 1906, Gompers again saw Roosevelt about anti-injunction legislation. The AF of L President presented a resume of the labor opposition to the injunction abuse. He next reviewed the two main anti-injunction bills pending in the House Judiciary Committee, the Pearre bill and the Gilbert bill, and tried to show Roosevelt the superiority of the Pearre bill backed by the AF of L. According to rumors, Roosevelt backed the Gilbert bill and Gompers wanted him to convey to the Judiciary Committee that such was not so. Roosevelt received the letter and promised to refer it to the Attorney-General but little else. Two days later Furuseth testified before the hostile House Judiciary Committee emphasizing the basic AF of L contention of "no property rights in man." In answer to this appeal the House Committee appointed a sub-committee to investigate the meaning of "property rights" of business in relation to the property rights of labor but failed to report any anti-injunction bill.\(^{35}\) Congress would take no prodding from labor.

\(^{35}\) Gompers to Theodore Roosevelt, May 12, 1906, GLB, CXI, 549-555; American Federationist, XIII (May, 1906), 311-316; (July, 1906), 464; (August, 1906), 558.
On June 15, 1906, the Executive Council discussed Congressional inaction and appointed James Duncan, John Lennon, AF of L Vice-President and Treasurer respectively, and Samuel Gompers to draft a statement and campaign plan for coming Congressional elections. On July 22, the Executive Council issued a leaflet entitled "AF of L Campaign Programme" to organized labor and friends. It reviewed the injunction abuse, the plea to Congress, Congressional perfidy, and castigated government "of, by, and for the almighty dollar." To end control of government by "corporations, trusts, and captains of industry" it recommended the following: (1) labor should defeat hostile legislators, (2) local labor unions should formulate political plans on their level, (3) labor should work within the system by nominating trade unionists but if both parties were hostile it should appeal to the progressive elements. A Labor Representation Committee of Gompers, James O'Connell, and Frank Morrison, AF of L executive officers, would direct the campaign program nationally. To finance the program the Executive Council issued the "Appeal for Labor's Campaign Fund" which sought contributions from local labor unions or individual members since the AF of L finances could not be used for political purposes. Responses were meager and another appeal asked for additional funds but Gompers opposed
union attempts to assess members for funds. Both pleas netted $8,225.94 of which $8,147.19 was spent.  

Prior to the issuance of the "AF of L Campaign Program" Gompers wrote Federation leader Max Morris that the Second District of Maine represented by Charles E. Littlefield would receive the most of his political attention. Gompers decided to initiate political action there for several reasons. The Maine elections took place on September 10, two months before the general elections and this offered an opportunity to concentrate AF of L attention on a limited area as well as allow a chance to make political capital of any success achieved. This district had about 3,000 union men in it and Littlefield had won his last race by 5,419 votes. But Littlefield, himself, provided the largest reason. Since coming to Congress he had consistently opposed labor bills as a member of the influential House Judiciary Committee and had been antagonistic to Gompers. He prided himself on being the darling of the NAM and being lauded by conservative Speaker Cannon.  

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36 Gompers to AF of L Executive Council, June 2, 1906, GLB, CSI, 152; Gompers to AF of L Executive Council, July 20, 1906, GLB, CXII, 669-670; Gompers to Henry Abrahams, August 3, 1906, GLB, CXIV, 252-254; American Federationist, XII (August, 1906), 529-532; (October, 1906), 822.

37 Gompers to Max Morris, July 20, 1906, GLB, CXII, 678-679; Gompers, Life, II, p. 244; Joseph G. Cannon told to
Gompers prepared to enter enthusiastically into the campaign. Beginning on July 14 the Labor Representation Committee met up to three times a week and mapped out campaign strategy. Gompers utilized AF of L organizer Stewart Reid as a liason man to arrange his itinerary through the auspices of labor unions in the Second District. He wrote Reid to announce his coming for the purpose of showing the people how Littlefield misrepresented them. To insure an adequate presentation on the injunction problem, Gompers arranged for T.C. Spelling, AF of L attorney, to compose anti-injunction arguments. D.J. McGillicudy, Democratic opponent of Littlefield, corresponded with Gompers concerning campaign issues and strategy. On August 11, 1906, Gompers wired twenty-nine leading union officials asking their support, personally or through their organizers, to assist in the campaign. Many complied with the request as at least fifteen unionists canvassed the Second District speaking at union meetings, social events, and on an individual basis with laborers. Gompers wrote Spelling that all available speaking invitations had been filled.\(^38\)

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\(^38\) Gompers to Frank Morrison, July 10, 1906, Gompers to Stewart Reid, June 30, 1906, Gompers to T.C. Spelling, July 16,
Gompers had commented that he expected a "hot day and night campaign" in Maine. From August 18 to September 8, his itinerary called for eleven speaking engagements in as many towns. His opening address at Lewiston, Maine drew some 2,500 people to a two and one-half hour oration in one hundred-degree heat. The speech emphasized the Littlefield attitude toward the Bill of Grievances. Gompers explained the importance of Littlefield's opposition to the Ship Subsidy bill and the Compulsory Pilotage bill to this Atlantic coastal state. He attacked the Littlefield position of supporting application of the Sherman Anti-trust Act to labor disputes. He criticized the labor injunction as being judicial legislation, a tool of the wealthy against labor, and used to prevent workers from doing lawful acts that other citizens could do. Equality under the law, cried Gompers— if labor had broken any law let it be prosecuted. The issuance of injunctions had no basis in law, claimed Gompers. 39

39Gompers to AF of L Executive Council, August 15, 1906, GLB, CXIV, 805-806; American Federationist, XIII (October, 1906), 795-812.
Throughout the campaign Gompers enunciated these themes. He called on the people to acquaint themselves with the function of the American political processes and the power they possessed through the ballot. He concentrated on business dominance of government and the relationship of Littlefield with prominent anti-union men like C.W. Post, the cereal king. Popular government could never come, predicted Gompers, until the people divorced themselves from the political robots "who are owned body, boots, and breeches by corporate power, and predatory wealth."\(^{40}\)

Littlefield neglected his Democratic opponent in the campaign and directed his efforts against Gompers. He attacked Gompers personally as a "liar, coward, and Jesse James" and characterized the labor position on labor injunctions as seeking to license murder and property destruction. To appeal to labor, Littlefield induced a trade unionist to run on the ticket with him for the state legislature and organized an instant "labor party" that endorsed him.\(^{41}\) Besides the tactics of Littlefield, other Republicans came to Maine to aid the party.

\(^{40}\) Cunniff, "Labor in Politics," p. 8131.

\(^{41}\) American Federationist, XIII (October, 1906), 795-812.
Initial unconcern about the political threats of labor in Maine turned into active respect. The Republicans assembled a barrage of noted speakers to battle the labor campaign. Uncle Joe Cannon, Secretary of War William H. Taft, Senator Henry C. Lodge of Massachusetts, Senator Albert Beveridge, Representative Thomas Watson of Indiana, and Representative Hamilton of Michigan took the stump for Littlefield. As did Gompers, they viewed the early Maine elections as a political barometer and feared the consequences of any success by labor. Senator Lodge wrote Roosevelt, "The question of whether there should be a Republican or a Democrat sinks into insignificance compared to the question whether Gompers shall dictate the choice of Congressmen." Speaker Cannon later said, "Had Littlefield been defeated in September, I believe we would have lost the House in November." To stem the tide the Republican Congressional Campaign Committee asked Roosevelt to make a general appeal for a Republican Congress with which to work.42

Roosevelt did not relish the idea of making labor a target but realized that a new strategy had to be adopted. He felt he had no alternative but to help the Republican conservatives defeat labor. He wrote to Cannon that he thought under existing conditions that it was necessary to elect Littlefield. On the day that Gompers opened his campaign Roosevelt wrote James Watson, Republican Whip in the House, a general endorsement of the Republican membership in Congress and appealed especially to labor. He emphasized the good labor record of his administration and promised to do all he could for the worker and farmer but "for no man or body of men will we do anything that is wrong." This specific wrong, said Roosevelt, was the weakening of the power of the court to deal with abuse. To labor, this meant no relief from the injunction.

The Republican stump speakers, like Littlefield, took an anti-Gompers position. Speaking at Lewiston, Maine, on September 5, Cannon attacked Gompers as a Czar and a dictator and declared that Gompers disliked Littlefield because the

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Maine Congressman failed to comply with the demands of Gompers. Cannon criticized Gompers for introducing the "blacklist" into politics, for assessing union members to get a campaign fund, and for bringing "outsiders" into the Second District for political purposes. To Cannon the anti-injunction bill would negate the existence of property rights in labor disputes. Secretary Taft spoke at Bath, Maine, contending that Roosevelt was the real issue in the contest. Taft told how Roosevelt regulated the trusts, defended the high tariff as beneficial to labor, and identified Littlefield's stand on the injunction with Roosevelt. If Rooseveltian policies were to be continued, asserted Taft, then C.E. Littlefield must be re-elected. The New York Times agreed that Roosevelt was the key issue in the race. Lodge centered his speech on the necessity for independent Congressmen and the perils of "dictation by non-political secret organizations."44 The other Republican speakers offered similar contributions.

Labor participation in the Littlefield campaign encountered several additional difficulties. The Socialists distributed some 24,000 copies of their magazine, The Worker.

in the Second District. These criticized the AF of L involvement in the campaign. The Socialists resented the failure of Gompers to back their candidate, Walter A. Pickering, a trade unionist. Angered by socialist criticism, Gompers charged them with being subsidized by the trusts in order to divide the opposition to Littlefield. The National Association of Manufacturers hindered Gompers by their staunch stand in behalf of Littlefield. They directed an appeal to employers for campaign funds for Littlefield to use to combat outside dictation. A quickly organized "Citizen's League" backed by corporate wealth aided the Republican candidate. In contrast to the financial support Gompers thought the Republicans mustered, the AF of L spent $918.95 on the Littlefield skirmish.  

The Littlefield campaign witnessed the origin of the techniques the AF of L would use in its political activity. The AF of L would be selective in picking out its opponents and exert its effort in a particular locale. The actual campaign would be strictly labor oriented with arguments confined to labor issues by labor protagonists under the auspices of labor organizations. The conduct of the campaign would have a negative aspect as well as an educational one.

45American Federationist, XIII (October, 1906), 802; Foner, History of the Labor Movement, III, p. 324.
It would be conducted against a candidate rather than for one and the anti-labor political records of the opponent would be publicized in hopes that the general public would support the justice of the labor position. ⁴⁶

The election results offered a variety of interpretation possibilities. Littlefield won, yet the 1904 plurality of 5,419 votes had been reduced to 1,362. Both sides claimed victory. Roosevelt wrote to his daughter, "It is very gratifying to have ridden iron-shod over Gompers and the labor agitators." The Republican press rejoiced and Littlefield stated, "Gompers helped me." Yet Gompers pointed out that labor had won a great moral victory and quoted conservative newspapers to support his claim. The New York Times reported, "his [Littlefield] narrow escape from defeat in so strong a Republican district will tend greatly to strengthen the hands of Mr. Gompers' new party . . . . This we deeply regret." ⁴⁷

The influence of the AF of L campaign proved difficult to assess because of the accompanying factors. Littlefield

⁴⁶Gompers, Life, II, p. 245; Karson, American Labor Unions and Politics, p. 47.

supporters attributed his relatively poor showing to the prohibition issue which hurt Republicans state wide. Littlefield ran ahead of the State ticket but also had the lowest plurality of any Congressional candidate. The gist of the matter was that both sides could point to favorable aspects. To the Republicans Gompers was defeated because Littlefield won. To Gompers, the reduced plurality indicated the influence of labor. He commented that the campaign in Maine and elsewhere offered definite hopes for the future. The election of some trade unionists, the educational impact on the public, the lowered pluralities of many Congressmen, and the reduced Republican majority in the House could possibly lead to Congressional action on the anti-injunction bill. For these reasons Gompers declared that political involvement could not but help labor; it served notice that the demands of labor should not be taken lightly.

If the overall objective of the AF of L campaign was the defeat of leading Congressional opponents of labor legislation, it was a failure. The voters reelected Littlefield and Cannon, who was the only other Congressman who

48American Federationist, XIII (November, 1906), 891-892; (December, 1906), 970-973.
received much attention in the AF of L national political effort. However, to evaluate properly the effectiveness of the political effort, it must be done in the light of what motivated organized labor to enter the political arena. The labor injunction, more than any other factor, prompted the AF of L to extend its political activities. Gompers hoped, of course, to take the political scalp of several anti-labor Congressmen, but his major objective was to provide enough political incentive for Congress to take action on the anti-injunction bill. The defeat of some Littlefields could have better accomplished this, but as Gompers stated, the reduced Republican majority in the House, from 112 to 56, might lead to the same conclusion. If not, Gompers had warned unionists previously that overnight success was not to be expected; the path to equality of justice remained a course of patience and vigilance.  

49 Ibid. (October, 1906), 812-815; (November, 1906), 891-894.
CHAPTER II

JUDICIAL BLOWS AND LEGISLATIVE DISAPPOINTMENTS

In his 1906 report to the AF of L convention Gompers reiterated his belief in the beneficial prospects for the political campaign of labor. He further justified his leadership of the AF of L by printing in the American Federationist a magazine article by former Attorney-General Richard Olney which commented favorably on the advent of organized labor into politics, and by referring to two Congressional districts where labor influenced the vote.1 Throughout 1907 Gompers refrained from discussing the increased political action. He found this to his advantage because discussion might inflame those of the Socialist faction and those in the AF of L who resented political involvement. Besides, Gompers saw no pertinent elective races in 1907; thus, there was no reason to be overly concerned with political action.

However, events soon compelled the AF of L to continue and enlarge its recent political activities. Late in 1907

1American Federationist, XIII (December, 1906), 983-985; XIV (February, 1907), 96.
and early 1908 judicial proceedings dealt organized labor a terrible blow. Gompers viewed these court cases, commonly referred to as the Buck's Stove and Range case, the Danbury Hatter's case, and the Adair case, as an anti-labor offensive. In addition, Congress, disregarding the political threat of labor, failed to pass any remedial legislation requested by the AF of L. These two factors comprised the major reasons why Gompers again took up the political gauntlet, although some other items merit attention.

Foremost among these other items was the increased hostility of the National Association of Manufacturers. In 1906 James W. Van Cleave succeeded David Parry as NAM President and continued an anti-union emphasis. At its New York convention in 1907 the NAM authorized Van Cleave to start a $1,500,000 fund to fight "industrial oppression." Contributions would be sought over a three year period with the yearly goal set at $500,000. Gompers attacked the maneuver as a "capitalist war fund to crush labor." A lengthy September issue of the American Federationist devoted over twenty pages to a symposium of labor leaders criticizing the fund. Gompers displayed the attitude of labor in an editorial entitled "Go to _____ with Your War
The NAM fund reinforced the belief by labor that the employer organizations were out to destroy unionism.

The fact that Taft would be the Republican presidential candidate in 1908 also encouraged political action. In a 1907 speaking tour Taft supported the injunction position taken by the courts. Gompers labeled Taft as the "injunction standard bearer" and accused him of appealing for NAM support in his presidential bid. Taft did not need such support to secure the Republican nomination but his previous record as a judge earned him the unwanted title Gompers bestowed upon him.

The Buck's Stove and Range case provided the first telling blow that renewed AF of L political interest. J.W. Van Cleave, NAM President, presided over the well established St. Louis firm of the Buck's Stove and Range Company. Van Cleave also held membership in the Stove Founder's National Defense Association which had a work agreement with the Iron Molder's Union and other craft

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3 Henry Pringle, The Life and Times of William Howard Taft (New York, 1939), I, 334-357; American Federationist, XIV (October, 1907), 786-789.
unions of St. Louis. The agreement stipulated that all disputes would be settled by a conference committee; the decision rendered would be binding, and, pending adjudication, no operations would cease. Van Cleave decided to make his business a "hot bed of opposition to organized labor" and looked for an excuse to precipitate industrial conflict. The company increased the work day to ten hours in January, 1906 and, after rejecting discussion, the company dismissed leading union workers who sought to enforce the nine hour day. Thus, the Iron Molder's Union struck.  

Extended action against the Buck's Stove and Range Company involved the AF of L. The St. Louis Trades and Labor Council began boycott operations against the company immediately and requested AF of L participation at the convention of the union. The Federation, following usual procedure, had Joseph Valentine, its Vice President, try to adjust the matter, but found that Van Cleave would not consider any discussion. Upon notification of this situation, the Executive Council placed the firm on the "We Don't Patronize" list in May, 1907. In retaliation, Van Cleave served notice of injunction proceedings on the AF of L,  

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4 Harry W. Laidler, Boycotts and the Labor Struggle (New York, 1913), pp. 134-150; American Federationist, XIV (December, 1907), 976.
August 19, 1907, complaining that his business suffered so extensively from the boycott that ruination was threatened. Because of the anti-union bias of Van Cleave, the Federation strengthened its activities by issuing a circular on November 26, urging nationwide compliance with the boycott. Van Cleave next appealed to the Supreme Court of Washington D.C. to issue a temporary restraining order to halt the boycott. On December 18 Justice Ashley Gould issued an injunction restraining the AF of L Executive Council and Electrotype Molder's and Finisher's Union Number 17 from interfering with the business by declaring or threatening a boycott, putting the firm on the "We Don't Patronize" list, or writing or telling about any of the things prohibited. On March 26, 1908 the injunction became permanent.5

Gompers assailed the injunction as "the most sweeping ever issued" because it incorporated almost every aspect of abusive injunctions. It denied free speech and press, was issued on insufficient grounds, and was not used to protect property rights. Gompers argued that if open shop employers were so convinced of its fairness they should not object to anything critical being published. Why, questioned Gompers, could management be so destructive of labor, and labor not

5 American Federationist, XIV (October, 1907), 784-785; XV (February, 1908), 114-115; (April, 1908), 279.
be allowed to defend itself? He defied the court to produce
evidence where the AF of L coerced anyone not to buy a
Buck's stove; the American Federationist only printed the
facts and let the people decide for themselves. 6

For some time the AF of L looked for a test case;
Gompers conferred with his legal advisers to determine the
feasibility of the Buck's Stove and Range case and was
advised that the injunction could be reversed. He retained
Alton B. Parker, former Chief Justice of the New York State
Court of Appeals and Democratic presidential candidate of
1904, to prepare his defense and appeal the injunction to the
Washington D.C. Court of Appeals. To finance the appeals
the Federation assessed each member one cent and issued a
call for voluntary funds; $10,972.55 poured into AF of L
headquarters by January 18, 1908. 7

Although enjoined from placing the Buck's Stove and
Range Company on the "We Don't Patronize" list, Gompers
continued to discuss the case in the American Federationist
and in speeches. On July 20, 1908, at the instigation of the

6 Ibid. XV (February, 1908), 98-105.

7 Gompers to John P. Frey, Dec. 14, 1905, GLB CVI, 702;
Gompers to Executive Council, Dec. 31, 1907, GLB CXXXI, 167;
American Federationist, XV (March, 1908), 218; (February,
1908), 113.
lawyers representing the Buck's Stove and Range Company, Justice Thomas Henderson of the Supreme Court of Washington D.C. charged Gompers, John Mitchell, and Frank Morrison with violating the injunction decree of Justice Gould and ordered them to show cause why they should not be held in contempt. Gompers admitted he had reviewed the case editorially, but maintained that he complied with the injunction by dropping the name of the firm from the "We Don't Patronize" list. If he was to be held in contempt for this, felt Gompers, so must all other news media that reported the case. Gompers asked, "What hope can our people entertain for reform at the hands of the law making bodies for any evils unless the freedom of the press and of speech be maintained at all hazards?" The contempt proceedings continued through the summer and fall of 1908 and on December 23, Justice Daniel Wright rendered a verdict of guilty and pronounced prison terms of one year, nine months, and six months for Gompers, Mitchell, and Morrison respectively.  

To the AF of L and Gompers in particular, the Buck's Stove and Range case represented the ultimate in abusive injunctions. The case struck at the heart of the goals of

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8 American Federationist, XV (August, 1908), 614-615, (September, 1908), 674-700; Mandel, pp. 264-275; Gompers, Life and Labor, 11, 205-221.
organized labor and the methods employed to reach them, and illustrated well a combination of the evils of the labor injunction. Union goals were essentially the betterment of working conditions and a greater share of the profits from production; these aims were best achieved through the union shop, enforced by the boycott. Unions used the primary boycott mostly but when industrial power proved overwhelming the only possible means of reaching its goal or resisting anti-labor offensives was the secondary boycott. Gompers realized that employers strongly opposed the union shop and the sympathy strike. He hoped that a reversal in the case would constitute a landmark decision, limiting the power of the labor injunction. If this could be accomplished, labor could progress and solidify its gains.

Another aspect which made the Buck's Stove and Range case significant was its personal application to Gompers. The fining and imprisonment of union officials was easier to write about than to experience. Unlike other recent damaging injunctions, this one involved Gompers himself and he was aware of the possible consequences of the case. As the case progressed, it deeply affected Gompers. He considered his personal ideals and the conservative policy in which he led the AF of L to be under attack. He had devoted
his life to make trade unionism conform to American standards, yet the Buck's Stove and Range case was largely directed against him. Gompers could not see how such conduct squared with an expressed willingness for the continued existence of trade unions. The Buck's Stove and Range case seemed all the more ominous because it came at the same time as other court decisions that were detrimental to labor.

In 1901 the United Hatter's Union attempted to unionize the factory of D.E. Loewe of Danbury, Connecticut. When Loewe refused to bargain, the Hatters entered upon a national boycott of Loewe hats in 1902. The following year Loewe filed suit against the Hatters, charging them with violation of the Sherman Anti-Trust law. In 1907, after several delays, Judge James Piatt of the United States Circuit Court asked the United States Supreme Court for a ruling on Section 7, containing the damage clause, of the Sherman Anti-Trust Act. On February 3, 1908, Chief Justice Melvin Fuller delivered the unanimous opinion that the Hatters violated Sections 1, 2, and 7 of the Sherman Act and thus this action constituted a conspiracy in restraint of trade. The court found that interference with the physical transportation of an article was not necessary to violate the conspiracy clause. The union became liable for three fold damages claimed by Loewe.9

9American Federationist, XV (March, 1908), 195-199; Laidler, Boycotts, pp. 151-154.
The decision in the Danbury Hatter's case caused tremendous anxiety throughout organized labor. Gompers, even though plagued by the Buck's Stove case, said, "No more sweeping, far reaching, and important decision has ever been issued by the Supreme Court." The decision gave evidence, asserted Gompers, that the Supreme Court knew nothing of modern economics or industrial conditions. Gompers realized the implications of the case; it set a judicial precedent, in a disastrous and opposite way, from that which he hoped to set in the Buck's Stove and Range case. Union activities utilized in industrial disputes could now be classified as conspiracies under the Sherman-Anti-Trust Act, making individual unions liable for damage suits, plus imprisonment and a fine up to $5,000. Since trade unions were not monetary strongholds, the end result would be the dissolution of the union.

On January 23, 1908, the United States Supreme Court delivered another blow to labor in the Adair case. The court declared unconstitutional Section 10 of the Erdman Act of 1898, which prohibited dismissal of workers because they belonged to a union. The decision held that Section 10 was an interference with the freedom of contract. The case

10 American Federationist, XV (March, 1908), 181-185.
allowed the employer to institute yellow dog contracts and blacklist union members to prevent their employment. To Gompers, this was a terrible irony; industry could blacklist unions but unions could not boycott employers.  

The effect of the judicial decisions altered the political outlook of Gompers and of the AF of L. The AF of L had entered the Congressional campaign of 1906 because it found conditions for trade union growth static and unfavorable due to harassment by injunctions. By 1908 the trade union predicament became worse. Injunctions were threatening to destroy the whole union movement. Under these decisions labor could expect no opportunities for self improvement and would be at the mercy of the employers, degenerating into conditions approaching involuntary servitude. Commenting on the plight of unionism, Gompers concluded, "They cannot be, they must not be, they will not be driven out of existence. Labor demands relief at the hands of Congress and demands it NOW."  

Labor reaction to the Danbury Hatter's case indicated some response should be made. Although the decision was delivered on February 3, 1908, Gompers was able to correspond

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11 Adair v. United States, 208 U.S., 161 (1908); American Federationist, XV (March, 1908), 194.
12 American Federationist, XV (March, 1908), 192.
with leading union officials before the late February publication date of the March *American Federationist* in order to print their views on the crisis. In a letter to the Executive Council, Gompers divulged that many central labor union bodies were considering resolutions to support an independent labor party or the Socialist party, while others had called upon the AF of L to undertake such an effort. The less active labor groups consented to follow the AF of L leadership if the Federation would take the initiative in some response. Being opposed to an independent labor political movement, Gompers stressed that the Executive Council should meet on March 16 and 17 and hold a labor conference on March 18 to formulate a course of political action. He feared that unless labor efforts were coordinated through the influence of the Federation, the chance of any successful results would be marginal.  

The AF of L extended invitations to all affiliated national and international unions and developed plans for the conference. The Executive Council actually constructed the protest document in their two day meeting and the joint conference of labor unions and farmer organizations ratified

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13 *American Federationist*, XV (March, 1908), 161-179; (April, 1908), 270; Gompers to John Mitchell, March 6, 1908, GLB CXXXIII, 854-856; Gompers to John Lennon, March 7, 1908, GLB CXXXIII, 828.
the "Protest to Congress" and the "Address to the Workers" on March 18. The "Protest to Congress" stipulated such grievances as Congressional inaction on the Pearre bill, an employer's liability bill, and the eight hour day bill but the basic concern of the document was the application of the Sherman Anti-Trust Act to labor organizations and the continued abuse of the injunction power. It decried the injustice of judicial rulings which gave labor such pseudo-rights as the right to be injured or killed without liability to the employer, the right to be discharged for belonging to a union, and the right to labor under whatever wages and conditions employers may impose. The document contrasted the omnipotence of business combinations with the impotency of labor organizations. It then referred to the British Trade Disputes Act of 1906 as being exemplary of desired legislation. The psychological moment for a change in government policy toward labor had arrived, said the joint conference; thus, two specific recommendations were made. First, Congress should amend the Sherman Anti-Trust Act adding the original 1890 proposals which would exclude labor organizations and agricultural groups. Second, Congress should pass some measure synonymous with the proposals in the Pearre bill. The conference reminded Congress that
the protest itself signified their trust in democratic processes to remedy wrongs, but if this confidence was betrayed, labor would exercise "its utmost political and industrial activity" and "moral and social influence" to insure proper representation of the interests of the masses. 14

The "Address to the Workers" reviewed the reasons for the protest conference and the action taken and then urged the working people to bring "every legitimate pressure" to bear on Congress. The document specified two means by which this could be done. The workers could write their Congressmen about the current situation and local labor bodies could hold mass meetings on Sunday evening or Monday morning, April 19 or 20, to publicize and express their disgust. Gompers planned personally to implement this strategy by speaking at the Grand Palace in New York City on April 19. 15

On March 19, 1908, a committee of seven presented the protest to Vice-President Charles W. Fairbanks and Speaker of the House Joseph Cannon. The Senate had the protest printed as a Senate document with a thousand extra copies

14 Ibid. XV (April, 1908), 261-267.
15 Ibid. XV (April, 1908), 267-269; Gompers to James Duncan, April 9, 1908, GLB CIIIIV, 228-229.
ordered. After accepting the memorial in the House, Cannon offered hope for the employer's liability bill but stated his opposition to any laws for interest groups. Gompers appealed to Cannon along two lines of thought, that the non-violent evolution of American trade unionism proved its wroth to American society, and that by its handling of labor legislation Congress was choosing whether the labor movement would continue along its past lines or find expression in some other form. "Is that [union] influence for good to be wholly ignored?" asked Gompers. If it was, Gompers assumed, then there would be no influence for self-restraint and labor discontent would not disappear, but would express itself in unacceptable forms. Unlike Gompers, Cannon did not believe the Danbury Hatter's decision would be used to liquidate labor unions, and, in effect, told the labor delegation that if they were unsatisfied with Congressional action the "appeal of the ballot box is open to you."16

Gompers had assured Congress that the AF of L would hold responsible the major party that failed to act on its requests. He promised to reassess each Congressional member and communicate the results to the labor affiliates in their

16 42 Congressional Record, 3765-3768.
districts. On May 1, 1908, he told a Chicago crowd that labor would send some men "to political oblivion" who aspired to Congressional positions, or even "the man who may be a candidate for the highest honors within the gift of the people."\textsuperscript{17} However, Gompers did not want to have to resort to such means. He would rather have had legislative results.

Labor had demanded relief at the hands of Congress before and been disappointed. The first session of the Fifty-ninth Congress, in 1905 and 1906 failed to enact any measures in response to the "Bill of Grievances." Gompers hoped the entrance of the AF of L into politics in 1906 would spur Congress to enact favorable labor legislation. The second session of the Fifty-ninth Congress met barely a month, from December 3, 1906 to January 11, 1907. The brevity of the session indicated that labor had little time to advance its legislative interests. No new anti-injunction measures appeared and the major labor legislation before the second session was in behalf of child labor regulation. However, the House Judiciary Committee still had under consideration the anti-injunction bills introduced in the first session. The AF of L was primarily interested in the House Judiciary sub-committee report investigating personal

\textsuperscript{17} \textit{American Federationist}, XV (June, 1908), 470.
and property rights involved in anti-injunction bills. Because of the testimony of Andrew Furuseth, opponents of the anti-injunction bills attempted to present a commendable argument to combat the Furuseth contention of "no property rights in man."¹⁸

After some delay the House Judiciary sub-committee presented its findings. The report addressed itself to two questions, could injunctions be issued to protect personal rights and was the right to do business a property right? It answered both questions in the affirmative. In deciding the first question, the sub-committee found that purely personal rights had not been protected by injunctions; however, in cases where personal rights were connected with the idea of property, injunctions were issued, but the decision hinged on the property aspect. The report next stressed the right of labor to be protected and then, from this information, somehow concluded that injunctions could be issued against labor to protect the personal rights of employers. The sub-committee then turned to the other query. It enumerated twenty-one instances where the right of business was considered a property right, mainly due to the

¹⁸ 40 Congressional Record Index, 1; 41 Congressional Record Index, 1; American Federationist, XII (May, 1906), 311-316.
legal aspects in which business was involved. The report listed three additional reasons which formed the basis for its conclusion. It found that the Sherman Anti-Trust Act treated business as property since it provided for triple damages for violation of the act, that business was a property right because it was a thing of pecuniary value, and that the good will of business carried the attributes of property. Quoting former Judge W.H. Taft, the report said, "The good will of business is so much of a property right it is frequently bought and sold." The sub-committee admitted finding evidence not in harmony with their conclusion but dismissed it as expressions of what should be rather than of what was.¹⁹

AF of L attorney Thomas Carl Spelling soon submitted a brief in reply to the conclusions. In disagreeing with the report, he pointed out that the evidence considered and the conclusions drawn therefrom were slanted in favor of the interests of employers. The report used the term "personal right of a pecuniary value" to substantiate the use of the injunction, said Spelling, but it failed to consider that the hands of the workingman had a pecuniary

¹⁹ Congressional Record Appendix, 563-564.
value. The report erred, continued Spelling, when it cited the "good will" of a business and the Sherman Anti-Trust Act. The sub-committee brought in the good will of business in connection with cases involving trade marks, which were protected by law, and then assumed that such protection indicated that the right to do business was a property right. The report again assumed that the 1890 Sherman law recognized the right to do business as property. Spelling contended that the Sherman Act, being based on the inter-state commerce clause, included only the right to regulate, not the right to destroy. The Committee seemed to have largely based its findings on what Taft thought, said Spelling, and in doing so it used as authoritative arguments the very cases cited as instances of injunction abuse. Gompers expressed dissatisfaction with the report because it did not refer to the recent British Trade Disputes Act on governing labor injunctions but to the "stump speech of a former injunction judge who can hardly be expected to condemn in others the very things which he sanctioned."\(^{20}\)

Labor fared poorly in the Fifty-ninth Congress in respect to the anti-injunction movement. An amendment to the Sherman Anti-Trust Act was not taken up by either

\(^{20}\) American Federationist, XIV (June, 1907), 401-407; (April, 1907), 257; (March, 1907), 183-185.
House. Much activity over the anti-injunction bills took place as they were juggled from committee to sub-committee, but no results emerged.

Gompers hoped for better results in the Sixtieth Congress. The first session ran from December 2, 1907, to May 30, 1908, and witnessed some twenty bills introduced to limit injunctions, plus several other bills about injunctions in labor disputes. To Gompers, it seemed that the anti-injunction bills were gaining proponents and losing opponents, particularly when in March, 1908, Charles Littlefield resigned from Congress. 21

The AF of L sponsored legislation in the Sixtieth Congress approached the problem from a slightly different viewpoint than before. As in the Fifty-ninth Congress, Representative George Pearre, Republican from Maryland, introduced H.R. 94 as an anti-injunction bill desired by the AF of L. The bill sought to regulate the issuance and procedure of restraining orders and injunctions, and to limit the meaning of "conspiracy" in labor disputes. In the past, anti-injunction bills had been designed to eliminate labor injunctions being issued under the "restraint of trade" or "conspiracy" sections of the Sherman Anti-Trust Act or

21 42 Congressional Record Index, 214; 42 Congressional Record, 2562-2564, 3479-3486, 3748.
under common law. H.R. 94 more closely resembled the AF of L lobbying proposals in trying to define "property" so as to exclude the right to do business. The bill provided that,

no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and an employee, or between employers and employees, or between employees, or between persons employed to labor and persons seeking employment as laborers, or between persons seeking employment as laborers, or involving or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property or to a property right of the party making application, for which injury there is no remedy at law, and such property or property right must be particularly described in the application, which must be in writing and sworn to by the applicant or by his, her, or his agent, attorney. And for the purposes of this act no right to continue the relation of employer and employee or to assume or create such relation with any particular person or persons, or at all, or to carry on business of any particular kind, or at any particular place, or at all, shall be construed, held, considered, or treated as property or as constituting a property right.

The wording indicated that the AF of L believed that equity jurisdiction in labor disputes would terminate if the concept of property rights was divorced from the right to do business. The second section of the bill would exclude labor disputes from being considered a conspiracy unless such action or intended action was unlawful when committed by a single individual. The House referred the bill to its Judiciary Committee.

22 Congressional Record 13; 42 Congressional Record Appendix, 574-575.
Spokesmen for the AF of L again supplied the basic arguments on behalf of the measure. Spelling appeared before the Judiciary Committee and Samuel Gompers also testified. The AF of L position continued to be that the right to do business was not a property right and that the corollary of such a conclusion meant that the employer had no vested interest in the labor market. The Federation argument maintained that equity jurisdiction was based exclusively on property rights under the Constitution and any new application of such must be added by statutory law. The new jurisdiction of the courts over the right to do business had come about in the previous twenty years as a result of labor having antagonized monopolists. Corporation lawyers had joined "business" and "property" in complaints and the courts unwarrantably accepted this construction. The right of business could not be interpreted as a property right, stated Spelling, because courts had held business to be a personal right not protectionable under property rights which had to assume a concrete form to be capable of judicial protection. Spelling stated that legal dictionaries defined "property" separate from "business" and that courts had erroneously issued labor injunctions, basing their decisions on the English courts, which in turn
based their decisions on specific laws. The United State fortunately had no laws giving courts such jurisdiction, contended Spelling, for investigations showed that those laws reduced the English workers to near slavery. 23

The AF of L testimony declared that the inclusion of business continuity in property rights amounted to the establishment of a system of paternalism over business; thus, this resulted in class legislation by the judiciary. Employers could combine, contract, limit dealerships, manipulate prices and wages, and use other means to continue business but labor could not withhold its patronage or tell about corporate activities injurious to labor. The AF of L spokesmen believed that such impartiality by the courts guaranteed the employer protection against the hazards of business at the expense of labor, thus making a shambles out of equality of law. The testimony concluded with an appeal for recognition of modern industrial conditions. Spelling tried to show that labor disputes were a form of struggle and conflict required of a just capitalist society, but that no justice could prevail if the courts took the side of employers to prevent counterorganization and counteraction by labor. He urged the Committee to report favorably

on the Pearre bill to provide legislative relief and correct the inequities in the industrial situation.\textsuperscript{24}

The Pearre anti-injunction bill incorporated the principles Gompers believed necessary to attain the freedom for labor unions to progress. Regardless of how the bill could have been interpreted, Gompers thought it would allow trade unions to conduct lawful, peaceful activities in quest of legitimate goals without government interference. He did not want government obstruction nor government regulation in industrial conflicts; thus, he lobbied against measures like the Townsend bill, which advocated compulsory investigation and arbitration of labor disputes, and the Hepburn bill, which would set up a Bureau of Corporations under the Interstate Commerce Commission for corporations to register to obtain immunity from the Sherman Anti-Trust Act.\textsuperscript{25}

In addition to the Pearre bill the AF of L supported a measure that Gompers persuaded William B. Wilson, Pennsylvania Democrat, to introduce. The Wilson bill, H.R.

\textsuperscript{24}Senate Documents, 60th Congress, 1st Session, No. 525 (Washington, 1908), pp. 1-13; Roosevelt to P.C. Knox, Oct. 21, 1908, 1307, Morison, The Letters of Theodore Roosevelt, VI.

\textsuperscript{25}American Federationist, XV (May, 1908), 386-388; (June, 1908), 473; (July, 1908), 538; Gompers to Executive Council, April 27, 1908, GLB CXXXV, 922-923.
20584, sought to exclude labor and agricultural organizations from the 1890 Sherman law. Wilson clearly enunciated that the Danbury Hatter's case provided the impetus for his amendment and claimed, along with many others, that the Sherman Anti-Trust Act was never intended to apply to labor and horticultural groups. He said, "The original purpose of the so-called 'Sherman Anti-trust law' was to prevent combinations in restraint of trade that resulted in taking exorbitant profits out of the public. Labor organizations are not organized for profit." Wilson then spoke about the delicate uniqueness of labor and the necessity for it to organize to be "anywhere near equal in power with that [corporation] organization." Having come from a working class background, Wilson realized the precarious position of the individual worker. He knew that without some form of protection the worker had his right of livelihood largely at the mercy of great corporations.26

Gompers appeared before the House Judiciary Committee to support the Wilson bill. He gave a detailed explanation of the historical framing of the Sherman Anti-Trust Act to illustrate that its original purpose was different from the Danbury Hatter's decision. The great difficulty Gompers

26 42 Congressional Record, 4602; 42 Congressional Record Appendix, 389-391.
had was in trying to convince others that those judicial rulings rendered labor defenseless before corporate business and that one class of men could not rely on another class of men for protection if the latter class would reap a profit from the oppression of the former. Because there was a difference between inanimate capital and human labor, Gompers felt that there had to be a different concept of the two factors in society and that the law should reflect that separateness. He again raised the specter, as he had before Cannon, that if labor aspirations for a better life and the legal means to achieve them were suppressed, they would be expressed by unwholesome means. 27

The public attitude seemed to coincide with the views of the opponents of labor. Labor had not convinced its protagonists that the Buck's Stove and Range case or the Danbury Hatter's case would stifle needed improvements for labor, much less destroy trade unionism. Most commentaries agreed with the appraisal that such an interpretation was an "obvious misunderstanding or misrepresentation" and condemned "the threats of labor." 28 Yet when Gompers spoke of labor

27 American Federationist, XV (May, 1908), 366-385; (July, 1908), 538-540.

finding other ways to express its discontent, he was voicing a fear, not a threat. He tried in vain to point that out, but most opponents thought Gompers was over reacting to the unpleasant situation of labor.

The Pearre and Wilson bills represented the legislative hopes of the AF of L in the First Session of the Sixtieth Congress. The Federation lobbied for these two bills, yet, one other bill embodied several proposals advocated by labor. The bill, HR. 76, introduced by Representative Robert L. Henry of Texas, tried to change court procedure in relation to contempt of court. It would define contempt of court as either direct or indirect contempt. Direct contempt would be committed in the presence of the judge or so near as to obstruct justice. All others would be indirect contempt. In indirect contempt cases the defendant would have the option of a jury trial. This bill would satisfy the AF of L desire for jury trials in contempt cases. The bill did not receive much attention because Gompers felt he should exert his efforts in behalf of the Pearre and Wilson bills.29

Before outlining the Congressional support for labor measures, some observations should be noted. Congressmen

29 Congressional Record Appendix, 254.
supporting labor bills usually duplicated arguments used by the leading AF of L spokesmen. To avoid repetition, only additional reasons given by those Congressional members will be considered. Congressmen often made sparse personal comments and then introduced material from the American Federationist. There were two small groups of Congressmen who offered vocal aid. They were the liberal Democratic element and a few Republican Congressmen, like T.D. Nichols who had a trade union background. Both groups spoke sincerely in behalf of labor even though the Democrats were quick to fault the opposition party for failure to act.

Representative Henry Clayton, Alabama Democrat, voiced one of the strongest arguments advocating passage of an anti-injunction bill. Clayton reminded the Republican House that their political leader and the President of the country recognized the injunction abuse. In his December 3, 1906, message to Congress, President Roosevelt singled out three areas of frequent injunction abuse. The injunction forbade laborers from bettering themselves in peaceful and lawful ways; it was used to aid corporations in their schemes; and it was granted without adequate grounds. Roosevelt thought the injunction should enjoin "violence and intimidation," especially by conspiracy, no matter what the rights of the
original quarrel were. He feared that flagrant abuses in injunctions would cause the American people to see some justification in the desire of labor to abolish the equity process. The AF of L sought only to eliminate the labor injunction, but Roosevelt did not differentiate between total and partial abolition. Nor did Roosevelt recommend legislative action as a remedy; he wanted the judiciary to correct the abuses in injunctions and thought his mentioning of the subject would be sufficient to accomplish the task. 30

By late January, 1908, Roosevelt had altered his position. He continued to base his feelings about labor rights on the Anthracite Coal Strike Commission report which condemned the secondary boycott, but he realized that injunction abuses required legislative remedies. In a special message to Congress on January 31, Roosevelt stated,

Reasonable notice should be given the adverse party. This matter is daily becoming of graver importance and I cannot too urgently recommend that the Congress give careful consideration to the subject. If some way of remedying them is not found the feeling of indignation against them among large numbers of our citizens will tend to grow so extreme as to produce a revolt against the whole use of the process of injunction.

30 Ibid. 573.
He warned the ultra-conservatives who protected injunction abuses that when popular feeling turned, their supporters would be the first to turn against them.31

After the AF of L March protest conference, Roosevelt sent another message to Congress on March 25, 1908. It spelled out in greater detail the "reasonable notice bill," advocating seven days notice before any restraining order could be issued. It then sanctioned almost everything the AF of L asked for in amending the Sherman Anti-Trust Act. Roosevelt wanted the labor and farmer groups to register as non-profit organizations, and sought to abolish the triple damages section of the 1890 Sherman law. In addition, Roosevelt agreed that cases of indirect contempt ought to be tried before a different judge than the one who issued the court order. Since Congress balked at these suggestions, Roosevelt sent another message on April 27, 1908. It reiterated his former proposals in an emphatic manner. "They are blind who fail to realize the extreme bitterness caused . . . by the injunction in labor disputes."32

31 Senate Documents, 60th Congress, 1st Session, No. 213 (Washington, 1908), pp. 1-27; 42 Congressional Record, 1347-1363.

32 Senate Documents, 60th Congress, 1st Session, No. 406 (Washington, 1908), pp. 1-7; 42 Congressional Record, 3853-3854.
Senator Albert Beveridge had introduced a bill embodying the Roosevelt proposals on January 27, 1908; yet, it made little progress. It encountered the usual ultra-conservative opposition as well as resistance from the AF of L. Gompers rejected the "notice" bills on the grounds that they would give statutory authorization to labor injunctions and would fail to grant adequate relief to labor.  

Congressional spokesmen for labor interests found the "notice" bills easier to support than the Pearre bill. Representative Clayton pointed out that such bills suggested nothing novel and referred to the Judiciary Act of March 2, 1793, which provided for injunctions to "be granted in any case with reasonable previous notice to the adverse party." Henry explained that this portion of the law was unintentionally deleted when the laws were recodified in 1872, and that up to that point, the law had operated well for seventy-nine years. Yet, opponents of labor charged them with being "revolutionists" for wanting to reenact the provision.  

The labor spokesmen voiced some additional arguments for anti-injunction measures. They declared that enactment of statutory relief would not endanger property and that

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33 42 Congressional Record, 1104, 1268; Gompers to Theodore Roosevelt, May 12, 1906, GLB CXI, 550-552.

34 42 Congressional Record Appendix, 245-249, 575-576.
such fears were unjustified. One Congressman referred to
the operation of the British Trade Disputes Act and showed
that labor acted responsibly under it. Another pointed out
that existing laws prohibited property destruction and
implied that business heavily exaggerated in claiming
property damage. Clayton maintained that an anti-injunction
bill should be passed because of the support generated for
it. As proof of its popularity, he mentioned the many
anti-injunction bills that had been introduced, and the
lobbying and letter campaigns conducted in behalf of the
bills.\(^{35}\)

Congressmen who spoke for anti-injunction measures on
the floor of the House or Senate were a small group; yet,
the opponents comprised an even smaller group. Labor
opponents seemed to want to limit public discussion of the
injunction bills. They preferred to oppose them in com-
mittees where their strength was dominant. It was in this
way that the House Judiciary sub-committee conveniently
found personal and business rights within the jurisdiction
of equity procedure. Such findings manifested the prevailing
opinion of the dominance of property rights.

\(^{35}\)Ibid.
Because of such an attitude, the injunction abuse was considered of little importance. When President Roosevelt mentioned the existence of injunction abuses in his January 31, 1908, message, C.E. Littlefield wrote to the Attorney-General and the President, demanding to be presented with example cases. Although Gompers had presented the House Judiciary Committee with a list of abusive cases, Littlefield claimed that none existed and cited the Buck's Stove and Range case as proof. He criticized the Pearre bill as an attempt to exempt labor from injunctions and allow property destruction. He disliked the AF of L refusal to accept any compromises in the bill and stated that in trying to define property rights to eliminate personal and business rights, the bill admitted their existence. If the Pearre bill were passed, contended Littlefield, the right to do business would be destroyed. 36

The conservative element in Congress was against all forms of anti-injunction bills. Not only did the sanctity of property rights demand their defeat, said the opponents, but the Constitution did also. The conservatives reasoned that the courts derived their equity power from Article III, Section 2, which stated that judicial power would "extend

36 Ibid. 543-546.
to all cases in law and equity," and Congress could not modify this judicial power. Labor opponents distinguished between "judicial power" and "jurisdiction" of the courts, holding that Congress could legislate on the latter but not on the former. To pass any anti-injunction bills would impair the enforcement of all equity rights, claimed the conservatives, and to do this would deny the business community of equal protection of the law.\(^{37}\)

Labor opponents also opposed the attempts to alter the Sherman Anti-Trust Act and court procedure in contempt cases. To amend the 1890 Sherman law would allow labor to paralyze interstate commerce, stated Littlefield. Then, if jury trials were allowed in contempt cases, it would destroy the effectiveness of the judiciary. The opponents even introduced their own anti-injunction bill which would have allowed a continuance of existing conditions.\(^{38}\)

The refusal of Congress to provide any anti-injunction relief testified to the effectiveness of the opposition. The AF of L Legislative Committee reported that over 250 Representatives declared in favor of the Pearre and Wilson bills; however, if such support existed, it was suppressed.

\(^{37}\)Ibid. 512-536.

\(^{38}\)Ibid. 519, 528, 575.
T.D. Nichols declared that the "power of the Speaker of the House of Representatives" was responsible for Congressional inaction. This assertion had much validity. Cannon purged the Judiciary Committee of members sympathetic to labor when he failed to reappoint George Pearre. He neglected to enforce House Parliamentary rules restricting committee members from pre-committing themselves on matters before them. Littlefield had declared to the American Founder's Association that "as the chairman of a sub-committee of three, it [anti-injunction bill] will never come out and start to become a part of a law." Littlefield admitted that if the bills received a House vote, they would "be passed by an overwhelming majority." Since all anti-injunction bills were referred to his sub-committee labor interests hardly received an impartial hearing.  

Cannon also suppressed attempts to enliven the anti-injunction movement in Republican caucuses held on May 20 and 21, 1908. The combined AF of L, Congressional, and Presidential support forced the Republicans to consider the issue. Cannon and Littlefield denounced the labor measures and Gompers; the NAM and similar organizations flooded the

39Ibid. 571-573; American Federationist, XV (August, 1908), 590.
caucus with persuasive telegrams; and the Republicans voted 75 to 63 to forget the anti-injunction bills. To insure the injunction issue would not be revived, Cannon cooperated with Senate leaders in adjourning Congress early.\footnote{40}

As they had in 1906, the political pressure methods of the AF of L failed to attain results. Due to the resistance of Littlefield, the House Judiciary Committee did not report any anti-injunction bills. The Committee referred the Wilson amendment to a sub-committee which was never called into session. The Steering Committee of the Senate informed the House that it would mean staying in session longer. Gompers attributed the poor showing to the "tyrant Cannon" and the methods by which the interests were represented, but added that the Republican party had been in control of Congress for numerous years and had refused to restore any rights taken away by injunctions.\footnote{41}

The combined effect of the Buck's Stove and Range case, the Danbury Hatter's case, and the refusal of Congress to

\footnote{\textit{40} Congressional Record Appendix, 576-577, 234-236; \textit{American Federationist}, XV (June, 1908), 463-465; (July, 1908), 526-528. \textit{41} \textit{American Federationist}, XV (August, 1908), 589-595.}
pass remedial legislation prompted Gompers to follow through with his threat of political action. Gompers apparently feared the possibility of the destruction of unionism. To Gompers, unionism was in more of a precarious position than any time in his twenty-two years with the AF of L. At least, it appeared to be in contrast to the tremendous growth the union experienced from 1895 to 1903. When the Republican Congressional leaders flaunted their opposition Gompers declared, "Labor will hold the failure to legislate by this session of Congress, no matter what the reason, as the refusal to legislate." "There is impending a great campaign . . . for members of Congress, as well as the Presidency of the United States and no man aspiring to any of these positions can evade his responsibility in this crucial hour."  

Gompers then prepared to find out who would shoulder this responsibility and who would evade it.

42 Ibid. (July, 1908), 526-528.
CHAPTER III

AN ANTI-INJUNCTION PLANK?

In the May, 1908 issue of the American Federationist, Gompers revived the feeling of political optimism generated prior to the 1906 campaign. Through ten pages of comparative tables, he illustrated where the Republican majority in the Fifty-ninth Congress had been cut from 112 to 56, and in an additional chart he showed where fifteen races producing Republican winners could have been altered had the opposition vote not been split by the Democrats, Socialists, and the Independent party of William Randolph Hearst. After recounting the obstacles faced by the AF of L in 1906, and the results, Gompers implied that the AF of L political baptism was worth it and provided a foundation on which organized labor could build its political program in the future. In this manner Gompers further prepared his membership for political involvement in 1908.¹

One noted authority on the initial political involvement of the AF of L treated such moves by Gompers as tactical strokes planned to enable him to justify to the AF of L an

¹American Federationist, XV (Mar., 1908), 341-353.
endorsement of the Democratic candidate of 1908. The major moves seen in this light were the March, 1908 Protest Conference and the appeal to the Republican and Democratic parties at their respective conventions in 1908. He reasoned that Gompers realized that Congress would pass no anti-injunction legislation in 1908; thus, the AF of L leader used the March Conference to justify the political direction in which he sought to lead his union. After Congress failed to provide any legislative relief, Gompers then took an additional step of allowing the platform committees of both major parties to insert the AF of L desires as their labor planks, foreseeing that the staid Republican party would again decline labor approaches. Gompers would thus be able to demonstrate that the AF of L should follow the Democrats in 1908.2

Such an interpretation is possible but cannot be said to be entirely certain. As previously mentioned, labor reaction to the Danbury Hatter's case prompted the March Protest Conference. Besides this, Gompers and John Mitchell planned to present the labor proposals to both major political parties prior to the scheduling of the March Conference. On February 11, 1908, Gompers solicited the approval of the

2Karson, American Labor Unions and Politics, pp. 54-58.
AF of L Executive Council for a labor delegation to appear before the Committees on Resolutions of the two parties.\(^3\) Thus, Gompers probably did not stage such moves with Machiavellian motives; however, the Republican attitudes did make it easier for Gompers to favor the Democrats in 1908.

With presidential elections pending, both major parties were aware of the political opportunities offered by the labor situation. Democratic Congressmen castigated the Republican congressional majority for passing only three bills and one joint resolution in the First Session of the Sixtieth Congress, and reminded them that the Democrats had advocated an anti-injunction bill, along with other labor legislation, from the opening of the session. Henry T. Rainey, Illinois Democrat, contrasted the historical attitudes toward labor of the two parties by reviewing their respective platform declarations from 1868 to 1904 and concluded, "With the Democrats labor comes first. With the Republicans, the first place and the first thought is given to capital." The Republicans also made some overtures and even Uncle Joe

\(^3\)Gompers to AF of L Executive Council, February 11, 1908, GLB, CXXXII, 803.
Cannon, nursing presidential ambitions, sought an agreement with Gompers but found none available. Yet, Gompers did not entirely write off the Republicans. He felt that the progressive element in the Republican party might have a chance to influence some portions of the Republican platform. Through the efforts of Gus Karger, Washington correspondent of the Cincinnati Post, owned by Charles P. Taft, Gompers and Frank Morrison met with William Howard Taft six weeks prior to the Republican convention. At the meeting they discussed the plight of labor due to the anti-trust and injunction issues, but no satisfactory results occurred, except that Wade Ellis, campaign worker for Taft who was assigned to draft tentative labor planks, arranged for several conferences with Gompers. The conferences saw numerous labor planks proposed embodying the Roosevelt objectives on the anti-trust and injunction issues. Gompers remained dissatisfied with the proposals for reasons he had earlier elaborated on in lobbying for the Pearre bill. Other actions by Gompers also indicated that he continued to hope for some favorable declaration by the Republican party.

42 Congressional Record Appendix, 363-364, 368-370; Gompers, Life, II, p. 259.

Just before the Republican convention met in Chicago on June 16, 1908, the Executive Council of the AF of L met to consider the report of the Legislative Committee. The Committee had examined the stand of every Congressman on labor matters. After hearing this indictment of Congress, the Council drafted the planks to be urged upon the respective platform committees of the Republicans and Democrats. The documents were exactly alike in listing the desires of labor and differed only in the introductory, complimentary phrases. They listed eight demands of which the major two were the following:

We therefore pledge the ________ party to the enactment of a law by Congress guaranteeing to the wage-earners, agriculturalists, and horticulturalists of our country the right of organized effort to the end that such associations or their members shall not be regarded as illegal combinations in restraint of trade.

We pledge ourselves to the enactment of a law to prohibit the issuance of injunctions in cases arising out of labor disputes, when such injunctions would not apply when no labor disputes existed; and that in no case shall an injunction be issued when there exists a remedy by the ordinary process of law, and which act shall provide that in the procedure for the punishment of contempt of court, the party cited for contempt shall, when such contempt was not committed in the presence of the court, be entitled to trial by jury. 6

Other items requested extension of the eight-hour law to cover all government workers under contractors and

6 American Federationist, XV (August, 1908), 599.
sub-contractors, a bill for general employer's liability coverage, a bill creating a Department of Labor with Cabinet rank, the establishment of a Bureau of Mines and Mining, the creation of a United States postal savings bank, and a bill calling for a constitutional amendment to be presented to the states which would require woman suffrage. With these proposals, the AF of L proceeded to the Republican convention.  

The Executive Council hoped to make an impressive presentation of its case to the G.O.P. James Duncan and Daniel J. Keefe, AF of L Vice-Presidents known as adherents of the Republican party, appeared along with Gompers before a part of the Committee on Resolutions which shaped the platform. Keefe arranged for additional conferences with Wade Ellis who assured the labor leaders that the Roosevelt proposals would be adopted. The Republican Committee on Resolutions refused to hear the labor arguments before the whole committee and only allotted ten minutes time before a sub-committee; the time limit was exceeded however. Gompers noticed that the political agents of the National Association of Manufacturers, James Emory and Martin Mulhall, as well as the NAM President, James Van Cleave, were in the committee.

Ibid.
room. Their presence indicated the response that would be made by the committee.  

The conservative wing of the Republican party strongly opposed the labor contentions. Part of the New York delegation, Nicholas Murray Butler, Joseph Choate, and Cornelius N. Bliss, circulated a statement praising the integrity of the courts and opposing any injunction plank. The keynote speaker failed to mention the anti-trust and injunction issues. NAM pressure tactics claimed to be responsible for 30,000 to 40,000 telegrams to the Resolutions Committee demanding a pro-injunction plank and Van Cleave warned Taft that anything else would "jeopardize party success."  

However, the moderate-progressive wing of the Republicans offered some defense for the labor contentions. Urged on by Roosevelt, Taft counseled Frank B. Kellogg of the Minnesota delegation to stand by the original injunction plank. But the moderates weakened in the face of the conservative opposition. Permanent Chairman of the Convention, Henry Cabot Lodge, wrote Roosevelt that "an injunction that

9 Roosevelt to Henry Cabot Lodge, June 8, 1908, Morison, ed., The Letters of Theodore Roosevelt, VI, 1065.
would satisfy Gompers I, for one, would oppose. A color-
less plank I cannot see the use of." It became apparent
that Roosevelt and Taft were interested only in appealing
to labor votes. Roosevelt wrote to Frank Kellogg, "We are
not advocating an anti-injunction plank at all, but a singu-
larly moderate and reasonable provision which in its essence
merely asks that judges shall think before they act, but which
does not in any way hamper their action when once they have
thought."^{10} For the sake of harmony Taft and Roosevelt
accepted a compromise plank.

The Republican platform omitted seven of the eight
proposals offered by the AF of L and rested on the labor
record of the Roosevelt administration. It referred to the
injunction issue by declaring that the Republican party would
uphold "the authority and integrity of the courts." It
offered the sop that "no injunction or temporary restraining
order should be issued without notice, except where
irreparable injury would result from delay."^{11}

In a minority report, Henry A. Cooper of Wisconsin
disagreed with the injunction plank. He sponsored a plank

^{10} Roosevelt to Henry Cabot Lodge, June 15, 1908,
Roosevelt to Frank Kellogg, June 16, 1908, Morison, ed.,
The Letters of Theodore Roosevelt, VI, 1076, 1077.

^{11} Official Report of the Fourteenth Republican National
Convention (Columbus, 1908), 119.
prohibiting the issuance of labor injunctions and providing for a jury trial in indirect contempt cases. Cooper defended his report by quoting various authorities and referring to the English laws. A voice from the floor cried, "This isn't England." Chairman Albert Hopkins of the Resolutions Committee argued against the Cooper report stating that the choice lay between a Republican platform and a Socialist-Democratic one. Cooper was the only delegate of the fifty-three member Resolutions Committee who disagreed with the majority report. His minority report lost in the Convention by a floor vote of 952 to 28; twenty-five of the positive votes came from Wisconsin.

The Republican Convention completely repulsed labor. As expected, the convention nominated Taft, the "injunction judge," as the presidential nominee. The Republican reactionaries rejoiced and James Van Cleave "jeeringly told Labor to 'Go to Denver.'" The AF of L Executive Council had already decided to re-convene on July 6, 1908, in Denver to present its labor plank to the Democratic convention.

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12 Ibid., 129.
13 Ibid., 136-137.
14 Gompers, Life, II, p. 262; Gompers to AF of L Executive Council, June 25, 1908, June 30, 1908, GLB, CXXXVII, 776, 882.
The Democratic Convention quickly indicated its responsiveness to labor. In his acceptance speech as Permanent Chairman of the Convention, Henry Clayton of Alabama, emphasized the pro-labor declarations of the Democratic party. He contrasted the twelve years of Republican inaction on the injunction issue with the Democratic attempts to regulate the injunction abuse and exempt labor from the Sherman Anti-Trust Act. The Democrats appointed Charles N. Haskell, Oklahoma governor under which pro-labor features of a new state constitution had passed, as the Chairman of the Committee on Platform and Resolutions. Under further sub-divisions, Judge Alton B. Parker chaired the Platform Committee.  

Gompers led another labor delegation appearing before Parker's full platform committee. The labor leaders presented requests identical to those asked of the Republican convention. The committee extensively discussed the labor proposals and questioned the AF of L group at length. Later that day Gompers solicited the support of Charles Murphy, Tammany leader from New York, and Judge Parker. He had previously appealed to William Jennings Bryan to give the

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working people consideration at the Democratic convention. All of them assured Gompers of their assistance.

In its report to the Convention, the Platform Committee incorporated six of the eight labor demands, omitting the call for woman suffrage and postal savings banks. The Democrats maintained their support of the Judiciary and then charged that the Republicans insulted the labor people in assuming that they lacked respect for the courts. The plank called for trial by jury in cases of indirect contempt. In language nearly synonymous with the AF of L requests, the platform stated, "We deem that the parties to all judicial proceedings should be treated with rigid impartiality and that injunctions should not be issued in any cases in which injunctions would not issue if no industrial dispute were involved." On the anti-trust issue the labor plank declared that labor organizations and members "should not be regarded as illegal combinations in restraint of trade." Moreover, the platform called for an eight-hour day in government work, an employer's liability act, and establishment of a Department of Labor with Cabinet rank. The

16 Gompers, Life, II, p. 263; Gompers to William Jennings Bryan, June 27, 1908, GLB, CXXXVII, 823.
18 Ibid.
Committee on Resolutions unanimously approved the report and the Convention also adopted the whole platform unanimously.

The labor sections of the Democratic Party Platform pleased Gompers, while William J. Bryan, who often corresponded with Gompers about labor matters, was the presidential nominee. In a newspaper interview after the Democratic convention Gompers observed,

This anti-injunction plank adopted by the Democratic convention is good all the way through. It has the right ring to it . . . . The particular feature of this plank for which we have labored so hard are the rights of the workers to organize and the right of trial by jury for men accused of contempt.

Gompers reiterated that the proposal to change the use of labor injunctions was not an attack on property rights but merely an affirmation that the rights of man must also be respected. John Mitchell said, "I think I may say that we are all satisfied with the Democratic anti-injunction plank. It is good--very good."19

Although Gompers gave some preliminary remarks to the press he reserved a full statement on the AF of L attitude toward the major party platforms until after both conventions adjourned. With the termination of the Democratic convention

19American Federationist, XV (August, 1908), 602-603.
in mid-July, Gompers devised an editorial on the subject for the August American Federationist. The editorial printed the proposed labor planks presented to both conventions and the labor planks adopted by the parties.

Gompers characterized the Republican labor plank as "a pro-injunction, not an anti-injunction declaration" and rejected the offerings of the party on the following grounds. He asserted that the plank was a poor attempt to evade the issue which actually resulted in an endorsement of the labor injunction. If enacted by Congress it would give statutory authority to labor injunctions, which theretofore had not existed, contended Gompers. This would have the severe effect of continually forcing the workers to bear the injunction discrimination. Gompers believed that the Republican party should have ignored the matter and taken a neutral stance rather than the negative one it had assumed. He dismissed the Republican reference to the integrity of the courts as an insult to labor adopted to placate the corporation magnates. In addition, Gompers was chagrined because the Republicans made no promise to amend the Sherman Anti-Trust law; thus, they consented to a state of affairs where management could legally destroy labor unions. Gompers claimed that such a plank refuted the
policies of Lincoln, who had held labor to be prior to and independent of capital, and therefore broke with the Republican policies of Civil War days which supported the rights of the oppressed. Gompers concluded that, "No relief was either declared or promised. Labor asked the Republican convention for bread, and it gave a stone."  

Gompers felt that the Democratic platform spoke for itself. He commended it to the AF of L membership along two lines, that it substantially incorporated the AF of L demands, and that each member of the Executive Council voiced his approval of it. He then took an unprecedented step by advising the AF of L membership to support the national Democratic party. Gompers stated:

We have no hesitation in urging the workers and our friends throughout the country to support the party in this campaign which has shown its sympathy with our wrongs and its desire to remedy them and to see that the rights of the people are restored. We say this not necessarily because it is the Democratic party which has done this. We would urge the workers to support any party which had incorporated our demands into its platform and promised to work for their fulfillment.

Gompers justified this move of the AF of L leadership on the following basis. He stated that the labor injunction

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20 Ibid., 599-600.

21 Ibid., 603-604.
had hindered and made inroads into trade union progress for years and that the application of the Sherman Anti-Trust Act to labor unions intensified this movement. Most people disagreed with this interpretation but Gompers maintained that to say "this does not outlaw labor organizations . . . is begging the question. If the labor organizations may not exercise their normal activities to protect their rights, their interests, and further the well-being of the workers, then such organizations might as well be disbanded."  

Although labor pleaded for relief, Congress failed to provide any legislative aid. Then, the Democratic party had taken up the goals of the AF of L while the Republican party had not responded to them but assumed a protective attitude over corporate business. Finally, Gompers felt that if the political environment did not change, organized labor would have "to reckon with even a worse condition of affairs."  

Some AF of L members questioned the political path labor was taking. Gompers justified all actions taken by him as simply carrying into effect the policies endorsed by the Executive Council. The March Protest Conference and the presentation of the labor planks to the two party

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22 Gompers to Raymond Hitchcock, September 28, 1908, GLB, CXL, 959-966.

23 American Federationist, XV (August, 1908), 604.
conventions followed the authorization of the Executive Council. He contended that his August editorial, "Both Parties Have Spoken--Choose Between Them," just set forth the position of American labor. He realized that the expression of his judgment was the "official views of that office" but maintained that labor had denounced the injustices it had suffered for years and now "one of the great political parties has worse than ignored, practically insulted, the hosts of labor while the other great political party has made labor's contention for justice and right its own." He continued, writing that since "one of the great political parties has expressed its sympathy and its determination, if put into power, to remedy the wrongs and reestablish the rights . . . the duty of all is plain." 24 Gompers saw the action of the Democratic party as a seldom presented opportunity which should be capitalized upon.

Labor historians have debated the extent to which Gompers and the AF of L committed themselves to the Democratic cause in 1908. The initial view portrayed the AF of L as failing to endorse formally the Bryan candidacy in 1908. The Executive Council never did pass any resolutions to back

24 Gompers to James Duncan, July 20, 1908, Gompers to John Brinkman, July 31, 1908, GLB, CXXXVIII, 436, 842-845.
Bryan but only to act as a unit at the polls to further the cause of labor. Yet, a later view contended that while Gompers boasted the AF of L was nonpartisan, for all practical purposes, the AF of L favored the Democratic party in 1908.\footnote{Perlman and Taft, \textit{History of Labor in the United States}, IV, p. 127; Karson, \textit{American Labor Unions and Politics}, p. 60.}

Closer scrutiny reveals that Gompers never claimed the 1908 political support to be nonpartisan. He did claim that the political philosophy of the AF of L was neutral, but admitted that his support was partisan in the 1908 presidential campaign and in many Congressional races. Gompers stated that the AF of L political support was partisan to the principles adopted in behalf of labor by the Democratic party. To say that Gompers or the AF of L were partisans of a political party would indicate that they supported the party candidate regardless of his position on labor matters and opposed the Republican candidate in a like manner. However, Gompers did not oppose Republican Congressmen who supported labor measures. He aided the re-election of men like George Pearre, W.B. Wilson, and T.D. Nichols. When asked to support a Democratic candidate who reportedly agreed with Bryan but was unknown to Gompers, the AF of L chieftan demanded to know the views of the
candidate on the labor planks before endorsing him. Thus, the political partisanship of Gompers in 1908 rested upon the principles of trade unionism as they always had; they were merely extended into the sphere of a presidential campaign. 26

The press of all viewpoints reacted critically to the commitment of Gompers. The Republican press denounced the move, of course, because it was the opposing party. Its criticism ran along two different and contradictory lines of thought. One view expressed fear that Gompers would influence the labor vote while the other ridiculed the move as being ineffective. Most Republican organs deprecated the fact that Gompers was out to deliver the labor vote and attacked his efforts as being dictatorial and un-American. Other Republican papers dismissed the AF of L effort, contending that "the Republican unionist will vote Republican and the Democratic unionist will vote Democratic." 27

The Socialist party and the Independent party opposed the

26 American Federationist, XV (May, 1908), 342; (November, 1908), 957; Gompers to Elias Breidenbach, August 28, 1908, GLB, CXXXIX, 870; Gompers to W.B. Wilson, October 23, 1908, CXLII, 80.

declaration of Gompers because both depended entirely on the labor vote to make any showing. A smattering of the labor movement, like Henry White of the *North American Review*, disagreed with Gompers; however, his motives may have been vindictive since White was a disciplined officer of the Garment Maker's Union. Yet, most labor journals remained faithful; a contemporary study of reaction to the AF of L political stand revealed that "not a single influential trade union paper attacks it."\(^2^8\)

Gompers realized that political participation in the 1908 campaign would be no easy task. He stated that "after the party conventions began the real fight." While the labor delegation was still in Denver, Bryan phoned Gompers and invited the labor associates to stop by his Fairview, Nebraska, home on their return trip. James Duncan, John Mitchell, Frank Morrison, and Gompers fulfilled the engagement. At the Nebraska Conference, Bryan discussed the injunction and anti-trust issues and asked Gompers for material explaining the AF of L position. It was generally agreed that the Democratic and AF of L forces would cooperate both nationally and in certain congressional races during the campaign. In response to Bryan's request, Gompers

\(^2^8\) *American Federationist*, XV (October, 1908), 850-851.
mailed him a bulky package of AF of L materials on the anti-injunction issue and the Danbury Hatter's case. Gompers counseled Bryan not to retreat from the Democratic platform because Taft would try to expand on the Republican plank. Gompers later sent Charles W. Bryan, brother of the Democratic nominee, a list of labor publications that would be useful in the campaign.\(^{29}\)

Meanwhile, Gompers was actively formulating plans to organize the AF of L machinery adequately to aid Bryan's campaign. During the first two weeks of August, Gompers corresponded with Norman E. Mack, Chairman of the Democratic National Campaign Committee, arranging a meeting whereby the political cooperation between the AF of L and the Democratic party could be solidified. On August 26, 1908, the conference agreed upon a fourteen point program of co-operation. The first point Gompers specified was that the AF of L officers would not receive any financial aid for campaign work. The Democratic party would bear the expense for printing nearly three million pamphlets of AF of L literature explaining the fundamental principles of labor positions. Gompers reserved the right to have the AF of L

\(^{29}\)Gompers to William Jennings Bryan, July 24, 1908, GLB, CXXXVIII, 499-500; Gompers to Charles W. Bryan, August 5, 1908, GLB, CXXXIX, 15.
Labor Representation Committee submit future information to be printed. He added, "Of course, all printed matter [will] be done in a union shop."\(^{30}\)

In addition, AF of L representatives would work closely with the Democratic campaign organization. In coordination with the dual campaign headquarters of the Democrats in New York and Chicago, Gompers appointed M. Grant Hamilton to serve as the political liaison in Chicago and Harry J. Skeffington in New York. Skeffington handled more of the administrative chores as chairman of the Labor Bureau of the Democratic Campaign Committee. Other AF of L representatives working with the Democratic party were John J. Keegan and Edgar Perkins in Indiana, Herman Robinson in New York, and Harry Lloyd in Maine. From time to time during the campaign Gompers would suggest additional labor speakers to aid in the work. The task of the AF of L representatives was two-fold, to further the cause of labor and co-operate in winning the campaign. Finally, Mack agreed to lend special assistance by printing campaign material and assigning Democratic workers to H.C. Bell, who was attempting to unseat the anti-labor Speaker of the House, Cannon. Besides

\(^{30}\) Gompers to Norman Mack, August 28, 1908, GLB, CXXXIX, 845-847.
these areas of co-operation, Gompers conferred with Mack at various times during the campaign to clarify and enlarge upon their mutual agreement. 31

While Gompers utilized the AF of L organizational structure to aid in the 1908 campaign, the chief source of AF of L support was Gompers himself. Joseph Daniels, prominent Democratic leader, testified that Gompers and the American Federationist were doing the greatest labor work for the party. Although hampered by litigation in the Buck's Stove and Range case, Gompers actively participated in the 1908 campaign, and in doing so, he broke the precedent of non-participation by organized labor in a presidential campaign.

CHAPTER IV

GOMPERS AND THE CAMPAIGN TRAIL

In guiding the AF of L campaign methods Gompers deviated little from the same general patterns set in 1906. He extensively used the Federation journal, circulars, pamphlets, and press releases. The August American Federationist appealed to the workers to unite and cooperate during the political opportunity to press their claims for justice. Gompers emphasized that it was labor's sovereignty and duty to help choose the next President and shape the next Congress. The September American Federationist printed over thirty replies from state and large city labor federations endorsing the AF of L political stand. The October Federation journal contained fully as many articles by leading AF of L trade unionists explaining why they supported the union's efforts in behalf of the Democratic party. In addition, Gompers' correspondence revealed numerous requests for literature which described the attitudes of candidates for various political offices.

Still, the nature of a presidential campaign necessitated that Gompers enlarge upon some practices used in the 1906
congressional election strategy. The increased organizational structure allowed for the political work to encompass a greater geographic area instead of one congressional district. The length of the campaign called for additional zeal while the chief elective office sought, the Presidency, offered the ultimate prize of American politics. Gompers allowed for those differences but required that all campaigning be kept within a labor framework. Both speakers and literature continued to emanate from labor affiliates to designated points throughout the United States.

The diminutive labor leader proceeded with campaign plans prior to the August acceptance speeches of Bryan and Taft. On August 1 the AF of L headquarters issued two circulars addressed "to all organized labor." The first circular reviewed the presentation of the model labor platforms given to both party conventions and printed the respective party platforms. It gave particular attention to the Democratic labor planks although it advised the workers to vote as their conscience dictated. The circular identified the Republicans with corporate interests which were the enemies of labor and the Democrats as befriending the demands of labor and then stated, "Elect your friends and defeat your enemies." The intent of the circular, signed
by all eleven Executive Council members, was hardly in doubt. The second circular scanned the Danbury Hatter's and Buck's Stove cases and appealed for contributions to the political program.¹

During the remainder of August Gompers went on a ten day trip to the West, patching labor fences, and further planned a personal campaign itinerary for September. By the time of the August 26 conference with Norman Mack, Gompers had requested that C.W. Woodman, AF of L organizer in Fort Worth, Texas, speak to the National Farmer's Union convention there on September 1.² From Fort Worth, Gompers arranged to go to Dallas and then to Danville, Illinois. After a Labor Day speech in Danville he intended to confer with Bryan in Chicago before returning to Washington, D.C.³

Woodward and other labor leaders met Gompers on his arrival at Fort Worth on October 31. Gompers delivered three addresses there: one to a formal dinner, another to the farmer's convention, and the last to a large labor group numbering above 1,000. At the Worth Hotel dinner, he made

¹American Federationist, XV (September, 1908), 744-749.

²Gompers to C.W. Woodman, July 20, 1908, GLB, CXXXVIII, 360; Gompers to Woodman, July 28, 1908, GLB, CXXXVIII, 548-549; Gompers to Woodman, August 8, 1908, GLB, CXLIX, 849-850.

³American Federationist, XV (October, 1908), 873.
a plea for independent voters. He emphasized that labor backed the Democrats because they espoused labor's cause; labor would have supported the Republicans if they had not spurned the workingman. Before the convention of the Farmer's Union Gompers urged the agrarians to combine with organized labor and thereby deliver five million votes to Bryan. He scorned the injunction as an abuse of personal liberty, reviewed the Buck's Stove case, and raised the specter of application of the Sherman Anti-trust law to both labor and farmers. He appealed to the convention to vote for Bryan as one who made the people's fight his own.

To the labor audience at Lake Como he emphasized the need for the practical material benefits of life then for their families even though, claimed Gompers, the Danbury Hatter's decision said that union members were classified as trust magnates. He attacked Taft as being the injunction candidate. The Fort Worth Record reported that Gompers was visibly impressed with the response. 4 Before leaving the state Gompers spoke to the Dallas Trades Assembly; immediately afterwards he left for Danville, Illinois.

Gompers had anticipated taking the field in Danville since it was the hometown of Speaker Cannon. To "insure

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4 The Fort Worth Record, September 1, 1908, p. 1; September 2, 1908, p. 1, 7.
Mr. Cannon's retirement," he had directed labor organizers to the Danville area before and after his visit. Henry C. Bell, the opponent of Cannon, had the support of the AF of L and prohibitionists in the Eighteenth Illinois Congressional District. Bell, a sixty year old Union veteran with little political experience, was attempting to overcome a 10,000 vote defeat experienced by the 1906 Democratic opponent in that district. Gompers advised Bell to wage a "clear out and emphatic" campaign, which Bell did in what the New York Times called "the liveliest political battle" in Illinois.5

On Labor Day, September 7, Gompers addressed a labor crowd of 2,000 at the Danville Lincoln Park. He castigated Cannon for his reactionary stance in Congress and called him its worse foe of progress. The AF of L President declared that Cannon was against every kind of reform and illustrated his charge by referring to Cannon's packing of the House Judiciary Committee with anti-labor personnel. Gompers then accused Cannon of monopolizing the local banks, buildings, and businesses as he did legislative matters in Congress. That allegation prompted Bryan to ask Cannon how he got his money. Cannon replied, "I have never posed as a

5The New York Times, September 5, 1908, p. 3; Gompers to H.C. Bell, June 27, 1908, GLB, CXXXVII, 815-815; Gompers to John H. Walker, September 9, 1908, GLB, CXL, 349-350.
man who thought it wrong to accumulate this world's goods." Gompers irritated the Speaker when he characterized him as the reactionary czar of the House but the Labor Day audience enjoyed it.

On the evening of September 7 Gompers met Bryan in Chicago for a discussion of the campaign. The next morning he left for Washington, D.C. where testimony in the Buck's Stove case and an AF of L Executive Council meeting dictated his schedule. His secretary reported that on September 11, Gompers was in session with the Executive Council all day, gave testimony in the contempt case at night, and managed to attend to other AF of L matters in addition to all of that. She added that the "pressure was too high for ordinary flesh and blood to stand." In reporting the political activities of the Federation to the Executive Council Gompers said that the chances for defeating Cannon were good. The New York Times declared that Gompers was to exert pressure to whip the organization into line for Bryan.

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6. The New York Times, September 8, 1908, p. 5; September 11, 1908, p. 3; Gompers, Life, II, 270.
7. R. Lee Guard to Grant Hamilton, September 11, 1908, GLB, CXL, 402.
8. The New York Times, September 10, 1908, p. 4; September 11, 1908, p. 3.
When not campaigning, Gompers used what time there was to plan the rest of the political program. For the remainder of September, his speaking schedule included trips to Columbus, Ohio, and Indianapolis and Vincennes, Indiana. As to administrative matters, he assigned Grant Hamilton to handle all requests for campaign literature and asked him to work with John Keegan and Edgar A. Perkins, Indiana labor leaders, to improve organization of the political front in Indiana. He conferred with Norman Mack and arranged for Max Morris, AF of L Vice President, to assume leadership of the political front in Colorado and Wyoming. In the midst of those activities, numerous requests for speakers filed into AF of L headquarters. Gompers assigned some speakers to appointments but referred most to various leaders of international unions affiliated with the AF of L or to John Atwood who was with the Speaker's Bureau of the National Democratic Campaign Committee.9

On Sunday, October 13, Gompers departed for Columbus, Ohio, to deliver an address to the Brotherhood of Locomotive

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9 Gompers to Grant Hamilton, September 9, 1908, GLB, CXL, 308-310; Gompers to John Morrison, September 24, 1908, GLB, CXL, 765; Gompers to Norman Mack, September 11, 1908, GLB, CXL, 381; Gompers to John Atwood, September 10, 1908, GLB, 378; Gompers to John J. Keegan, September 9, 1908, September 26, 1908, GLB, CXL, 302, 899.
Firemen and Engineers. This was probably an unenviable task because many railway labor officials supported Taft, especially in his home state. Yet Gompers spoke to the convention and a public mass meeting; then he met with John Keegan to conclude plans for the remaining September meetings before returning to AF of L headquarters to work on the American Federationist. On September 28 he journeyed to Indianapolis to speak under the auspices of the Central Federation of Labor. Gompers was enthusiastic about the political situation in Indiana, partially because the Republican candidate for governor was former Congressman James E. Watson who had been very antagonistic toward labor.

Enroute to the Hoosier state Gompers wrote to John Lennon that he was confident that "success will crown our efforts in this campaign." At Tomlinson Hall in Indianapolis Gompers spoke on the subject of "Labor's Duty in Politics." He responded to Watson's challenge asking Gompers to produce proof of Watson's hostility by citing from the congressman's voting record on

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10 Gompers to John J. Keegan, September 9, 1908, GLB, CXL, 302; R. Lee Guard to Stewart Reid, September 14, 1908, GLB, CXL, 467-468; Gompers to James Duncan, September 28, 1908, GLB, CXL, 953-954.

11 Gompers to James Lennon, September 28, 1908, GLB, CXLI, 45-46.
the eight hour day and labor sponsored shipping bills. Watson refused to answer questionnaires about his position on labor matters, declared Gompers. Focusing on Taft, Gompers stressed three criticisms. First, he pointed out that Taft had set the judicial precedents on which later injunction cases rested. Second he declared that Taft felt labor organizations could only exist as "back scratch-ing organs" and not for the purpose of making economic gains. Finally, Taft and the Republican party were comfortably linked to the NAM branch of big business that sought to eradicate trade unionism. While these charges excited the labor audience, the most popular theme of the speech was the injunction issue, especially the Buck's Stove case. The New York Times reported that "they cheered him to the echo" when Gompers spoke of the contempt case in almost the same terms that sent Pheland to jail fourteen years earlier in Cincinnati. Declared Gompers, "I may go to jail but I shall discuss it. If I don't I shall explode and I prefer to go to jail rather than explode."\(^\text{12}\) The speech concluded with an appeal for Bryan based on the Democratic labor platform.\(^\text{13}\)

\(^{12}\text{The New York Times, October 1, 1908, p. 2.}\)

\(^{13}\text{American Federationist, XV (November, 1908), 983-984.}\)
The Indiana campaign trip was short and successful. The Indianapolis Federation endorsed the AF of I. political program as did the Indiana United Mine Workers. At Vincennes Gompers witnessed the State Federation of Labor's political endorsement and the reelection of Edgar Perkins as Federation President. A political appraisal of Indiana revealed that the labor vote aligned itself more with the Democrats than usual, even though the state was predicted to vote Republican.  

Gompers often campaigned for Bryan in ways other than his personal speeches. He sometimes inserted Bryan's comments into the American Federationist under the heading "Bryan's Plea for Labor." Such was the case when Bryan criticized statements made by James Van Cleave which advised businessmen to shun Democratic class legislation. Bryan said that there was nothing in the Democratic plank which businessmen could justly oppose. Businessmen should have no vital concern in having labor unions declared as trusts said Bryan. On the matter of jury trials in contempt cases, Bryan asked why not abolish all jury trials if the Democratic plank was an assault on the courts. The Commoner took greater care in explaining the injunction plank. He explained

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that the Democrats wanted injunctions issued with impartiality and not merely to bring into court a discussion of an industrial dispute. This was not class favoritism, asserted Bryan, but the absence of it, for "labor men resent an attempt to discriminate against them in favor of any other class."¹⁵

In leading the AF of L into presidential politics for the first time, Gompers encountered some resolute opposition, even in the early campaigning. Part of the resistance resulted from divisiveness within labor; part came from the capitalist-management-sector; the remainder came from the Republicans. Gompers did not see the opposition as political counteraction but as a stumbling block to a possible remedy for an acute problem of trade unionism.

Intra-labor strife in the early part of the campaign consisted mainly of third-party politics. To combat the Independent party of William Randolph Hearst, Gompers applied ridicule. He charged Hearst with disrupting an attempt to redress the wrongs of labor by amusing himself with his "pet political toy." Gompers reasoned that the Independent Party had no chance of success but could hurt

¹⁵American Federationist, XV (September, 1908), 750; The New York Times, August 7, 1908, p. 1.
the Democrats by luring away misguided votes. The Republicans were "undisguisedly delighted" at that, stated Gompers, but "there has to be some element of comedy to lighten a serious campaign, and Mr. Hearst might as well furnish it as anybody."\(^{16}\) There was little comedy in the report that one hundred and five labor union members in New York helped organize the Independent Party Workingman's League to support Hearst.\(^{17}\) Although the Independent Party bothered Gompers, he was more concerned with the Socialists as a third party threat.

The Socialists worried Gompers more because there were more of them in the AF of L to disrupt his efforts. He attacked the Socialists chiefly by striking out at Eugene Debs, the perennial Socialist candidate. The AF of L leader reserved more virulent criticism for Debs than he had hurled at Hearst. He labeled Debs the "Apostle of Failure." The hostility of the Debs attack on the AF of L political program could be compared only with the Paring-Post-Van Cleave gang stated Gompers, and it was more despicable, because Debs posed as a friend, representative, and martyr of labor. Gompers singled out for special

\(^{16}\) *American Federationist*, XV (September, 1908*, 734-736.

attention the source of finances for the $23,000 "Red Special" train used by Debs in campaigning. Gompers hinted that the NAM group might be the source of Debs' disdain directed toward the AF of L and possibly even his financial backing.18 No doubt Gompers harbored some ill feelings toward Debs from conflicts between the two in the past.

An American Federationist editorial expressed the basic complaint about third parties. It stated first the obvious reason, that independent or third parties did not stand a chance of success, and the proponents of them did not pretend that they did. Their only function would be to detract from one of the major parties. The Federation journal expressed the concept that the trade union situation was so critical that the promises of minor parties would not suffice; the workers needed legislation. The journal explained that the AF of L criticism of minor parties should not be taken as a derogatory position on the principles underlying sincere third party efforts. Those attempts might be necessary, even helpful, under certain conditions, but not in such a year of crisis for labor. Real independence, the article continued, consisted of voting for the candidate

18American Federationist, XV (September, 1908), 736-738.
of the party supporting labor, to do otherwise would be a vote hostile to labor.\(^\text{19}\)

While the third party movements legitimately threatened to siphon off labor votes, resistance from the NAM faction of business basically represented protest opposition. Most of the time the antagonism was extemporaneous and like the men it came from, individualistic. On October 1, cereal magnate C.W. Post purchased one fourth of a page in the \textit{Washington Post} to advertise about "A Dangerous Trust," which revealed the vices of the "labor trust."\(^\text{20}\) More often the opposition took the form of NAM statements issued to the press. One NAM survey quizzed three thousand of its members on how to improve business conditions. Its findings showed that Taft should be elected to prevent the indefinite extension of the 1907 Panic and poor business conditions.\(^\text{21}\) Perhaps the cruelest form of opposition from the business community came in attempts to coerce the labor vote. One company informed its retailers of an expected reduction in inventory, cut its work time in half, told its workers how to vote, and promised more work if the

\(^{19}\) \textit{Ibid.}, p. 729-730.

\(^{20}\) \textit{Washington Post}, October 1, 1908, p. 5.

\(^{21}\) \textit{Ibid.}, October 20, 1908, p. 5.
election turned out satisfactorily. In another instance the New York Central system promised its workers a ten per-cent reduction in wages if Bryan won and a raise if Taft were elected. How widespread the practice was cannot be fully ascertained but that type of intimidation thrived on rumor as much as on fact.

Gompers rallied against those practices in about the only way he could. He appealed for the workers to resist threats and cast a free vote. In response to Taft's charge of Gomper's delivering the labor vote, Gompers cited the New York Central situation and asked, "Mr. Taft--What is Your Opinion of Coercing the 'labor vote'?"] Gompers seemed assured that organized labor would refute the claims of the NAM on all other bases. He stated, "If the Van Cleaves are for Taft, that in itself should be proof where your interests lie.""23

The main opposition to the AF of L political program came from the Republicans. As early as July 30, the Washington Post reported that the Republicans were fomenting

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22 Gompers to B.A. Larger, September 21, 1908, GLB, CXL, 918-982; American Federationist, XV (November, 1908), 966.

23 American Federationist, XV (November, 1908), 966, 971; (October, 1908), 871-873.
revolt in the ranks of labor. The Republican National Campaign Committee formed a Labor Bureau to look after the labor vote due to the prominence attached to the anti-injunction issue. The Labor Bureau would especially attack Gompers and explain the AF of L political program on the grounds that Gompers had traditionally backed the Democratic party. The article stated, "If the work of the Labor Bureau is done in accordance with present expectations, brush fires will constantly be started behind Mr. Gompers, and an organized revolt instituted against him in the Federation, which will be designed to menace his re-election to his present office."24

The New York State Republican party began to implement that strategy. State Republican Chairman Timothy Woodruff sent a circular throughout the lower echelons of the party informing them of the purpose and tactics to be used. The ultimate objective was to eliminate the labor man who tried to deliver the labor vote and to get that vote by a systematic campaign. The party workers in each county were to go into the unions and recruit five union members who were either Republican or "intelligent enough" to carry on the work. Those five men were to learn party techniques so

24 Ibid. (September, 1908), 731-733.
that they could later distribute literature, secure vital information, or speak in behalf of the G.O.P. With unorganized labor a similar plan was to be used by working through individual work establishments. After the men were secured the party workers were to send their names and addresses to Woodruff.\textsuperscript{25}

Along with the Republican Labor Bureau, similar attempts surfaced elsewhere to hinder the AF of L political program. Will Hauck, Secretary of the Columbus, Ohio, Federation of Labor, reported instances of such activity. Sometimes fake labor leaders would try to entice union men into bogus labor organizations to impede the labor campaign. One such leader sent letters to the Painter's and Decorator's Unions asking them to come to meetings of the American Painter's and Decorator's Association when the latter organization was founded on the spur of the moment. Another like organization was the Trade Union Protective Association of New Jersey which consisted of one member, existed for an obvious purpose, and paid union men $50 per week and expenses to circulate its propaganda. Alexander Rankin, a former union member, but not since 1881, posed as an AF of L treasurer

\textsuperscript{25}Gompers to Daniel Harris, August 28, 1908, GLB, CXXXIX, 856-860.
to criticize the political effort. Gompers, irked by Rankin's unfair claim, declared, "Judas Iscariot was one of the disciples of Jesus Christ. Benedict Arnold was at one time a soldier in the cause of American independence. Rankin was once a union man."^26

Certain elements in the Republican party tried another tactic to restrict the personal efforts of Gompers in the campaign. President Roosevelt wrote to Taft to get him to intervene with Van Cleave and thereby retard progress in the contempt case. "The injunction contempt case ought under no circumstances be tried until after the election," wrote Roosevelt.27 The slow pattern of the testimony taken by the prosecution was evidence of a slow-down.

Gompers met the opposition head on. He published the Woodruff memorandum in the AF of L journal and labeled it "political piracy." In speeches and in the American

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^26 Gompers to Will Hauck, October 22, 1908, GLB, CXL1, 1000-1003; Gompers to Herman Robinson, October 8, 1908, GLB, CXL1, 535-537; Gompers to J.D. Pierce, October 23, 1908, GLB, CXLII, 23.

^27 Roosevelt to W.H. Taft, August 24, 1908, Morrison, ed., The Letters of Theodore Roosevelt, VI, 1195. The prosecution rested its case on October 29. In a surprise move, Gompers' defense counsel waived its testimony and called for an immediate decision. The New York Times thought that Gompers was "anxious to be put into jail" but no decision was handed down until after the election. The New York Times, October 30, 1908, p. 16.
Federationist, he brought out his political past, which was Republican and not Democratic. He referred to the fake labor associations as Taft-Aid Societies. In respect to the contempt case, he reasoned that the hearings were deliberately paced so as to interfere with the performance of his political duties. Gompers apparently felt that to inform organized labor about the tactics of the opposition would destroy their effectiveness and, at the same time, the tactics would furnish him with appropriate campaign material.

These unfriendly activities hindered the AF of L political steps; nevertheless, the pace of the campaign intensified as it moved into October. One conspicuous reason for this was that October offered the last opportunities for campaigning. To exploit this occasion Gompers began an extended speaking tour which took him through Pennsylvania, New York, Ohio, Michigan, and Illinois. Another added ingredient was the introduction of Theodore Roosevelt into the campaign against the Federation program.

Gompers had intended to begin the October campaign on the ninth, but when Taft accused him in a Denver speech of "lying to his followers" the labor chieftain retaliated. He accused Taft of losing his temper and his dignity because

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28 American Federationist, XV (September, 1908), 731-733; (October, 1908), 853, 857.
of his inability to meet the labor charges facing him. He specified the charges as labor injunctions issued by Taft, the refusal of the Republican party to legislate relief from judicial abuse, and the application of the Sherman Anti-trust law to voluntary labor organizations. The criticisms of Taft were aimed at the workers instead of himself, claimed Gompers, because of his initiative on behalf of labor. Gompers concluded his reply with the watchword of labor to stand by its friends and oppose its enemies. With that matter taken care of, Gompers resumed the task of planning his October itinerary.

The extended campaign tour through six states began in Philadelphia. John S. Kirschner, a Philadelphia labor leader, made the arrangements for two addresses by the Federation President under the auspices of the Workingman's Bryan and Kern Club. Gompers was apprehensive about the meetings because Founder's Week was being celebrated that week with a parade which conflicted with his speaking engagement. He wrote to Kirschner that they should work and just hope for the best. John A. Moffitt of the Hatter's Union joined the Federation leader in Philadelphia and remained with him for the tour. His association with the

29Washington Post, October 4, 1908, p. 3.
Danbury Hatter's case proved him to be a valuable aid on the trip. The Philadelphia paper owned by John Kern, a Democratic National Committeeman, amply reported the labor meetings. The next scheduled meeting of the Philadelphia Central Labor Union endorsed the AF of L political program.  

From Philadelphia Gompers traveled to New York. He registered to vote there Saturday morning and held a short conference with Herman Robinson, Harry Skeffington, and John Morrison. Morrison was an AF of L field worker who had been recently put in control of the campaign program for the eastern states. The New York circuit included stops at Schnectady, Troy, and Buffalo on October 10, 11, and 12 respectively.

The Schnectady Central Trade Union sponsored two meetings at which Gompers spoke. In both addresses he criticized the acceptance speech of Taft. Taft took credit for advancing labor rights in his court decisions but found issue with the secondary boycott and other labor tactics and did not hesitate to tell the public about them. Gompers

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30 Gompers to John Kirchner, September 25, 1908, GLB, CXL, 801-802; Gompers to John Kirchner, October 6, 1908, GLB, CXL, 384-385; The New York Times, October 12, 1908, p. 5.

31 Gompers to Herman Robinson, October 6, 1908, GLB, CXL, 428-429.
hit hard on the theme that Taft said labor was entitled to many rights but that he always discussed what labor could not do. Gompers asked Taft to point out where the Constitution denied working people the right to do those things. The Federation leader next journeyed to Troy where he spoke under the auspices of the Central Federation of Labor. He left Troy that same night for Buffalo.\textsuperscript{33}

In Buffalo Gompers returned to an attack on the Denver speech by Taft. He asked Taft to point out where he had lied to his followers and then he repeated the story of the Republican treatment of labor at their party convention and in Congress. There was no falsehood in that story, declared Gompers. The AF of L leader stated that he knew he could not deliver any vote except his own, even though Taft accused him of trying to deliver the labor vote. In doing so the Republican candidate lied, said Gompers. Gompers promised an apology if Taft could show him where he lied, but if not, Taft needed to apologize.\textsuperscript{34}

Next on the campaign agenda was a short excursion into Ohio. Several labor bodies extended invitations to speak

\textsuperscript{33}Gompers to Thomas McGovern, October 3, 1908, Gompers to Joseph Wild, October 6, 1908, \textit{GLB}, CXLI, 180, 398.

\textsuperscript{34}\textit{The New York Herald Tribune}, October 13, 1908, p. 3.
but Gompers decided on the Ohio State Federation of Labor in Dayton and a mass meeting in Columbus. The Republican campaign headquarters predicted that the state labor body would turn down the AF of L political program. But as Gompers was to speak in Dayton the unfriendly Washington Post reported the Republicans to be "short sighted skeptics" who acknowledged that "Mr. Gompers made headway from the start" in the Ohio campaign. After the Dayton engagement Gompers traveled to Columbus, addressed a mass meeting of workingmen, and then moved on to Detroit, Michigan.

Gompers had hoped to avoid speaking in Michigan because of his tight schedule and the physical and mental pressure. Labor delegations had besieged him with speaking requests. He sifted through the appeals, selecting what he considered the most important engagements. At times, when overcome with petitions, he replied that "one can only do the possible and it is impossible to address any more meetings. Just impossible." So great was the strain on Gompers that his secretary imposed on Moffitt to accompany him on the October trip to watch after him and "remind him to eat if he fails to." When W.D. Mahon, a member of the Railway Employees

\[35\] Washington Post, October 12, 1908, p. 1, 4.

\[36\] Gompers to Herman Robinson, October 5, 1908, R. Lee Guard to John Moffitt, October 7, 1908, GLB, CXLI, 307, 450.
Union who was running for Congress in Michigan, first asked Gompers to stop over there, the request was denied. But Mahon persisted and Gompers relented. The AF of L headquarters sent Mahon a synopsis of his opponent's labor record in Congress and twenty-five pictures of Gompers to be used in publicizing the meeting. As in the case of most of the October speeches the major East coast newspapers disregarded the Detroit address, although the local papers reviewed the meeting, and Mahon sent a copy to the AF of L office. 37

From Detroit, Gompers went to Hammond, Indiana, arriving after a night long train ride. E.A. Perkins and John Keegan planned a concentrated four-day Indiana campaign against Taft and Watson. The Indiana labor leaders cooperated with the Democratic National Campaign Committee to provide a special train, the "Blue Special," for the Gompers delegation to traverse the state. Gompers wrote, "Our trolly car stopped wherever we wanted--that is wherever a group of citizens was formed." 38 In addition to those stops he made

37 Gompers to W.D. Mahon, October 5, 1908, Gompers to W.D. Mahon, October 8, 1908, R. Lee Guard to W.D. Mahon, October 14, 1908, GLB, CXLI, 304-305, 506, 706.

38 Gompers, Life (New York, 1925), II, 273; R. Lee Guard to Gompers, October 13, 1908, GLB, CXLI, 601, 684-686, 693-694.
formal addresses in the larger cities in speaking halls or open air assemblages. Moffitt wrote that they were making from six to eight speeches daily, which resulted in the near failure of their voices.

The general campaign route went from Hammond into southern Indiana to Evansville and concluded at Richmond. Gompers continually stressed that Taft was the "injunction judge" whose cases had set precedents which the present day injunction cases cited as an authority for validity. The reason that the Republican howl about the labor vote being delivered, said Gompers, was because the workers were deciding to deliver their own vote. A hard day of campaigning culminated in Evansville with Gompers declaring the election of Bryan and the defeat of Watson as governor would be the greatest victory organized labor had ever achieved in the United States. As the trip terminated in Richmond, Moffitt wrote that the overall venture was "most successful." The Democratic papers gave glowing accounts of the meetings and often printed the speeches of Gompers in their entirety.  

39 R. Lee Guard to D.A. Hayes, October 20, 1908, Thomas Tracy to Gompers, October 14, 1908, GLB, CXLI, 978-979, 790-792; Washington Post, October 19, 1908, p. 4.
Gompers continued on the "Blue Special" to Chicago where he spoke to the Illinois Federation of Labor on October 20. Reports from Illinois had emphasized that many labor votes would undoubtedly go to Taft unless some effort was made to the contrary. From Chicago, Gompers took almost two days traveling back to Washington, D.C. He intended to begin preparation for the upcoming AF of L convention in Denver but subsequent events dictated otherwise.

Prior to the beginning of the October campaign tour Gompers had penned what he considered a concise but complete statement of the campaign issues. On October 12 he issued the statement under his own signature in the form of a four-page AF of L circular addressed to "Men of Labor, Lovers of Human Liberty." Gompers explained why he had no choice, only a duty, to support the Democratic party. The judiciary, he stated, induced by wealth and protected by the Republican party, was slowly destroying government by law by extending the jurisdiction of judges sitting in equity. Through the writ of injunction and the application of the Sherman Antitrust law, said Gompers, the "individual freedom of the worker to combine with others for mutual aid and protection

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40 Gompers to Grant Hamilton, October 12, 1908, GLB, CXLI, 664.
is swept away." The circular reiterated how the Republicans had shunned labor and how the Democrats adopted the labor demands. Then Gompers denied that the AF of L had aligned itself politically with the Democratic party by stating that "Labor does not become partisan to a political party, but partisan to a principle." The Federation leader maintained that the furtherance of labor ideals through the trade union movement remained his sole objective; thus, threats of "brush fires" in the AF of L or rumors of his appointment to political office failed to influence him. 41

The AF of L headquarters sent the circular throughout the Federation and released it to the papers which gave it widespread coverage. Gompers probably believed that the reasons for his leading the AF of L into the 1908 campaign were not being communicated adequately to the general public. He wanted to bring the story of the past hostility of the Republicans and the present friendliness of the Democrats to trade unions to the attention of unorganized labor and the middle class in general. Though his campaign efforts attracted local attention, he realized that the Republican labor viewpoints received nationwide publication. It

41 American Federationist, XV (November, 1908), 955-957; Washington Post, October 13, 1908, p. 4.
concerned him that the general electorate received a steady one-sided stream of information on the labor issue in the campaign. He appreciated the regard with which Bryan treated the labor issue but he felt he could more completely state the plight of labor.

The ability of Gompers to state the labor issues had increasingly drawn Republican ire. By the beginning of the October campaigning, President Roosevelt had decided to make the labor issue his special responsibility, and he took over the flank movement against Gompers. Roosevelt began with two actions. He called in Warren Stone, P.H. Morrisscy, and Daniel J. Keefe, known Republican adherents in the labor movement, for a White House conference, and he commissioned James B. Reynolds, formerly of the New York Police force, to determine the grass roots support for the AF of L program among the labor voters. Reynolds reported that many labor leaders believed that the political campaign was a fight for "the perpetuation of the labor union, and that a defeat for Bryan means the end of the union."  

All three labor leaders interviewed by Roosevelt issued statements supporting Taft, then the Republicans claimed that the foundation of the AF of L political program was eroding away.

42*The New York Times*, October 4, 1908, October 10, 1908, October 13, 1908, 1, 3, 4.
Roosevelt had decided in early July to issue a late campaign critique of the Bryan platform, but by October he focused on the labor problem. He wrote four letters to various individuals that in some way related to labor issues and in some way found their way into newsprint. In early September Roosevelt wrote to Conrad Khors on the candidacy of Taft in which he generally concluded that Taft stood against the abuses of both labor and capital. Such generalizations sufficed temporarily but by the middle of October Roosevelt found it necessary to write to Thomas Dolan promising that Taft would maintain the same lenient attitude toward labor as he had. Roosevelt then stated that organized labor was pursuing objectives inimical to the interests of the American people. Four days later, on October 19, Roosevelt wrote to P.H. Grace, of the Brotherhood of Railway Trainmen. In this letter Roosevelt contradicted Gompers by stating that Taft exposed and attacked injunction abuses. Roosevelt listed two cases in which Taft rendered decisions friendly to labor, one of which he called a "landmark case—though many judges failed to follow it."  

43. Roosevelt to Thomas J. Dolan, October 15, 1908, Roosevelt to P.H. Grace, October 19, 1908, Roosevelt to W.H. Taft, July 7, 1908, Morrison, ed., The Letters of Theodore Roosevelt, VI, 1287, 1296-1301, 1124; Theodore Roosevelt, "The Candidacy of Mr. Taft," Outlook, XC (September 19, 1908), 108-112.
Roosevelt wrote the fourth letter to Senator Philander Knox on October 21, in reply to the circular issued by Gompers on October 12. It was an inclusive and detailed attack on the Democratic labor planks and the AF of L political program. Roosevelt showed that the Democratic labor plank, if satisfactory to Gompers, would result in some legislative remedy as the Pearre bill and then he proceeded to define, to his satisfaction, the meaning of such a remedy. Roosevelt declared that the legislative panacea sought by labor would withdraw the protection of injunctions from property rights, resulting in the destruction of business. It would also legalize blacklists and the sympathetic boycott to any extent labor desired. Roosevelt declared that those were "two of the most cruel forms of oppression ever devised." Roosevelt implied that Gompers attacked the courts because they protected the right of the businessman to carry on his business. He called on Bryan to accept or reject such a labor plank so that the public would know which candidate believed in allowing labor to destroy business. The second major accusation dealt with another interpretation of the Democratic labor plank. Roosevelt said that the proposal, if enacted as stated, would be an "empty sham" and "utterly worthless to accomplish
its avowed purpose." He charged Gompers and Bryan with collusion to deceive the workers and concluded that the working classes were too intelligent to be delivered like chattels to Bryan in exchange for a sham.  

Although the Knox letter represented the height of opposition to the AF of L political program, it did not comprise the entirety of it. The socialist element within the Federation continued to boycott the program. Three international unions, The Wisconsin Federation of Labor, one city labor group, and a few locals endorsed the Socialist ticket. Gompers was more perplexed with the dissatisfaction of Daniel J. Keefe, AF of L Vice-President and leader of the Longshoreman's Union and the attitude of polite indifference taken by John Mitchell. Mitchell declined to actively campaign in 1908, giving reasons of health due to a recent operation. Many commentators thought his friendship with Roosevelt prevented his helping; however, most overlooked the fact that he had agreed to head the Trade Agreement section of the National Civic Foundation which sought to work for better labor-management relations.  

44 Roosevelt to Senator Philander Knox, October 24, 1908, Morrison, ed., The Letters of Theodore Roosevelt, VI, 1305-1313.

explained that the position obligated him to refrain from taking political sides, although he did issue statements backing the AF of L political effort and several union members running for Congress. Keefe presented another problem. He said, "I shall support and work for Mr. Taft."

Rumors predicted that Roosevelt intended to appoint Keefe Commissioner-General of Immigration. Although Keefe denied it, subsequent events proved the rumors to be correct.46

Another factor in the opposition to the AF of L political plans was the campaign strategy of William Howard Taft. Taft enunciated his labor policies early in the campaign and continued to follow them. He seldom referred to the Republican labor planks but dwelled on the labor accomplishments of the Roosevelt administration of which he was a part. He blended the tariff issue into his labor speeches and contended that continued Republican rule equaled prosperity and jobs. In denying the allegations of Gompers he criticized the labor leader for attempting to deliver the labor vote. He rarely discussed injunctions without condemning the secondary boycott. As the campaign progressed he reviewed the labor cases he had sat on but

he seldom mentioned anything besides the legal theory and principles involved, and omitted reference to the practical realities of the cases. He emphasized that his decision in the Phelan case established judicial precedents for the right of unions to organize and strike. Taft continually stated those themes in September and October, stressing his opposition to the secondary boycott as he and Roosevelt defined it and the positive aspects of his labor cases. Only in the last stages of the campaign did Taft add to his strategy when he advocated the application of employer liability to the private business sector, amending the sixteen hour bill, and possible enlargement of the office of Commissioner of Labor.  

It was the renewed opposition, especially the Knox letter, that prevented Gompers from plunging into Federation matters. He notified Bryan that he was going to make a reply and gave Bryan a statement to release to the press denying any political aspirations. "The contest of labor is for justice, not for office," said Gompers.  

47 The New York Times, October 27, 1908, October 31, 1908, November 2, 1908, 1, 3, 2; William H. Taft, "Judicial Decisions as an Issue in Politics," McClure's, XXXIII (June, 1908), 201-209.

48 Gompers to William J. Bryan, October 23, 1908, GLB, CXLII, 83.
on a reply to Roosevelt over the weekend and released it to the press on Monday, October 26.

The reply bitterly accused Roosevelt of misrepresenting the views, work, and motives of the AF of L President. Gompers expressed surprise that Roosevelt would criticize his labor beliefs since Roosevelt had known of them for a long time and had never passed such judgment before. He accused Roosevelt of previously criticizing judges himself in the reversal of the fine levied on Standard Oil. He refuted the Roosevelt corollary to the Pearre bill as an attempt to instill in people a fear that their property would be in danger. Labor did not want the abolition of the injunction, said Gompers, but its restoration to property rights instead of the invasion of personal freedom. Then Gompers labeled the Knox letter as a crass political trick resorted to for fear the labor vote would not go Republican.49

Gompers answered every charge made by Roosevelt, except he avoided discussing the secondary boycott. He tried to restate the injunction issue in terms favorable to labor. He wanted to impress upon organized labor that his motives were sincere and he wanted the general public to look upon

49The New York Times, October 27, 1908, p. 4; American Federationist, XV (November, 1908), 973-979.
the labor issues in the campaign from a viewpoint sympathetic to labor. To accomplish that he had to get the people to see the harm, real or intended, fostered upon labor unions, but it was difficult to gain the initiative from the President of the United States.

The November American Federationist contained the reply to Roosevelt as well as some last minute criticisms of Taft. Taft had talked about the positive aspects of his court cases to labor so often that Gompers felt compelled to answer. He commended Taft to the labor voters on the grounds that his injunctions and his judicial history showed that he served the corporate interests. Taft had allowed a ten per-cent wage reduction in one case and then told the workers to quit if they were not content, said Gompers, as he quoted from the court record to prove his charge. He maligned Taft for testifying against the eight-hour day on the Panama Canal work simply to "keep the men out of devilment." Taft spoke of the full dinner pail, stated Gompers, while two million men were unemployed. Along with the denunciation of Taft, Gompers reprinted the October 12 circular, Bryan's Plea for Labor, and a former speech of his at Indianapolis. He had previously issued a circular to all Central Labor Unions urging them to hold special meetings on the Saturday
or Sunday prior to election day to warn of last minute attempts to sway the labor vote.50

In an unprecedented move Gompers put out a special edition of the American Federationist on November 30. The edition contained eight pages, and five of them were devoted to "President Roosevelt's Inconsistency" in which Gompers renewed the indictment that Roosevelt was sacrificing his principles to get Taft elected. Gompers faulted Roosevelt for possessing a "naive assumption of infallibility." The edition then warned labor against sensational charges on the eve of the campaign, bribery attempts, and coercion to influence their vote. It counseled labor to consider the source and use their franchise valuably.51

Besides working on the special edition, Gompers used the last week of October to prepare for the Denver convention and to speak to the Baltimore Federation of Labor. On October 26 Gompers and James O'Connell, AF of L Vice President, spoke to a group of workingmen at Cross Street Market Hall. The speech was defensive in tone as Gompers spoke of his

50 American Federationist, XV (November, 1908), 960-965, 981-984.

51 American Federationist, XV (November Special Edition, 1908), 1033-1040; Gompers to E.W. Nockels, October 30, 1908, GLB, CXLII, 292.
right to criticize the courts and judiciary as long as Roosevelt did the same.\footnote{52}

As the campaign drew to a close Gompers continued to press for labor support. On Sunday, November 1, he scheduled four addresses, two in Newark, New Jersey in the afternoon, and two in New York that night. The New York speech at the Grand Palace was the main engagement. Gompers sent Herman Robinson five hundred copies of the November Special Edition to distribute to the crowd. The night before Taft had claimed that four of the AF of L Vice Presidents, Daniel J. Keefe, John Mitchell, James Duncan, and Max Morris, were against the political program spearheaded by Gompers. Gompers immediately telegraphed to those men that "if you are accurately quoted I have nothing to say. If you are misrepresented you owe it to the men of labor of the country to publicly repudiate it."\footnote{53}

The Federation President began his two-hour speech by producing telegrams from all but Keefe denying the statements by Taft. He then repeated the oft-told reasons why the

\footnote{52}R. Lee Guard to James O'Connell, October 14, 1908, GLB, CXLI, 745; The New York Times, October 27, 1908, p. 4.

\footnote{53}Gompers to John Mitchell, October 31, 1908, GLB, CXLI, 339-341; Gompers to George Berry, October 26, 1908, GLB, CXLII, 17; The New York Times, October 31, 1908, p. 3.
AF of L ventured into the presidential campaign by stressing the Danbury Hatter's case, the injunction cases, and the rebuffs from the Republican party. Speaking of the secondary boycott, Gompers said that the laborer had the right to sell or not to sell his labor for any reason or no reason whatever. Bearing down hard on Taft, the Federation leader ridiculed the Taft claims that Taft had laid down the law as he believed it. So had every tyrannical judge, declared Gompers, and those judges were still despised today. He shamed the brag by Taft about the high wages of the steam shovlers by saying Taft could not get them any cheaper and said Taft never mentioned the pay of any other workers on the canal because he got them cheaper. Gompers explained that his Democratic support developed because he thought there was a "tide running in the hearts of men" to alleviate the injustices of trade unionism and the decision was made to flow with that tide for the betterment of all labor. He concluded the address by pleading with the throng of workers to vote for Bryan in the interest of their homes, families, and children.54

Gompers had walked the proverbial tightrope in the AF of L throughout the 1908 campaign. Having constantly to defend

his actions to those within the Federation as well as without, it was no wonder that he developed a near phobia about the wisdom of his policy and the manner in which he conducted it. During the heat of the campaign he wrote to a friend, "If I never do anything else in my life, I shall not relent for a moment in the great fight in which we are engaged."\textsuperscript{55}

It was to his credit that he pursued the policies he thought were the only avenue of relief for the future of trade unionism.

\textsuperscript{55}Gompers to F.W. Kennedy, October 14, 1908, \textit{GLB}, CXLI, 749.
CHAPTER V

CONCLUSION: FAILURE?

The entrance of the AF of L into presidential politics met with disappointing results. Taft led the national Republican ticket in an overwhelming electoral victory over William Jennings Bryan with 321 electoral votes to 162. The popular vote showed Taft winning with more than a million vote majority. The fact that Eugene Debs polled 424,483 votes, a slight increase over his 1904 total, was also discomforting to the conservative AF of L leadership.¹ Yet, the disclosure most galling to the proponents of political activity by the AF of L was that the largest concentration of popular votes for Taft lay in the north-eastern part of the United States, the area where the Federation had its most members. The Republicans continued to dominate Congress with the new House of Representatives composed of 213 Republicans to 172 Democrats. House Speaker Joseph Cannon returned to impose his anti-labor views and insure nullification of any legislative relief for labor.

Immediately after the election results became known, Gompers issued a statement to the press. The heart of the comment was that "although temporarily defeated, labor is not conquered." Gompers went on to mention several face-saving items. He took pride in pointing out that the AF of L campaign had compelled the political parties to treat the labor question as one of the most important issues discussed, and promised that persistence could bring eventual results.

In his report to the Denver convention, prepared on October 30, prior to the election, he wrote that trade unions had won a moral victory, regardless of the election outcome, because of the prominence to which the labor questions had been elevated. He again insisted that the AF of L had not become a political arm of the Democratic party by repeating that labor was partisan only to a principle.

If the national election results were the only criteria used to measure the AF of L political program then it would be judged as a complete failure; however, the judgement is different if other factors are used in evaluating the campaign. Even though Taft and Cannon were the major targets of the political campaign, there were attempts in many congressional

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3 *American Federationist*, XV (December, 1908), 1082-1083.
races to defeat those politicians unfavorable to labor.

In that respect Gompers happily noted that Representative John J. Jenkins, Wisconsin Republican who chaired the House Judiciary Committee, and Representative Henry T. Bannon, Ohio Republican who sat over the Judiciary sub-committee, failed to get renominated to Congress. Adam Bede of Minnesota and Kittredge Haskins of Vermont, both antagonistic toward labor measures, also succumbed to opposition forces in the primaries. The greatest success for the AF of L political endeavors came in the state where Gompers had campaigned hardest. In Indiana, Democrat Thomas Marshall defeated James Watson for governor, although the state went for Taft in the national election. Gompers boasted that both major parties credited him with that accomplishment. In addition, four new trade unionists were chosen to join the six members in Congress who were already labor union members.

In the December Federation journal, Gompers proceeded from tangible results to some intangible ones. After mentioning that the Republican Congressional majority had further declined, he stated that the campaign showed the

4 American Federationist, XV (October, 1908), 864-868.
value of organization to many workers and had resulted in AF of L membership increases. State legislatures should become more receptive to labor legislation and thereby aid local union development, claimed Gompers. Even though defeated, Gompers contended that the AF of L influence in the federal government would not be lessened because it would still stand against existing wrongs. He argued that the then current ridicule of the political effort of labor in the press was lending support to the design to eliminate labor in politics. That was being done, said Gompers, because the opposition knew that labor could turn their present disappointment into future success. In essence, Gompers contended that although the AF of L campaign did not achieve victory in the 1908 election, it was far from being a complete failure and was worth the effort.

To properly evaluate the anti-injunction movement and the participation of labor in the campaign of 1908, several items should be kept in mind. First, one should consider what the objectives sought by the AF of L were and why they were being sought. Then, one would have to analyze to what degree those objectives were accomplished, if they were at all. Finally, one would need to look at other areas influenced by the anti-injunction movement and the 1908 campaign.
The objectives of the AF of L in its anti-injunction movement and the campaign of 1908 were simple. In an effort to better identify them Gompers often stated what they were not. To try to establish a labor party in the United States was definitely not a goal. Gompers went to great lengths to discourage third party movements among the socialist-minded elements within the AF of L. He repeatedly voiced the opinion that third party movements soon relegated the causes of labor to secondary positions. Neither was it an objective to make the AF of L a political arm of the Democratic party. The Socialists and Republicans alike accused Gompers of delivering the AF of L to the Democratic party while he just as vehemently denied it. But Gompers in no way tried to set up any lasting ties with the Democratic party. He increasingly cautioned those who helped in the 1908 campaign to keep their part of it within a labor framework.

The primary aim of the anti-injunction movement was to secure relief from the judicial hardships imposed upon trade union development. By 1906 it was obvious that the labor injunction seriously impeded the advancement of trade unions. After years of experience with labor injunctions, Gompers

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concluded that labor would never receive an impartial hearing before a judiciary steeped in conservatism. Through their training and temperament, the judiciary was too detached from everyday life and the needs of the general public, especially labor. Gompers had carried on a personal opposition to the labor injunction through the pages of the *American Federationist*, but conditions did not improve. Beseeched by the increased hostility of employer's organizations, the courts continued to issue labor injunctions which hindered strikes, picketing, and the boycott. As a result union officials were imprisoned; unions were fined for contempt of court; Socialists challenged the AF of L strategy that was languishing; and the membership and finances of the AF of L declined. Thus, Gompers saw a need for more than just editorial opposition to secure relief.

The injunction issue had pushed Gompers and the AF of L into the political arena. The injunction was supposed to be a form of protection for property, and it was; but at the same time it was a form of punishment to labor. At that time laissez-faire economic thought dominated business principles and practices and what people usually thought about business principles and practices. That meant that business should have the liberty to set prices, hire and fire, set wages, and use all the weapons in the labor-management
struggle. Gompers thought that the injunction rendered the tools of labor ineffective in its strife with management. In his viewpoint, an arm of the federal government, the judiciary, helped to accomplish that task while another branch, the Congress, consented to it.

Still, Gompers and the AF of L leadership looked to Congress as the best hope to rid labor of the injunction. Since lobbying efforts had failed to obtain passage of any legislative aid, Gompers planned to mount political pressure on the Congressional opponents of labor. In 1906 he actively entered the congressional campaign against Charles Littlefield of Maine. His objective was to create an attitude of respect for the political power of the labor vote and thereby gain some bargaining power with certain Congressmen. He thought he made a creditable showing but additional efforts to get legislative relief from the injunction failed.

Coupled with that failure to influence Congress were the judicial blows that hit full force in late 1907 and early 1908. The Danbury Hatter's decision, the Adair case, and the Van Cleave injunction against the AF of L hierarchy, which personified the evils of the labor injunction to Gompers, convinced the Federation leader that bolder steps were required. Gompers knew that hostile industrial interest
groups like the NAM wanted to see labor organizations reduced to impotency but he dismissed that possibility until 1908. A survey of his editorials and letters during that period revealed that he felt that trade unions could be emasculated. Therefore, he began to contemplate further attempts to deter the election of those politicians he considered antagonistic to the cause of labor, including those who contested for the presidency.

The political realities of the day demanded that labor support some party other than the Republicans. The attitudes prevailing within the Republican party made it impossible for them to cater to the AF of L demands for a labor platform. The Democrats, as the party out of power, sought to capitalize on the situation by adopting the majority of the AF of L planks. The Independent and Socialist parties espoused labor ideals also, but Gompers discounted their ability to garner enough votes to become realistic political entities; but not so with the Democrats. He interpreted those events as a seldom-found opportunity in a repugnant environment to attain accomplishment of the legislative goals of labor.  

7 American Federationist, XV (May, 1908), 373.

8 The New York Times, November 2, 1908, p. 5.
In addition to the pressure applied by the courts and the inaction of Congress, there were other developments which made political participation in the 1908 presidential campaign, if not inviting, at least compelling. Chief among those developments was the nomination of William Jennings Bryan as the Democratic candidate. The socialist charges that both major parties were controlled by capitalists who would not do anything for labor held less significance with Bryan running. He had a political history which rested on liberal principles; thus, he was willing to sustain the labor contentions. The fact that a large enough segment of the Democratic party sympathized with the labor predicament so that the AF of L demands were incorporated into the party platform also encouraged Gompers. Another factor which aided the initial political involvement of labor was the lack of knowledge about what it would entail. Then, even though the AF of L was not prospering as it had in the late 1800's, the Federation had reached a point numerically, where Gompers thought it could wield political influence with its votes. Still, none of those reasons compared with the fear by Gompers that the trade union movement might be terminated or dismembered.

Basically, the AF of L sought to obtain relief from the labor injunction. It wanted to apply pressure to Congress
to remedy the situation by law. When that failed it sought to "reward its friends and punish its enemies" politically in order to achieve the same results. Then, through the political measures resorted to, Gompers hoped to make the labor vote effective and respected in the political world.

The campaign of 1908 in which Gompers aided the election efforts of Bryan was a means to an end, and not an end in itself. Gompers realized that, but that did not indicate that he relegated the campaign to a position of unimportance. Quite the opposite occurred, because Gompers saw the election of 1908 as the one most advantageous means to accomplish his objective. That was the reason that the results of the election were so disappointing to Gompers. The question arises as to why he was unable to influence the labor vote to a greater degree.

Two contemporary scholars who addressed themselves to this question have issued the most respected comment about it. Less than two weeks after the election, sociologist Graham Taylor wrote about organized labor and its entrance into politics. He noted that the Federation leaders grossly overestimated the strength of the labor vote as well as their ability to influence the vote of individual union
members to any significant extent. Through the testimonials in the American Federationist, Gompers demonstrated that a majority of the AF of L leaders followed its political program, but there was little indication that the rank and file went along. The key to delivering the labor vote was the individual union member, but he was undeveloped and undisciplined in a political sense.

The background of the union members had created a rank and file that was an undisciplined quantity. Labor economist Robert F. Hoxie recognized that many facets of the environment of the union member guided him in that direction. One major reason for such was that American trade unions lacked the class solidarity evident in the British labor movement. The past forces in the life of the American trade unionist prompted him to be politically independent. He nurtured his democratic and God-given rights which told him to remain independent and he may have even resented being told how to vote. The middle class background of the unionist undoubtedly responded to the Republican charge that


Gompers was delivering them like chattel to the Democratic fold. Probably the dominant political heritage of many union members stemmed from the Republican oriented sections of the northeast United States. Those unionists could identify with the Republican claim that a G.O.P. victory meant increased prosperity and more work.\textsuperscript{11} It was difficult to change the political tradition of the unionists who were Republicans, as Daniel Keefe illustrated.

The traditions within the AF of L also helped produce a politically independent unionist. The rigid adherence to the practice of "no politics in the union and no unions in politics" could not be broken so quickly. That custom instilled into the union member a desire to remain politically independent and therefore unmanageable in the labor campaign devised by Gompers. Perhaps the chief stumbling block to a successful political program was that the AF of L was a business trade union movement. The design of business unionism to produce material benefits in the present retarded the united action necessary for political activity.\textsuperscript{12} The AF of L was a composite of skilled craft unions and many had created a select spot for themselves, maintained through

\textsuperscript{11} Ibid., pp. 698-700.

\textsuperscript{12} Ibid., pp. 696-697.
their local efforts to deal effectively with their employers. That hindered the AF of L campaign efforts several ways. Some unions were loathe to risk their prosperity because other unions were experiencing difficulty with court decisions. Also the skilled unionist who was able to aspire to a middle-class living standard was the type most susceptible to the Republican accusation that Bryan's socialist tendencies would place their jobs in jeopardy. The AF of L policy of refusing to organize the semi-skilled and unskilled workers limited the ability of the Federation to influence their vote. 13

Gompers recognized some of the difficulties inherent in leading a successful labor campaign. He attributed the basic failure of the AF of L program to the opposition of the vested interests in the NAM and the Republican party. He thought that the NAM campaign had swayed the Democratic businessmen to vote Republican and he accused the newspapers of misrepresenting the grievances of labor. He believed that employer coercion of the labor vote was widespread, and hinted that vast sums of money were used by the Republicans to attract the vote. Then, Gompers assumed a more realistic

attitude and admitted that the task of producing a politically disciplined labor vote in one presidential campaign was too much to ask. He further recognized that the AF of L political structure was unqualified to conduct a political campaign.\textsuperscript{14} Gompers knew that the Federation had to mold the workers into a systematic political force. Even that would be insufficient unless organized labor could convince the general public of the righteousness of its cause.

Every major objective of the anti-injunction movement and the 1908 campaign eluded the AF of L. Gompers neglected to fault himself, but he erred in several ways that he did not recognize. First, his incapacity to perceive the other side of an issue or to compromise hindered any partial solution of the labor difficulties. He thought President Roosevelt sided with the conservative elements of the Republican party against labor when Roosevelt was making an honest attempt to deal with the inequities of the labor injunction. Gompers also thought the newspapers intentionally slighted his views to distort the labor issues in the public mind. Then, he could not see that the elected officials in Congress were more susceptible to the pressures of the business-management faction than was the judiciary.

\textsuperscript{14} American Federationist, XV (December, 1908), 1064-1065.
In addition, Gompers always campaigned in a negative manner. He was against the court decisions, Taft, Cannon, the NAM, and the Republican party but, because of his desires to keep the campaign in a labor framework, he refused positively to accentuate the Democratic alternatives. He avoided the charges by Taft that the secondary boycott was an oppressive labor tactic. Gompers was so involved in the Buck's Stove case and first amendment liberties that he overlooked the need to present the labor viewpoint on the secondary boycott. As a result, the public assumed that all secondary boycotts involved violence or underhanded tactics as described by Republicans. However, the greatest campaign failure by Gompers was his inability to convince the union membership, much less the general populace, that the trade union movement was in danger of extermination. It was that threat that drove Gompers into the 1908 campaign, but he was unable to present it as a realistic menace to trade union existence.

The reasons for the failure of Gompers to exert any discernible influence on the 1908 election results have been presented, but did organized labor affect the campaign in any way? The AF of L program did have a bearing on the 1908 campaign in that it catapulted the labor issues into a prominent position, the net result, however, was that it
caused the Republicans to retaliate. It was then that President Roosevelt entered the campaign to disarm the labor question. If the election was ever in doubt, the entrance of Roosevelt into the contest should have ended such speculation. Thus, as far as the campaign of 1908 was concerned, the effect of labor was probably a negative one.

The attitude of Gompers about the anti-injunction movement and the 1908 campaign was one of problem solving. He did not enter politics from a desire to become more politically active, but because of a need to secure legislative relief from the imbalance of bargaining positions fostered on labor by management and government. Yet, the anti-injunction movement brought the advent of the AF of L in politics. That set the precedent for the involvement of the Federation in national politics and laid the foundation for later successful endeavors by the AF of L on the political scene. That was a considerable accomplishment in 1908, because the forces of conservatism were so entrenched that it was almost impossible to elect anyone or pass any legislation favorable to labor. It was a situation that took time to overcome.
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