

# McCLURE'S MAGAZINE

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## GOMPERS AND BURNS ON UNIONISM AND DYNAMITE

### I. BURNS' STORY

#### ON THE TRAIL OF THE MEN HIGHER UP

[THE two interviews that follow were given to McCLURE'S MAGAZINE shortly after the confession of the McNamara brothers to the blowing up of the Los Angeles *Times* Building.]

"THE men higher up, eh!" said Burns, in his resonant, positive voice. "The men back of the dynamiters? All right; I'll give you what I can. We're only through with the first of our cases yet, you know."

Burns had come into New York for the first time after the McNamara confession. A continent ringing with his name, men whispering it as he passed the street corners; telephones jangling; messages from presidents and fools, friends and cranks; a simultaneous uprising of a metropolis to appropriate the time and person of the celebrity of the hour. Now Burns was leaving it. Out of the distraction and the clamor the sturdy, vigorous figure walked its straight, unswerving course—disappeared into the stuffy, upholstered isolation of the Pullman train.

"I'll tell as much as I can," said Burns, as the train started.

#### *Something to Make "the Boys" Feel Good*

We were shadowing McManigal around Chicago; he was house-hunting, with his wife. Naturally we didn't think he'd pull off any more dynamiting for a day or two, anyway. A client at Boston telegraphed me, and I jumped over to see him.

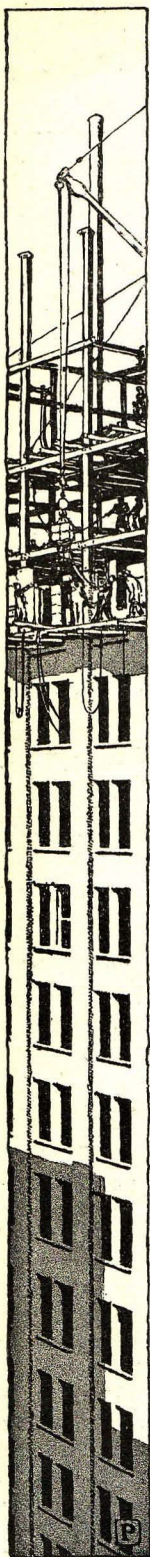
I hadn't more than got out of town when McManigal and J. B. McNamara started out on the dynamiting job we were waiting to catch them at. It was going to be a big one this time—five different places in Detroit; they were getting over their scare about the Los Angeles business. It seems the executive council of the Bridge-Workers was going to have a quarterly meeting, and J. J. McNamara, the secretary and treasurer, had called McManigal to Indianapolis and instructed him to do some more dynamiting before they met.

"You've got to get out and pull off something to make the boys feel good when they get here," he told McManigal.

So that next day, the 11th of April, Ortie McManigal took his suit-case full of bombs, and met J. B. McNamara at Toledo, Ohio. And the day after that my son, Raymond J. Burns, went over to Detroit with the Chicago officer, and they got them with the infernal machines on them.

We'd arrested twelve "yeggs" at Toledo for bank robbery on the same day they were there—as I told you before; and we let the two dynamiters think that was what we wanted them for. So, knowing they could show an alibi on the bank jobs, they both waived extradition finally, and we took them into Chicago.

About this time J. J. McNamara wasn't making anybody feel very happy. When McManigal and J. B. McNamara were arrested, they



gave the names they traveled under, of course. That was notice to their people that they were arrested. The papers came out, the next day, and said that Ortie McManigal and Frank Sullivan—that was one of J. B.'s names—had been arrested in Detroit as safe-blowers.

That was all there was; then they dropped out of sight. The next day the police brought them to Chicago, and we took them out and kept them at the house of Detective Sergeant William H. Reed of the Chicago police force, on the South Side of Chicago. They stayed there while we were getting the extradition papers.

J. J. McNamara saw the arrest in the papers, then nothing else. He didn't know what to think. Maybe they'd been arrested for that bank burglary, maybe it was a bluff and they were taken up for the Los Angeles job. They'd just disappeared off the face of the earth. All there was to do was to wait for something more. Our men who were watching J. J. McNamara reported he was pale and drawn and uneasy.

*“The American Federation Is Back of Us”*

We had had our eyes on the “higher-ups” in the International Bridge-Workers for some time. But just as soon as we made these first two arrests we began to hear about something higher up still.

When our people were taking the two dynamiters from Detroit to Chicago, J. B. McNamara was in the seat with my son. They hadn't been out very long when McNamara woke up to the fact that it wasn't safe-blowing they were wanted for, but that Los Angeles business; and he began to try bribery. He started at \$2,000 and he went up to \$30,000.

“How will you raise any such money?” asked Raymond.

“Never mind how I'll raise it; all you've got to do is to let me get to a telegraph office for ten minutes.”

My son refused him.

“You're making the mistake of your life,” said McNamara. “The American Federation of Labor is back of us.”

When they told that to me after I reached Chicago, I didn't take any stock in it. “He's talking through his hat,” I said. “They'll never stand for that.”

That same day I went over and saw McManigal, and he confessed to me. There's a lot of mystery made about this getting confessions from criminals—and about the whole detective business in general. It's all rot.

Before I began with McManigal, I instructed him as to his rights under the law—that whatever he said might be used against him, and that this was a very serious matter. Then I explained to him the law of conspiracy, and showed him that, even if he hadn't gone to Los Angeles himself, he was guilty of murder if we could prove he was part of a general conspiracy which caused the explosion.

It was the first time he knew he was liable for murder, and naturally it got on his nerves.

“Now,” I said, “I can't promise you anything—no immunity whatever. I'm not even an officer; I'm a private detective. But you've got to decide what you'll do, one way or the other. You can take your time about it. If you want to talk to me, just let me know.” Then I left him.

About twenty minutes later the officer at the house where we had them called me up by telephone. “He says he wants to talk to you.”

“All right; tell him I'll be right over.”

An hour later the officer telephoned me again: “He wants to know why you don't come up.”

“All right,” I said; “tell him I'll be over.”

I let him go another hour, and the telephone rang again.

“Say,” the officer said, “when are you coming up? This man's getting very nervous.”

“All right; I'll be right over,” I said.

Pretty soon I went over. When McManigal saw me he was ready to hug me. We sent for a stenographer and a notary public, and he told the whole thing from beginning to end.

Now, there was one thing McManigal told me I didn't think much about at first, but I remembered afterward—that was about Clarence Darrow, the lawyer at Chicago. Their orders were, he said, if they ever got caught, the first thing they were to do was to telegraph Darrow to come down and defend them.

Some "Good News" for Mrs.  
McManigal

While this was going on our men down in Indianapolis kept us posted on that council meeting down there. They reported that J. J. McNamara was getting more and more nervous. I saw I'd have to ease up a little on him. So I went to the telephone and called up Mrs. McManigal, at her home in Chicago.

"Hello," I said; "is this --- Harrison?"

"Yes," she answered. "Who is it?"

"Never mind who it is; you don't know me and I don't know you," I said. "But I got a letter this morning I want to read to you." Then I started as if I was reading:

"Immediately upon receipt of this letter, it says, 'call up Harrison ---, and tell the woman there her husband is all right; he and his friend were arrested for safe-blowing, but the police let them go again, and they're in Windsor, Canada (opposite Detroit), and they're all right.'"

"Good," she said. "My God, that's good news to me. Good!" She kept me there five minutes before she let me go on.

"And it further states," I said, "to tell her to go to a certain party—it doesn't say his name—"

"I know, I know," she says. "Go on."

"And get five hundred dollars from him and go back home and wait till her husband sends for her; and in a day or two, the letter says, he may write you himself."

"Yes, yes," she said. "All right; I'll go right down to-night."

So down she went that night to Indianapolis, straight down to J. J. McNamara—our men shadowing them, of course, all the time.

"That's funny," said McNamara. "I don't see why he didn't write me." You see, McNamara had a secret box in Indianapolis, under the name of Sandusky, where they were to write him when they got in trouble, and I didn't know it. McManigal had forgotten to tell me about that.

*Entering the Silent Council Chamber*

Well, all this time we were holding these men in Chicago, waiting for the extradition papers from California. On the 21st of April the papers came, and on the 22d I went over to Indianapolis with the agents of the State of California. The Governor of Indiana granted the extradition papers, and the local police made the arrests.

The executive council was still in session. J. J. McNamara opened the door himself when the policeman knocked.

"The chief of police wants to see you over at his office," said the officer.

It's a singular thing, how a criminal always falls down somewhere. Some time or other, they "tip their hand." McNamara didn't even ask what he was wanted for. He just got up and walked around the group of silent officers at the table, and went to the president at the head.

"What'll I do?" he said in a low voice.

"Better go with him," said Ryan, in just the same tone.

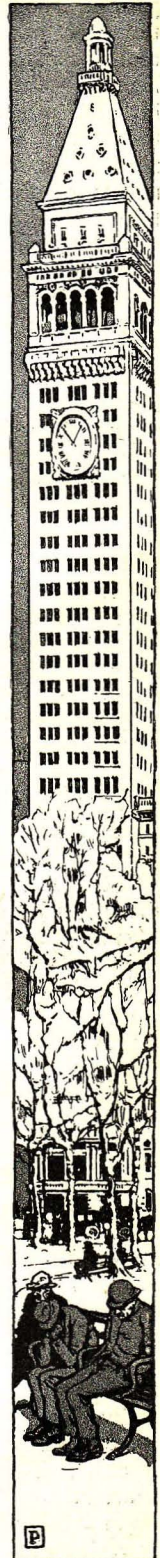
Some time afterward they began to ask what it was all about. It came over them, when they had time, that the first thing an innocent man would think of was to inquire what he was arrested for.

So then, with my information from McManigal, we got their dynamite and their books. And the books showed right away what was going on.

*The Private Bank Account*

The system was this: The council appropriated, every now and then, from \$1,000 to \$3,500 for "organization work." These appropriations averaged over \$1,000 a month. This was a special fund, entirely separate from the regular expenses of organizers. It was given to J. J. McNamara as secretary and treasurer, and he gave no account of it. Their constitution provided that they print all their expenditures in their *Bridgeman's Magazine*, but their executive council had simply decided some years before that they would stop giving these accounts.

When the secretary and treasurer got this money he put it into a private bank account, and whenever his brother or McManigal blew up something, he checked out their \$200 direct from this private bank account. There's no



guessing about this. We have the evidence of the whole transaction, from the minutes of the council making the appropriation, to J. J. McNamara's checks from his private account to his brother and McManigal. And we've got the letters. When they pulled off a job, they'd send in newspaper clippings describing the results of their dynamiting for bills before they'd get their money.

Indianapolis is full of international union headquarters, and just as soon as they could catch their breath they all began the same cry — conspiracy. We had planted the dynamite in all those hiding-places McNamara had bought or built and had the keys to. We'd kidnapped McNamara, and lied about getting extradition papers. None of them seemed to want to know about what McNamara had done.

Now, everything I had done was perfectly regular. My telegram to the Los Angeles district attorney, asking for extradition papers, told exactly what had happened, though they say it did not. The papers were obtained in the regular way. They took the prisoner to the police station, and from the police station to the same judge who always acted in extradition cases. And then they took him away to California, as they had a right to do.

That was late Saturday afternoon; on Sunday Gompers came out in Washington and began talking about plots and outrages. He couldn't have made any investigation as to whether McNamara was guilty or not; he didn't have time. He at once started talking about a plot to crush organized labor. On Monday E. N. Nochals, the secretary of the Chicago Federation of Labor and an organizer of the American Federation, came down, with Clarence Darrow, to talk over the case with the Bridge-Workers — the same Darrow that McManigal and J. B. McNamara had orders to telegraph when they got caught dynamiting.

Darrow came out promptly and said he couldn't possibly think of taking the case; he wasn't strong enough. "In the last big labor case I was in," he said, "I nearly killed myself." He was only down to consult as a friend of labor. That was one of the funniest things in the whole case. Darrow didn't want the case — no, not at all. For a couple of weeks he was in it; then he was out of it; then he was in it again — according to the newspapers. Then finally they gave him a \$50,000 retainer, with a hundred dollars a day throughout the case, and expenses. Then Darrow's hesitancy was overcome, he went out to Los Angeles, and they began to raise the money for him. They started to work up the sympathy act to get it.

### *The Stuff that Martyrs Are Made of*

I wonder sometimes, when I'm on cases like this, if everybody's gone crazy. You take these "boys," these "heroes of labor," they were trying to stampe the labor men of the country with. They certainly were a fine type of heroes.

J. J., the secretary-treasurer, was thirty-four, and his brother was twenty-eight. J. B., the dynamiter, was raised in a Cincinnati reform school — a dissipated, cigarette-smoking degenerate looking for "easy money." J. J. has a five-year-old child by one of the many women he was continually mixed up with.

A nice crowd. There was one workman in Indianapolis, an old man, whom they got after. He had a job on an iron smokestack. So they went up and cut off all but one of the rivets around one length of the pipe. The idea was that this one bolt would hold until he started working on it next day, and then it would give way and the pipe would telescope down and shear the man in two. It fell during the night, instead; so they fixed one of the ropes on his derrick, and he fell and was crippled for life.

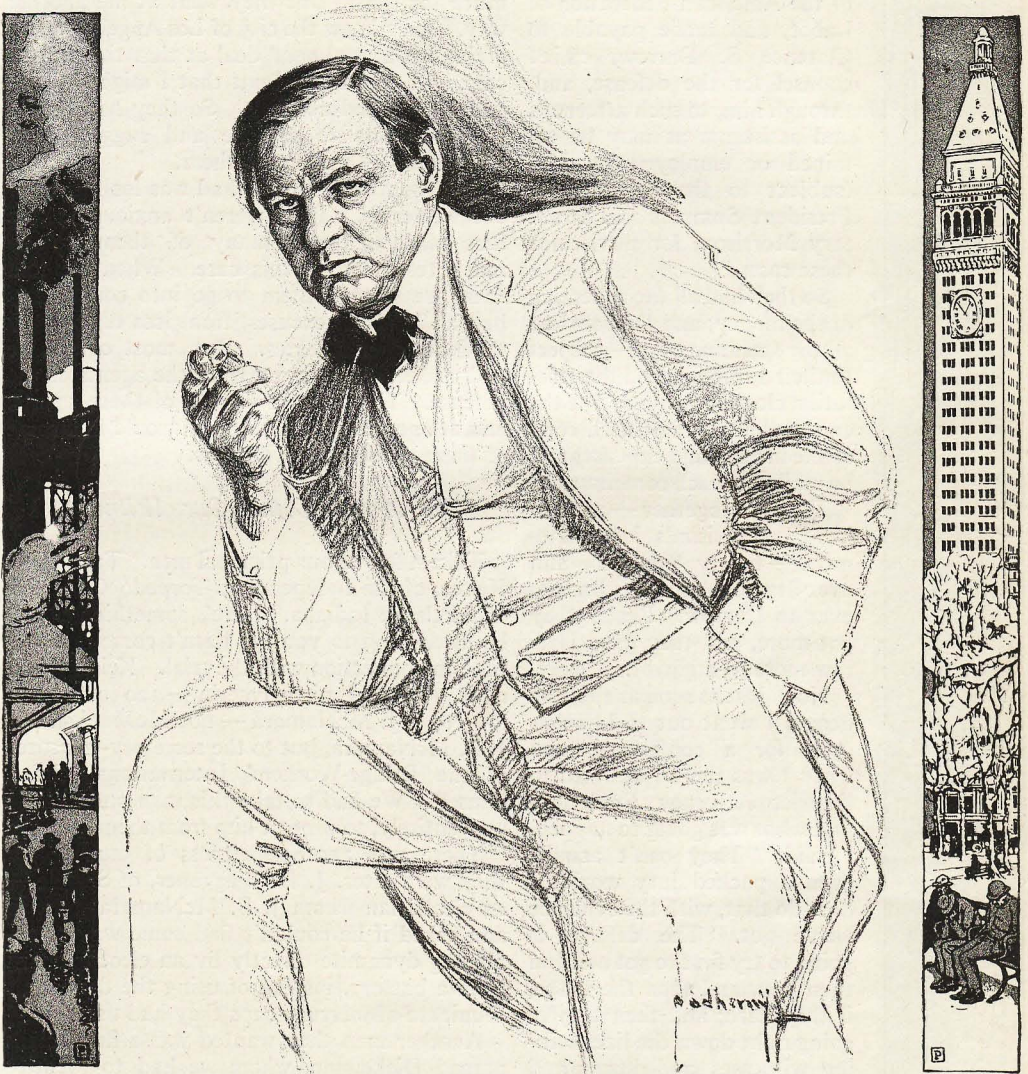
When McManigal spoke to J. J. McNamara about the Los Angeles *Times* and its twenty-odd men that were killed, "I guess they'll come across now," said McNamara. That's all he was interested in.

About a week after the arrests Gompers came on to Indianapolis and then up to Chicago to see about the case. I knew just what we had, and I knew any fair-minded man would see it; so I said publicly that, now he had made an investigation, Gompers would probably say there wasn't any detectives' frame-up, because there couldn't be. But Gompers came back and said I was a liar, and had been all through the case. He had come down on the ground, talked with the men who had appropriated the money which J. J. McNamara paid for the dynamiting, and had every possible opportunity to know that our evidence couldn't be manufactured; yet he took the position that the whole thing was a "frame-up."

Then Gompers took matters over into the hands of the Federation of Labor. They got together a McNamara ways and means committee. And they asked every union member in the country for twenty-five cents a head for the trial; and Gompers and the rest of them went around the country and worked the labor people into a fury. Every Socialist haranguing from the tail of a cart was talking about Burns' "frame-up." I went around now and then and listened to them. All their talk was well calculated to incite some crank to take a shot at me.

Then they sold fancy stamps with McNamara's head on them, to put on their stationery. The Federation carried these on their own mail. And they had McNamara buttons to sell for a nickel. And finally they got out a moving-picture show, with an actor to represent

labor, and folding his hands and rolling up his eyes and praying. Then they throw his "letter to labor" on the screen. After he confessed, they scratched up the film, so McNamara moved along without any face on. Then, of course, they stopped it altogether.



*Drawing by E. V. Nadherny*

CLARENCE S. DARROW  
CHIEF COUNSEL FOR THE McNAMARAS IN THE LOS ANGELES  
DYNAMITING CASE

McNamara and a big thug to represent me, and the council of the iron-workers posing for themselves — where I come in and drag him out. It starts in with McNamara leaving home and his mother blessing him, and it ends up with him in his cell, writing one of his letters to

### *The Federation's Three Men Take Charge*

All these operations were under the American Federation of Labor. The Federation officers had a conference in June, and they passed a resolution which read like this: "That the



disbursement of all moneys received in connection with these cases shall be made by Frank Morrison, secretary of the American Federation of Labor, upon the order of Samuel Gompers, president of the American Federation of Labor, and made payable to Clarence S. Darrow, chief counsel for the defense; and, through him, to such attorneys and assistants as may be retained or employed by him (subject to the approval of President Gompers and Secretary Morrison) for services in these cases."

So they had all the collecting of the money, and Darrow had all the spending of it — subject to their approval; and the resolution closed by saying "at the end of the trial a printed copy of the income and expenses will be mailed to each contributor."

They got together — according to Morrison's last statement — nearly \$200,000, and over \$170,000 of it was handed over to Darrow. Really they got more, and they gave Darrow more — a good deal more.

Now, just as soon as the case began, I went out to Los Angeles for a conference, and when I was there I outlined to District Attorney Fredericks just what was going to happen. I said: "They can't acquit; even a packed jury wouldn't dare do that, with the evidence we've got. The defense is going to try first to get me, and then you, and then the judge, if they dare; and then they're going right down the line, bribing witnesses and jurors and anybody they can lay their hands on. And, if they can't bribe them, they're going to threaten them that they'll put them out of the way. And then they're going to be convicted or plead guilty."

I told Captain Fredericks this, and I told it to him just as it happened. The representatives of the defense went right

down the line, bribing and threatening. I made only one mistake. They didn't dare try to get the judge; and they didn't dare try to get Captain Fredericks, either — they knew it would be useless. But they did all the rest. That was their way of defending a lawsuit.

They didn't try to bribe me; they knew too much for that. But they went at me another way. They knew the city of Los Angeles wasn't giving me a very good deal at that time in the case, and they figured out that I might be sore and disgruntled about it. So they had people I knew come to see me and suggest that I loosen up — ease up on them.

But the worst time we had was looking after our witnesses. They weren't anxious in the first place, a good many of them, to do much testifying in this case. When we told them we wanted them to go into court, they had all kinds of excuses, from loss of memory to doctors' certificates. But, most of all, we had to keep them away from the agents of the defense. There was a variety of these agents, and at one time or another you would find some of them around our witnesses.

#### *The Agents After Our Witnesses*

Take a few of our principal men. Take C. C. Keiser, of the Independent Torpedo Company, of Portland, Indiana. Here's something that'll be interesting to you; it hasn't come out any time in connection with the trial. Keiser was a man who sold nitroglycerin — 120 quarts of it — to J. J. McNamara — not McManigal nor J. B. McNamara, but to the secretary-treasurer of the Bridge-Workers' International Union himself. We had to take this man out of their way entirely, to protect him from them.

There was another witness of ours whom they were after, J. D. Waggoner, of Seattle — an electrician whom J. B. McNamara went to and asked if he couldn't find some way of exploding dynamite directly by an electric spark from a battery, instead of using the dangerous fulminate-of-mercury caps they had used.

Another man they wanted was a hotel clerk named Diekelman, whom we had to identify J. B. McNamara as the man who signed his name J. B. Boyce on the hotel register in Los Angeles. Diekelman left Los Angeles, and we located him in Albuquerque, New Mexico. Darrow's brother-in-law, Hammerstrohm, was with him. I had one of my men there in the hotel watching Diekelman and getting friendly with him. Then all at once Diekelman got out of Albuquerque and went on to Chicago. Our men were waiting for him, and trailed him up into Darrow's Chicago office, and back again

to his hotel. There my son Raymond and one of his men went up to him and told him he'd better go back to Los Angeles; if he didn't he'd go back on a warrant from the district attorney, so finally we got him back to Los Angeles.

*"I'm the Last Man that'll See You"*

Then there was Superintendent Phillips of the powder works near Oakland, California, the man who delivered the dynamite which J. B. McNamara and his two confederates, Schmidt and Caplan, got just before the Los Angeles explosion.

They tried this man all sorts of ways. They threatened him; they telephoned his wife; men hung around his house, watching it; they had his wife scared almost to death.

Finally one of his best friends went to him and talked to him on the subject.

"All they want you to do is to testify that this J. B. Boyce you delivered the dynamite to had lost the index-finger on his right hand."

Of course, as J. B. Boyce (that is, J. B. McNamara) hadn't lost an index-finger, that would have finished Phillips' testimony.

"You can name your own price," said the man.

"I haven't got a price," said Phillips. (It does you good to see a man who will stand up like Phillips and do his duty now and then.) "I'm an American citizen, and I propose to give my testimony in this case. If it'll do them any good they can have it."

"You'd better think that over," said the fellow. "They told me to tell you I was the last man who'd see you on this matter, and if you don't come through, you're not very likely to die a natural death."

"All right," says Phillips; "let it go at that."

All this I've been telling you was about our witnesses. The bribing of jurymen I don't know so much about. Captain Fredericks took care of it out there. That's all been in the newspapers. They've held this "investigator," Burt H. Franklin, in \$10,000 cash bail, for bribing a venireman and a juror. The venireman and the jurymen who testified against him both told the court that Franklin said he was getting his money from Darrow.

Now, you see how the thing was going — just exactly as I told them it would. All we had to do was to lie still and let them work out their method of defending a law case, and watch their game. And the more they worked with our witnesses and jurors the more they wound themselves up; and pretty soon some of the crowd "higher up" woke up and began to see where they were themselves. Just as soon as

they saw they were getting tangled up in the bribery business, they began the final process in the trial. They began throwing overboard one man after another to save the rest of them.

### *The Sacrifice of the Non-Union Brother*

J. B. McNamara — the brother — was the first slated to go. He was the man who set off the dynamite which destroyed the Los Angeles *Times* Building; and they knew we had him tied up tight to the job. The plan was to trade him off for his brother, John J., the labor leader. Then they could hang the man paid to do the job; the "higher-up" who paid him the union's money would go free; and they could always say that the labor union wasn't responsible. We had no idea of standing for that, naturally. Then they began to wake up to the case we had against John J., the brother.

We had an air-tight case against him in the first place. But all summer we had been strengthening it. As we got our new evidence, they knew of it. And then they found they were getting wound up in the bribery matter. So it was time to unload another man, John J. McNamara, one of the leaders themselves. Then, finally, the two McNamaras pleaded guilty.

Now, there couldn't have been any other outcome of this case so good as this. Our evidence was enough to hang those men; but what good would that have done? The professional labor leaders would have gone on denying their guilt and talking about corruption or class prejudice in the jury. We got the guilty men to come out themselves and say they did what we charged them with. Now there's no doubt about it; and no argument. That's settled.



Now, then, when this happened, all the other "higher-ups" were astounded. Ryan, the president of the International Bridge-Workers,

from his private account directly on a regular scale of wages to his dynamiters. And the executive council had resolved — contrary to



*Drawing by E. V. Nadherny*

JOHN J. McNAMARA  
SECRETARY-TREASURER OF THE INTERNATIONAL ASSOCIATION OF BRIDGE  
AND STRUCTURAL IRON-WORKERS

and the other members of the council stated that they were amazed. They had been appropriating over \$1,000 a month for several years to J. J. McNamara, and he had checked it out

the especial provisions of the constitution — to suppress the printing of the account of expenditures. Of course, they didn't know anything about the dynamiting.



There's just one man in the crowd who comes out now and says he knew the McNamaras were guilty — Darrow, their attorney — the same man McNamara told McManigal to telegraph at once if he were ever arrested. He knew it from the time he took the case, and he was talking about it with his acquaintances around Los Angeles some little time before the confession; but he did not inform in any way his principals — the American Federation of Labor, the men who were paying him for his work. Gompers, especially, was astounded when he heard about it.

### *The Three Men and the \$200,000*

All of that \$200,000 of the Federation was handled by these men, you remember. It went to Morrison, the Federation's secretary, who paid it to Clarence Darrow upon the order of Samuel Gompers, the president. Darrow paid it out for the case — to the "attorneys or assistants" he should employ subject to the approval of the other two men. These three men, and that is all, were responsible for the handling and expenditure of this \$200,000. And not once did Darrow intimate to the other two men that their clients were guilty!

It will be worth waiting for to see just how the three men account for the \$200,000, according to the resolution of their council, to the contributors. Darrow will get, of course, with his \$50,000 retainer and his hundred dollars a day and expenses, well toward one half of it. It will be interesting to see their detailed accounts of the remaining \$100,000 or \$125,000.

It isn't necessary to comment on this sort of thing. Everybody sees it. And that is the greatest thing we've done in this case: we've dragged out these labor politicians, these men like Gompers, and let the public look at them as they are.

Nine tenths of the laboring men in this country don't want dynamiting or violence. The trouble with organized labor is that it has got into the control of a low type of politicians, who hold it just as politicians control our municipal affairs; and corruption and violence breeds under this kind of men. Labor unions will have proper management — just as cities will — when the average member and voter takes an interest and does his duty in the organization. I've seen the condition in both cities and unions, and I know. It's the task of organized labor to purge itself — to clean house thoroughly. I hope it will. No one wants to see the labor movement prosper more than I do.

## II. GOMPERS SPEAKS FOR LABOR

### THE ORGANIZED ASSAULT AGAINST THE RIGHTS AND THE LEADERS OF THE AMERICAN WORKINGMAN

**T**HE American labor movement, under the American Federation of Labor [said Mr. Gompers], has been the most peaceful and law-abiding in the world. This is a matter of history; any one who knows anything about modern economic movements knows it. Now, when these two McNamaras — two poor, misguided fanatics, out of two million workers — are driven to hopelessness and pessimism by a policy of oppression, and resort to violence, the professional enemies of labor at once come out to charge their crazy acts to organized labor and its management as a whole.

The American Federation of Labor needs no

defense from such attacks. It has absolutely nothing to hide; it invites the closest examination of its records and affairs. Personally, as president of the Federation for all but two of its thirty-one years, I take the same position. It is impossible that my policy and record can be different from those of that body.

I am a member of a family of working-people; my father and grandfather worked at a trade. There are now four living generations of union members in my family, starting with my father, a cigarmaker eighty-four years old, and ending with my oldest son's daughter, a stenographer. I worked at my trade twenty-six years, and the members of my family have been, are,

and expect to remain wage-earners. We belong with the workers, and we want to stay where we belong.

### *The Men Who Started the Federation*

Thirty-four years ago, when I was a young man working at my trade in New York, I became one of the group of men whose efforts resulted later in the formation of the Federation of Labor. The ranks of organized labor had been decimated by the industrial troubles following the Civil War. One of the greatest obstacles to permanent organization was that the strong men in labor unions were constantly being lured away from them by better opportunities in politics or business, which their influence as labor leaders had opened to them.

The group of men to which I belonged pledged themselves that, come what would, we would remain in the ranks of labor. Out of this group came the men who started the present American Federation of Labor, and gave their viewpoint and policy to its management. The American labor movement owes its success very largely to this policy — the fact that its leaders, with very few exceptions, remained within the class of workers, and fought their battles. It has been impossible to buy them away; their opponents know that they can not cajole or bend or frighten them. And the attack against them has been especially bitter on this account.

The fight against organized labor in America became savage in 1902, when the Manufacturers' Association, a group of the manufacturers of this country, a body organized for general trade purposes, began to turn its attention to the relentless purpose of wresting from the workers' organizations every right they had under the law.

### *The Attack on Labor's Primary Rights*

The men and women who work with their hands have two primary rights — the right to control the one thing they have to sell, their own physical labor; and the right to buy, with their own money, where they choose. Their only chance of survival, especially in the face of the combination and concentration of modern capital, is to exercise these rights in voluntary associations. As organizations, they claim the right to withhold their labor — that is, to strike; or to withhold their patronage — that is, to boycott. These are, and have been, the weapons of American labor; not violence, but peaceful weapons, based upon guaranties of personal rights — personal liberty, without which freedom, free economic society, can not exist. What organized labor wants is not the right to violent

action; it neither wants nor condones violence. It asks the simple right to do nothing; to stop work and fold its hands, when it deems it for its best interests to do so. What our opponents really want is just the opposite — to tie the workman to his work, so that he can not possibly break away. When that is accomplished — slavery begins.

Starting in 1902, the Manufacturers' Association began its campaign to deprive organized labor of its primary rights — the right to work or to withhold their labor power (work), and the right to buy from whom they choose; the right of free speech and a free press. These manufacturers have endless means to conduct litigation. By securing a process of judicial legislation, by the perversion of the rightful purposes of injunctions and of contempt proceedings (under which last I am liable myself to be put into prison), they have worked toward the accomplishment of their purpose, and the denial to the working-people of their primary and common rights, rights enjoyed by every other citizen of our country.

The lawyer and the courts have been two of the chief weapons of this band of men organized to destroy labor organizations. A third has been the private detective agencies. The Federation of Labor has protested against the use of the hired detective since its beginning in the '80's. But never has the private detective been used to such an extent, or with such unscrupulousness, as since the campaign of the Manufacturers' Association began. They have been not only private soldiers, hired by capital, to commit violence, and spies in the ranks of labor: they have been and are being used in the capacity of *agents provocateurs* — that is, in disguise as union men, to provoke ill-advised action, or even violence, among workmen. And they have been employed to create evidence, to "frame up" cases against labor, to be used by the lawyers of our enemies in court, and by their publicity agents in creating public opinion.

### *The Los Angeles Explosion*

In October, 1910, the Los Angeles *Times* Building was blown up and a score of human lives destroyed. It was a terrible disaster, and a great shock to the country. By no one was it more promptly or strongly deplored than by the leaders of labor, including myself.

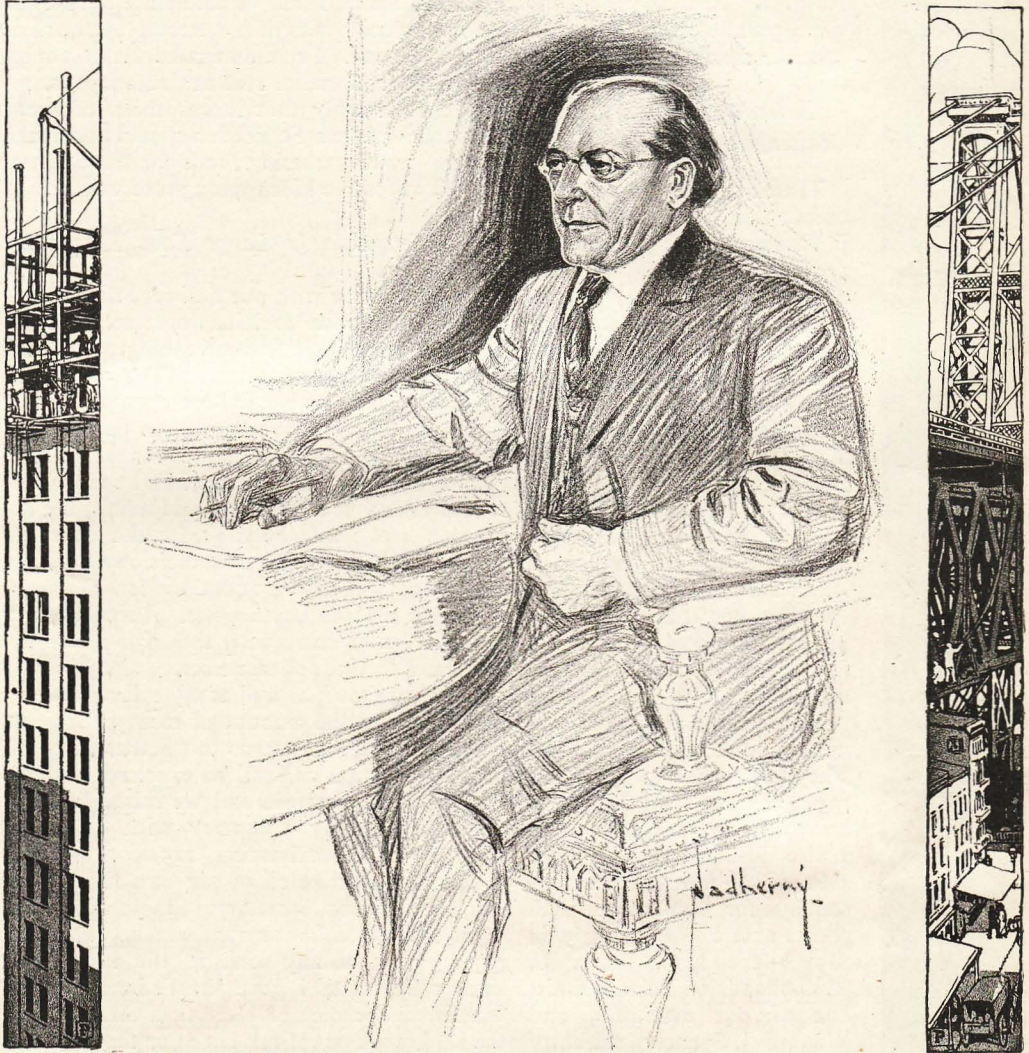
The Los Angeles *Times*, as everybody knows, was and is an active and vindictive opponent of organized labor. On the morning of the explosion its owner, General Otis, was out of town. Without the slightest opportunity of investigation, or even viewing the wreck, he

immediately came out with one of his usual bitter and bellicose attacks on organized labor, and attributed the explosion to its agents. At once the lawyers and detectives and press agents of the Manufacturers' Association took up the outcry.

There was no convincing proof whatever, at

organized labor. But I purposely abstained from expressing a final judgment. All we asked was that judgment be suspended.

Matters went along in this way for months. Then suddenly, in the first part of April, the McNamaras were arrested. The secretary-treasurer of the International Bridge and



*Drawing by E. V. Nadherny*

SAMUEL GOMPERS

PRESIDENT OF THE AMERICAN FEDERATION OF LABOR

that time, that the destruction of the *Times* Building was the work of a dynamiter, or of dynamite. There was excellent reason to believe it was caused by an accidental explosion of gas. It is now admitted that the secondary cause was a gas explosion. I, in common with all other officers and men of labor, resented the imputation that the explosion was caused by

Structural Iron-Workers was dragged out of a council meeting; the members of the council, without any warrant of law, were held prisoners for two hours in their own council chamber; the secretary-treasurer was hurried before a police judge, who had no jurisdiction in the case, and, without being allowed to see an attorney, he was hurried out of the State to the Pacific



Coast, on a zigzag course planned to prevent the use of the constitutionally guaranteed writ of *habeas corpus*. All this was done under the management of the usual private detective agency, working in connection with the National Erectors' Association, part of the Manufacturers' Association.

### *Federation Undertakes Raising of Defense Fund*

There are eight international unions that have headquarters in Indianapolis; as soon as possible after this event, their officers came together in conference to see what could be done to defend the McNamara brothers and to prosecute the men who had illegally taken J. J. McNamara from the State. They saw that they had no authority to make any general appeal to organized labor for the funds needed, and they asked me, as president of the American Federation of Labor, to call a conference of labor-union officials of the country in Indianapolis to take up the matter.

I declined, because I did not approve of that method. They then asked me to call a meeting of our executive council at Indianapolis. This I also declined to do. They then asked me to come personally for conference with them, and I did so, early in May—the Hon. Frank L. Mulholland, of Toledo, Ohio, one of our attorneys, and William J. Spencer, secretary of the American Federation of Labor Building Trades Department, both in compliance with my request, accompanying me to Indianapolis and participating in the conference. By telegraph I requested several representative labor men of Illinois, Ohio, and Indiana to be at the conference and give it the benefit of their advice.

I met in this conference perhaps thirty or forty of the leaders of labor, with headquarters in or about Indianapolis, men who should be in a position to understand the situation. They assured me that there was absolutely no case against the McNamara brothers, and they asked me to take over the matter of the raising of money into the hands of the American Federation of Labor. I said I would place the matter before my colleagues of the executive council of the Federation. I communicated with them by telegraph, and, while still at Indianapolis, received their reply that it was their judgment that the American Federation should undertake the matter of gathering funds for the defense, as well as for the kidnapping prosecution.

### *The Surprisingly Large Sum Required*

In accordance with our decision, the officials of the Federation and its departments came together early in June, in Washington, in conference with Attorney Clarence Darrow of Chicago, who had previously been engaged to conduct the defense. He informed us that a great sum of money would be required for the defense, some \$300,000. The trial or trials, he explained, would take a year or a year and a half; the attorneys' fees would be large, for the attorneys would be obliged to give up their own business and move themselves and their families from their own cities to Los Angeles. A similar great expense would come with the high-priced experts and the host of witnesses.

I confess that I, as well as my colleagues, was astounded by the amount of money required, and I was very dubious as to whether we could raise any such sum, and so expressed myself. But we went to work, and we raised by contribution, entirely voluntary with organized labor, a sum approximating \$225,000.

This money, like all of our own funds, was received by our secretary, Frank Morrison. I myself have never undertaken financial management of any kind in the Federation since 1889, when I gave the Federation convention the choice of electing a secretary to take this work out of my hands or the selection of a new president. I have no gift or liking for financial affairs. The McNamara defense money, when received, was forwarded by Mr. Morrison to Mr. Darrow, the attorney, who was already preparing the defense when we undertook the work of collecting funds for it.

We publish monthly in our official magazine, the *American Federationist*, an account of the Federation's income and expenditures, detailed to the last cent. Mr. Morrison has his detailed accounts of our collections for this special fund.

When we appealed for contributions, we assured all that we would publish an account of all our receipts and expenditures. This assurance we will fulfil.

Through the summer we went on with our work, conducting the uplift purposes of the Federation. We are very busy men here. Personally, I have never had a vacation; there has not been one day in the past year, Sundays and holidays included, when I was not working.

*'You Can Rely on Us; We're Innocent'*

In the late summer I took an exhausting two months' trip to the Pacific Coast. While I was in Los Angeles, I naturally went to see the McNamara brothers. I saw them twice. To the best of my remembrance, I then saw J. B. McNamara for the first time. J. J. McNamara, the Bridge-Workers officer, I knew fairly well—that is, as I had met him at conventions, or at conferences in jurisdictional disputes, when he seemed always a quiet, modest, intelligent young man. When I visited them at the jail in Los Angeles, my conversation was almost entirely with him.

He and every one else assured me that he was absolutely guiltless. McNamara said to me over and over again: "It's all right; you can rely on us." When I left him the last time, he took my hand—he is a tall, broad-shouldered young fellow—and looked me in the eyes and said:

"Sam" (everybody who cares a cent about me calls me Sam; I never cared for "Mr. Gompers" or "President Gompers"), "I want to send a message by you to organized labor and all you may meet. Tell them we're innocent—that we are the victims of an outrageous plot."

I believed him,— I had no reason not to at that time,— and I delivered his message.

If he had told me in confidence that he was guilty, I will say this: I don't believe I would have betrayed him. I'm willing to stand by that—I don't believe I would have betrayed him. But I certainly wouldn't have declared my confidence in his innocence; and I certainly would not have gone out and helped to collect money for him.

But no one, at any time, gave me the slightest reason to believe these men were guilty. I returned East, and went through the arduous work of preparing for the annual Federation convention at Atlanta. It was the most progressive, harmonious, and constructive gathering ever held by labor in America.

Upon my return I was met with this awful

thing. These two misguided men were guilty—they confessed that they were guilty. I was horror-struck and amazed.

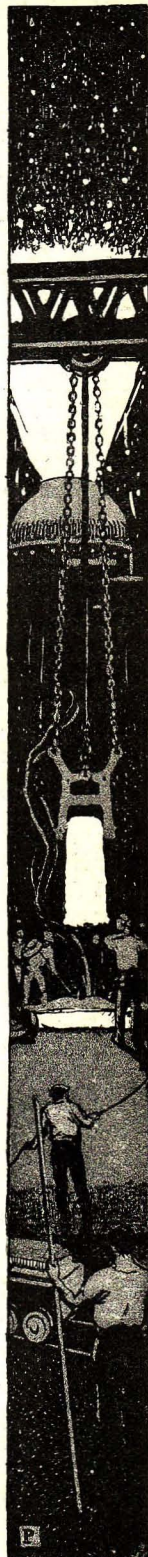
I have no intention of adding to the burden and misery of these two wretched men by any statement of mine. What concerns me is the effect of this matter upon the welfare of labor. In my opinion, it will not be serious in any way. No former or present enemy can be placated; no true friend of labor will be alienated.

*Federation's Great Recent Growth*

The last year, to October first, has seen the greatest growth in a decade of the international unions in the Federation, a growth of about two hundred thousand members. It has now practically two million workers associated with it. Its growth has continued through October and November at even a higher rate of increase, and there has been no falling off since the guilt of the McNamaras was known.

We have been bitterly attacked since the confession of the McNamaras. The newspapers have, with a few exceptions, assailed us. That is nothing more than we expect; we never look for an even break with the newspapers of America. Their managements are employers of labor, in many cases quite large employers, and, with some most honorable exceptions, they seem to believe that their interests as employers must line them up against organized labor, in policy if not in practice.

But the laboring people of this country are not in any way deceived or estranged by this outcry against the organization of labor. They know that the American Federation of Labor has a right, like any other organization,



to ask that it be judged by two things: what it has done, and what it aims to do. The workers know what it has done for them in the past, and what they can do under its organization in the future.

And what have our unions done? What do they aim to do? To improve the standard of life, to uproot ignorance and foster education, to instil character, manhood, and independent spirit among our people; to bring about a recognition of the interdependence of man upon his fellow man. We aim to establish a normal work-day, to take the children from the factory and workshop and give them the opportunity of the school and the play-ground. In a word, our unions strive to lighten toil, educate their members, make their homes more cheerful, and in every way contribute an earnest effort toward making life the better worth living. To achieve these praiseworthy ends we believe that all honorable and lawful means are both justifiable and commendable and should receive the sympathetic support of every right-thinking American.

Personally I have never received so many words of encouragement and approbation in my career as during these attacks. The men of labor know me. I have worked for long, long years with them. I am one of them. They know that it has been my life's ambition to serve them to the fullest limits of whatever power or ability there is in me. And they know I am neither a dynamiter nor a law-breaker.

The American Federation of Labor and its unions will not be weakened by this event. They will continue on the course they have held for thirty years, not of violence, but of protection of the working-people, and the achievement to the fullest extent of their rights under the law. One of our purposes is to prevent the repetition of the illegal arrest and kidnapping of men, because they are poor men, either by private detective agencies hired by enemies of labor, or by any other source of assumed unlawful authority. We intend to push the case against the kidnappers to its last conclusion in court.

In general we shall continue our fight for the rights of labor, and to defend ourselves in the courts and in the legislatures and against the assault on our legal rights made by the Manufacturers' Association and agencies of that kind. The determination of organized labor on this point was never so strong as now. The work of the American Federation of Labor has never been so active or so definitely directed to this aim as it will be in the future. Its appropriation for the work under it will be increased a third, from six to eight cents a year for every

active member of its unions, beginning January 1st, 1912.

### *The Coming Presidential Election*

In addition, by unanimous vote, the Atlanta convention directed that the executive council of the American Federation of Labor urge upon the President and the Congress of the United States the legislation which will secure the legal status of the wage-workers from unjust discrimination in the exercise of their natural rights, through their voluntary associations.

The instructions of that convention conclude:

"And the Executive Council is further authorized and directed, in the event of a failure on the part of Congress to enact the legislation which we herein seek at the hands of the Congress and the President, to take such action as in its judgment the situation may warrant in the presidential and congressional election of 1912."

The American Federation of Labor is not a partizan political body. It is partizan to the principle of the common uplift. Its officers have never before received such definite instructions as these. But, in giving them, the convention is merely carrying out the life policy of the Federation — the securing of its aims, not by violence, but by action under the Constitution and laws of the Republic.

The American labor movement is the outgrowth of the necessity of the workers in modern industrial society and environment. It will not be crushed out of existence. It must and will live and grow; it has grown into the hearts and minds of earnest, thinking Americans, has done so much to bring light and life and hope into the homes, the workshops, and the school-room that the hosts of labor, scholars, and real humanitarians look to the American labor movement as the haven of industrial and social safety, the harbinger of rational evolution of America's future greatness, founded upon the intelligence and sovereignty of her yeomanry, her masses, her workers. It is founded upon justice and right. Its men are loyal, as loyal to the institutions of our Republic as can be found in any walk of life. The unions of labor have done much for the material, moral, and social uplift of the men and women of labor — have taken the children out of the factories, the workshops, the mills, and the mines, so that the organized labor movement is indelibly impressed on the hearts and minds, not only of the workers themselves, but of every earnest, broad-minded, liberty-loving citizen of our country.