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OF

JUNE AND JULY 1894

GROWING OUT OF THE

PULLMAN STRIKE

AT

CHICAGO, ILL.

An Address Delivered before the National Statistical Association of the Columbian University, Washington, D. C., October 9th, 1894.

BY

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RESOLUTION ADOPTED BY THE NATIONAL STATISTICAL ASSOCIATION.

WASHINGTON, D. C., OCTOBER 9TH, 1894.

WHEREAS: This Association has this evening listened to an address of great value by Joseph Nimmo, Jr., LL.D.—Vice-President, Section of Railway Transportation, upon the subject of "The Insurrection of 1894, growing out of the Pullman Strike," and in view of the fact that the President of the United States, will soon be called upon to consider the merits of this subject, and in view also of the fact that the President is an honorary member of this Association.

THEREFORE BE IT RESOLVED: That a copy of Doctor Nimmo's address be transmitted to the President of the United States for his consideration.

The Insurrection of June and July 1894, Growing out of the Pullman Strike.

Mr. Chairman and Gentlemen: The lapse of time renders it possible to formulate something like a logical statement in regard to the disturbance which began within the corporate limits of the City of Chicago on the 11th of May last, and subsequently extended westward to the Pacific Coast. This disturbance had its origin in a labor strike at the car shops in the town of Pullman, Ill., now embraced within the corporate limits of the City of Chicago. If the issue involved in that strike had not been carried beyond the town of Pullman, the trouble would have excited no more attention than labor troubles of as great or even greater magnitude in other parts of the country. But the Pullman strike culminated in an insurrection which involved the commercial, industrial and transportation interests of two-thirds of the United States exclusive of Alaska, and required the intervention of the armed forces of the National Government for its suppression.

The town of Pullman was founded in the year 1880 on what was then an open prairie at a point 14 miles from the City of Chicago. The Pullman Palace Car Company purchased at that point about 500 acres of land, and there erected extensive works for the building of sleeping, parlor and dining-room cars, for its own use, also for the building of cars of every description for railroad companies. The Pullman Company also built at the town of Pullman all the houses needed as homes for its employes, and others called there by the needs of such a community. To this day the Company retains the ownership of this entire property. The streets, parks, sewers, gas works, water works, school houses, library and other public buildings at Pullman were also constructed by the Company.

Thus ample provision was made for the health, comfort and wholesome social environment of some twelve thousand people. Although out of the ordinary line of urban development, there was and is nothing phenominal in this important enterprise. I have in person made a somewhat careful study of the conditions of life at Pullman but fail to discover there any curtailment of personal liberty which does not prevail at Chautauqua, New York, for educational purposes, at Ocean Grove, New Jersey, for religious purposes, and at many other places in the United States for the purpose of carrying on mining, manufacturing and other industrial works. There appears to be nothing in the public policy of this country which forbids such development. Three days before I visited Pullman I was at Chautauqua, New York. The chief administrative officer at that place then told me that the absolute control of its governing conditions in the hands of its management, constitutes an essential feature of the success of the Chautauqua plan.

The laborers at Pullman are under no obligation whatever to live in that town, being allowed and even encouraged to purchase homes for themselves in adjacent villages within easy walking distance of the Pullman shops.

The Pullman Company declare that the wages paid to their employes at the time of the outbreak in May last involved an actual loss to the Company on the work done. This appears to be probable, from the fact that during the last eighteen months, hundreds of industrial establishments throughout the country have been running at reduced rates of wages, without profit, or at an actual loss, in order to hold their trade. Besides the building of cars and especially passenger cars for the use of the Pullman Company was greatly depressed owing to the fact that during the year 1892 and the early part of 1893, an unusually large number of cars was built in order to

accommodate the increased travel caused by the Columbian World's Fair at Chicago during the latter year. The result was that the Pullman Company found itself in the autumn of the year 1893 with 400 extra cars on hand. This surplusage of equipment operated as a barrier to further construction for at least two or three years. Work at the car shops at Pullman was therefore reduced to repairing Pullman cars and the building of cars for railroad companies during a period of great business depression, when throughout the country thousands of cars were lying idle. At this time also the various car building establishments of the country were sharply competing with each other, with no possibility of accomplishing more than keeping their business alive. Under these circumstances the Pullman Company made a reduction of wages in its car shops averaging 19 per cent, and by making bids under the reduced scale of wages, but excluding all estimate of profit, the shops were kept open during the winter. But the work which could be secured was altogether inadequate to give full employment to the entire force on the roll, although such force amounted to only about two-thirds the number employed in the early part of the year 1893. No complaint as to the reduction of wages was made however until the 7th of May, 1894, when a large committee of the workmen called upon the chief officers of the Company and discussed the matter with them. At this and another meeting held on May 9th, the business situation was fully explained to the committee, and the losses being incurred in car building contracts then in hand were stated to them in detail. But two days later the principal part of them had recourse to a strike, which lasted 12 weeks, work being resumed on the 2d of August.

The Pullman Company declined all propositions to submit to arbitration the matter at issue with its employes, on the ground that it had ascertained that even

at the reduced wages the car building contracts which could be secured involved serious losses. The management, therefore, was unwilling to submit to the dictation of any person not responsible to its shareholders, the question as to whether it should or should not increase its losses by an increase in wages. The President of the Company, however, at the meeting of May 9th, offered to submit an inspection of the Company's books relating to the manufacturing business to a committee of the workmen, in order to satisfy them as to the losses incurred in the work being done by them. Strange as it may appear that offer was repelled. This was a fatal error. Those employees were just as capable of computing the cost of building a car at the Pullman works as were the managers of the business. Besides such inquiry naturally preceded any form of arbitration, or other peaceful mode of adjusting the difficulty. The refusal to make such examination appears to have been dictated by a hot headed purpose to have recourse to violent procedure.

When the strike began the Pullman Company was paying about 7,000 dollars a day in wages, the average wage for mechanics being $2.03 a day. At that time also the employes of the Company had $422,834 on deposit in the Pullman Savings Bank which sum has been reduced by about $100,000. At no other time since the founding of the town could such a movement have been attended with greater suffering to the workmen, or with less injury to the Pullman Company. Indeed it appears probable that the strike relieved the Company from the responsibility of caring for their employes by doing business at a loss.

The Pullman strike involved no damage whatever to property at that point. Not even a pane of glass was broken in the town by a striker. This was undoubtedly due to the fact that the town was well guarded.

I have not attempted to determine the merits of the various labor questions raised at Pullman. That presumably falls within the range of the inquiries of the Strike Commission ordered by the President under the authority of law. The attention which I have given to affairs at Pullman is entirely incidental to the fact that the strike at that point was made the occasion for the most destructive and wide-spread industrial insurrection which ever occurred on this continent. It is to this insurrection that my attention has been particularly directed.

THE AMERICAN RAILWAY UNION AND THE PART WHICH IT PLAYED IN THE INSURRECTION OF 1894.

Both the Pullman strike and the so-called railroad sympathetic strike which grew out of it were incited and throughout sustained and managed by the American Railway Union, an association which for nearly two years had been trying to make its authority dominant over all other railroad labor organizations in the country. The principal part of the workmen at Pullman having enrolled themselves as members of the American Railway Union, made the fatal mistake of surrendering their own judgment to the will of the officers of that body. This was the cause of all the trouble which ensued. The officers of the American Railway Union put in an appearance when the first demand for advanced wages was made upon the Pullman Company, the strike at Pullman was ordered by a local division of the association and its officers appeared as directors of the insurrection which occurred at various points, from the State of Indiana to the Pacific Coast.

According to information which I believe to be reliable the American Railway Union has no charter, and no sort of legal existence, being simply an irresponsible association organized by its present leaders. Although

it has enrolled in its ranks railroad employes of every grade, as well as workmen engaged in the construction of railroad equipment, it has no actual representative character. Accessions to its ranks during the last eighteen months have been the result of a crusade which has illustrated the possibilities of audacity and persuasive eloquence.

In inciting and conducting the recent insurrection, the American Railway Union has been instrumental in causing untold misery to laboring men and their families. It has also caused the destruction of millions of dollars worth of railroad and other property, and it has arrested hundreds of millions of dollars worth of commerce. But I am unable to learn that it could respond in damages for the destruction of a single car. Thousands of Pullman and railroad employes who struck upon the promise that they would be taken care of, are to-day bemoaning the result of their folly. The phenomenal success of the American Railway Union, both in securing recruits and in disturbing the peace of the country must be classed among the truths stranger than fiction.

THE NATIONAL ISSUE INVOLVED.

On the 29th day of June, three days after the insurrection was inaugurated, United States District Court Judge Ross in a charge to the grand jury at Los Angeles, California, particularly directed their attention to two federal statutes of transcendent importance touching the commercial life of this nation. The first of these two statutes is the Act of June 15, 1866, which provides for the continuity of interstate traffic over all connecting railroads engaged in the transportation of the mails, freight, passengers, troops and government supplies. Judge Ross also quoted to the grand jury an Act, supplemental to the Act of June 19, 1866, and of equal importance, viz: the "Act to Regulate Commerce," approved February 4, 1887, commonly known as the "In-

terstate Commerce Act." This latter Act forbids any interference whatever with interstate commerce, or any combination, or agreement for such purposes. It also provides severe penalties for the violations of its provisions. These two Acts are based upon the constitutional provision that Congress shall have power to regulate commerce among the States. Judge Ross also directed the attention of the grand jury to the laws of the United States in regard to the transportation of the mails, which laws were being violated.

This judicial utterance of a judge of a United States Court proclaimed an insurrection in progress, and the fact at once became known to the whole country through the public press.

On the 2d of July, U. S. Judges Woods and Grosscup served an injunction at Chicago upon the officers of the American Railway Union forbidding any interference with the mails or with the transportation of passengers, freights or express matter. These judicial officers of the government took the same view of the disturbance which had been expressed by Judge Ross.

THE OUTBREAK AND PROGRESS OF THE INSURRECTION.

Early in the present year the American Railway Union had achieved a triumph over one of the transcontinental railroads, and seemed to be ambitious to down the great Pullman Company operating its cars on 125,000 out of the 170,000 miles of railroad in the United States. Such a triumph would have given it an authority over the commercial and transportation interests of this country far greater than that which has ever been asserted or exercised by the government of the United States.

Six weeks elapsed after the strike ordered at Pullman begun, and there appeared to be no sign of success at that point. Undoubtedly the workmen at Pullman would

soon have yielded. At this critical moment the officers of the American Railway Union had recourse to the desperate expedient of ordering all railroad employes, members of that oganization to boycott all Pullman cars, *i. e.* refuse to engage in hauling them on any railroad in the United States. This constituted what is commonly known as a sympathetic strike. Failing in this they were to "tie up" the railroads of the country, *i. e.*, stop both their freight and passenger traffic, or in other words "tie up" the internal commerce of this country.

Behind an apparent zeal, on the part of the officers of the American Railway Union for the interests of the workmen at Pullman, the whole proceedings revealed their ambitious design of securing control of the American Railway system.

On the 22nd of June, just six weeks after the strike began at Pullman, a notice appeared in the public press of Chicago that a boycott on the use of Pullman cars had been ordered by the American Railway Union, and that such boycott would take effect at 12 o'clock noon, on June 26th.

The General Managers Association of Chicago, Ill., representing the twenty-four leading railroads centering in that city met on the 25th inst., and resolved that whereas the proposed boycott related to a matter which did not in the least concern the said companies or their employes, and whereas it was proposed by the American Railway Union to discommode the public, to prevent the companies from performing their legal obligations as common carriers, and from observing their contracts with the Pullman Company, therefore they would resist such proceedings by all means within their power. The fact that the railroads using Pullman cars could not engage in such a boycott without violating their obligations as common carriers and subjecting themselves to enormous penalties, apparently presented

no obstacle whatever to the leaders of the American Railway Union. Besides, the monstrous expedient of ordering all railroad employes to participate in the struggle at the town of Pullman constituted a deliberate attempt to force, not only the railroad companies, but also the general public into active co-operation with the demands of the American Railway Union. The whole movement was throughout an unmitigated expression of lawlessness and violence involving riot and insurrection. From the very beginning of the so-called sympathetic strike or boycott, railroads which had never used a Pullman car were treated as those which did.

The railroad strike began at the appointed hour, on June 26th, not only at Chicago, but at various points from Hammond, Indiana, to the Pacific Coast. It at first assumed the form of local riots, but within twenty-four hours it had culminated in an insurrection involving the total or partial paralysis of the postal service and as before stated, the commerce of two-thirds of the territory of the United States exclusive of Alaska. The police force of Chicago and the forces at the command of the United States Courts, aided by the State troops were unable to suppress rioting at that point, or to enable the railroad companies to resume their traffic. About July 1st, the army of the United States, under orders from Washington, began to make itself felt at Chicago and at other points as far west as California, Oregon and Washington. The military force was daily strengthened by reinforcements from distant points, and on the 8th of July the President issued a proclamation ordering all insurgents to disperse. In the course of a few days the frightful insurrection of 1894 was suppressed, transportation on all railroads leading into Chicago being resumed on or about July 19th. But for several weeks afterwards the army was obliged to guard trains and important points along the lines of the transcontinental railroads.

The total forces engaged in suppressing the insurrection at Chicago including city police, State militia, United States Marshal and his deputies, forces of the Sheriff of Cook County and of the United States Army numbered 13,767 officers and men. Of this number only 1,936 consisted of officers and soldiers of the United States Army, but under the command of General Miles, this force proved, what has been proved a thousand times before, that a military force is most effective in subduing an insurrection, when led by officers whose profession in life has taught them the strength of military organization, and the weakness of a mob and how to make the most of both, so as to restore order with the least possible bloodshed.

Equally meritorious service was performed by the troops under Brig. Gen. Wesley Merritt, of the Department of Dakota, along the lines of the Great Northern and the Northern Pacific Railroads; by troops under Brigadier General Thos. H. Ruger, on the lines of all the railroads in California and Nevada, and by the troops under other departmental commanders between the Mississippi River and the Pacific Coast.

DAMAGE DONE BY THE INSURRECTION.

It has been computed that the insurrection of June and July involved a loss of $81,000,000 of which $47,000,000 represented wages lost to workingmen, $26,000,000 loss to the business community and $8,000,000 loss to the railroads. I have not cared to test the accuracy of these figures, my particular object being to invite your attention to a far more appalling result of the revolt, viz:

The Injury which the Insurrection Inflicted upon the Commerce of the Country.

The magnitude of the commercial interests arrested by the insurrection of 1894 was even greater than the

magnitude of the commercial interests arrested by the secession of the Southern States in the year 1861. This fact has not been appreciated on account of the suddenness of the recent revolt, the difficulty of arriving at a correct opinion as to its true character and its quick termination upon the display of the military power of the national government.

The annual value of the commerce of Chicago cannot be accurately ascertained, but it may be approximately estimated from the following data,* which in each instance is the latest available.

1.	Sales of stock of the Union Stock Yards during 1892.....	$253,836,502
2.	Value of flour and grain sold through the Chicago Board of Trade during 1893—approximately.....	111,400,000
3.	Value of the manufacturers of Chicago accord to the Census of 1890.....	664,567,923

This data alone indicates a commerce at Chicago amounting to over one thousand million dollars a year. But it does not include coal, salt, seeds, vegetables, wool, hay, lumber, lath, shingles, butter, cheese, eggs and other animal, vegetable and mineral products, nor the enormous amounts involved in the purchase and sale of general merchandise at Chicago, including dry goods, groceries, crockery, hardware, &c., &c. From my general knowledge of commercial movements, I hesitate not to say that the commerce of the City of Chicago amounts to fully *two thousand million dollars* a year.

The suspension of the commerce of Chicago continued 23 days, viz., from June 26th to July 18th inclusive. The

*I desire to express my obligations for valuable data upon which the following statement is made, to James H. Ashby, General Superintendent of the Union Stock Yards and Transit Company of Chicago, to Geo. F. Williams. Secretary of the same Company, to Geo. F. Stone, Secretary of the Chicago Board of Trade, and to Hon. Carroll D. Wright, Superintendent of the Census.

commerce actually arrested by the insurrection during that brief period amounted to nearly $100,000,000, for the business of Chicago was for the time being prostrate. The falling off in trade at the Union Stock Yards alone, amounted to $31,724,000. Besides hundreds of thousands of dollars worth of perishable freight was absolutely destroyed.

It is impossible to compute the annual value of the commercial and industrial interests affected by the late sympathetic strike or insurrection, throughout that vast region situated between the meridian of Indianapolis, Indiana and the Pacific Coast, but I believe it amounts to *between four and five thousand million dollars a year.* This is about equal to the total value of all the railroads and their equipment, west of the meridian of Chicago.

Effect of the Insurrection upon the Customs Service at Chicago.

In the absence of the Collector at the time of my call at the Custom House, the Deputy Collector, Mr. Hitt, informed me that during the insurrection period of about three weeks the Customs receipts and the entry of foreign goods in bond from Atlantic seaports almost entirely ceased.

Effect of the Insurrection upon the Postal Service of Chicago.

Postmaster Hesing informed me that the postal service of the city was seriously affected at the very beginning of the strike. It became utterly demoralized on the 2nd of July. On that day the post office stopped using the steam railroads for city delivery. The city occupies 187 square miles of territory, and a considerable part of its mail service is conducted over steam railroads. The transcontinental mail ceased to come on July 2nd. On the 2nd or 3rd the Grand Trunk line also ceased to bring mails. The western and northwestern service was al-

most entirely cut off during the insurrection period. The postal service over the eastern roads was not so seriously affected, but it fell off 20 per cent during a period of 15 days.

ACTION TAKEN BY THE GOVERNOR OF ILLINOIS AND THE MAYOR OF CHICAGO.

There is a feature of this insurrection which is discreditable to the Nation, and to the age in which we live. Both the Mayor of the City of Chicago, and the Governor of the State of Illinois manifested outspoken sympathy with the strikers, and there is reason to believe that such sympathy made the rebellion against the municipal and federal laws possible. The Governor of Illinois so far forgot himself as to write letters to the President of the United States under date of July 5th and July 6th, protesting against the use of federal troops in that State although the duty of the President under the provisions of the Acts of June 15, 1866 and of March 4, 1887 is as clear as his duty under the Constitution to "take care that the laws be faithfully executed," a duty which is unremitted in peace and in war under the laws relating to the postal service, the custom service, the protection of commerce, and the enforcement of the decrees of the federal courts. Besides under the constitution the President is commander-in-chief not only of the national, but also of the State military forces when called into the actual service of the United States.

I am credibly informed that during the insurrection the Mayor of Chicago, stooped so low as to ask the permission of President Debs to have a car-load of dead animals, carrion—removed from the city. Undoubtedly the action of the Governor of Illinois and of the Mayor of Chicago tended to encourage the rioters, and to intensify the insurrection.

In this dismal failure of the authorities of the State of Illinois to prevent or suppress insurrection, it is pleasant

to reflect that the Act of March 4, 1887, commonly known as the Interstate Commerce Act, was formulated and enacted into law mainly through the persistent and powerful effort of a distinguished son of Illinois, Senator S. M. Cullom, and that this Act constitutes the clearest inhibition of federal law against those proceedings which culminated in the insurrection of 1894.

With pleasure also I recall the fact that on July 3rd Senator Palmer, of the State of Illinois denounced the violation of Federal laws involved in the boycott and counseled obedience to law.

The President of the United States proceeded in this matter upon the most ample evidence that the exercise of the national authority was necessary. No other judgment in this country can come between the President and his discretion as to the proper exercise of that power in an emergency. The prompt and patriotic action of the President met the hearty approbation of Congress and of the entire country.

THE INSURRECTION WEST OF CHICAGO.

A full description of the insurrection west of Chicago would greatly exceed the proper limits of this paper. That, however, has been done by the commanding officers of the various military departments west of the Mississippi and Missouri Rivers. In this vast area the army had ample opportunity to prove that a military force, backed by the supreme power in the United States and exercising the resources of military strategy and tactics is so much the superior of lawless mobs as to be able to suppress them by the mere exhibition of power.

This was done so admirably that serious damage to property was prevented and bloodshed almost entirely avoided. The value of the service thus rendered by our splendid little army cannot be even estimated. I would invite particular attention to the report of Brigadier Gen-

eral Wesley Merritt as to operations from Minnesota to the western border of Montana, a distance of about 1200 miles. It tells of forced marches and the guarding of bridges, trestles, tunnels and other important points. Speaking of the Northern Pacific Railroad, General Merritt declares that, but for the service rendered by his command, "the effacement of the road for a considerable length of time would have been wrought by the lawless element."

During the prevalence of the insurrection the three States of the Pacific Coast were entirely cut off from the east by rail. The damage thus done to the commerce of the country was enormous. I cannot describe that commerce at the present time, but there is one branch of it to which for the purpose of illustration I beg leave to invite your attention, viz:—

The Commerce of California with the States East of the Rocky Mountains.

California has been the banner State of progress during the last ten years mainly as the result of the rapid increase of its transcontinental commerce. During this period the increased value of farming lands, including fences and buildings, was for the entire United States 30 per cent, but for California it was 166 per cent. The increased value of farm products was for the entire United States 11 per cent but for California 46 per cent. The annual value of the agricultural production of California now very largely exceeds in its mineral production even during the period of largest placer gold mining. This agricultural prosperity has been mainly due to the rapid development of transcontinental railroad traffic, the most important eastern shipment being fruit and wine.

The growth of this traffic is illustrated with respect to the fruit trade as follows :

SHIPMENT OF FRUIT EAST BY RAIL FROM CALIFORNIA TERMINALS, IN POUNDS.			
Year.	Lbs. Green Fruit.	Lbs. Dried Fruit.	Lbs. Raisins.
1873.....	2,896,530	.....	.....
1883.	19,222,580	3,097,950	295,050
1893.....	149,040,480	76,402,740	67,268,720

The overland rail rates on fruit from California points to Chicago, have been reduced as follows—on green fruits, oranges and lemons from $2.50 per 100 lbs. in 1873 to $1.25 in 1894, on dried fruit, from $2.25 in 1873 to $1.00 in 1894, and on wine from $2.00 in 1873 to $1.00 in 1894, Thus a great commerce has been built up.

The absolute suspension of California transcontinental traffic from June 26th to July 21, a period of 26 days caused enormous losses to shippers of fruit.

This paralysis of a great and growing commerce full of promise to the people of California and of the whole country was inaugurated at the behest of two or three men who directed the action of the American Railway Union, the so-called sympathetic strike in California, having been conducted under their orders until brought to an abrupt termination by the army of the United States, assisted, in the immediate vicinity of San Francisco by the forces of the Navy at that point.

THE OBSTRUCTION OF THE UNITED STATES MAILS.

In the conduct of this, as of previous railroad strikes, there has been a real or pretended deference paid by strikers to the United States mails, such deference apparently proceeding upon the idea that if the mails are undisturbed the government of the United States has nothing to do with the matter. This is a very absurd error. The mails carried on railroads are no more sacred

than is freight or express matter. In the transportation of mails the government of the United States performs merely a ministerial function. The actual work of transporting the mails is done by railroad companies in cars owned and hauled by them, such transportation being usually in the nature of an adjunct to the passenger traffic. Presumably, 85 per cent of the letter mails relate to commercial transactions. Printed mail matter also has an important commercial character. In point of proprietorship the mails are John Smith's mails or Tom Brown's mails as much as they are United States mails. Under the provisions of the Act of June 15, 1866, and March 4, 1887, freights carried on railroads are as much the objects of national protection as are the mails. Interstate traffic is United States traffic, as truly as the mails are United States mails, and the constitutional obligations of the national government touching the protection of passengers, freights and express matter in transit are just as binding as all those which relate to the transmission of the mails. The free and uninterrupted flow of commerce is vital to the life of the nation, and an assault upon it is insurrection.

DOCUMENTARY PROOF THAT THE RECENT TROUBLES CONSTITUTED AN INSURRECTION.

In his Proclamation of July 8th, 1894 the President of the United States said "Whereas it has become impracticable to enforce by the ordinary course of judicial proceedings the laws of the United States in the State of Illinois &c, &c. . . .And whereas for the purpose of enforcing the faithful execution of the laws of the United States. . . .the President has employed a part of the military forces of the United States &c, &c." This constituted the official recognition by the Chief Executive of an insurrection in progress.

The judicial recognition of an existent insurrection is

lumbia full authority to employ the entire military force under their command, in executing the orders of the President." General Schofield further declares that "the military resources of the government were taxed nearly to the extreme limit."

General Miles, whose headquarters are at Chicago, says the army "saved this country from a serious rebellion, when one had been publicly declared to exist by one most responsible for its existence." This of course refers to the public utterance of President Debs of the American Railway Union, that in order to effect his purpose he would arrest the internal commerce of the entire country.

In his annual report Brigadier General Ruger commanding the Department of California, says "The acts of those engaged were distinctly insurrectionary."

Brigadier General McCook describes the military operations along transcontinental lines in the Department of the Colorado under the title: "Insurrection of Railroad Employes."

Says Brigadier General Merritt commanding the Department of Dakota, "Every wheel on the Northern Pacific Railroad was stopped." General Merritt also includes in his report a copy of a notice of the American Railway Union to its members, employes of the Great Northern Railway line which embraces the following order:

"Should you be called upon to handle cars containing soldiers or implements of war, refuse to do so, advise us and we will tie up the road."

Such notices extensively circulated, constitute the indubitable evidence of an open revolt against the authority of the national government, and leaves no doubt that if the military power of the United States had not intervened the worst results of civil war would speedily have been realized.

A VITALLY IMPORTANT CONDITION GOVERNING THE INTERNAL COMMERCE OF THE UNITED STATES SET AT DEFIANCE.

By the practical unity of the railroads of the United States under co-operative arrangements, the various lines have become unto the shipper and the traveller as one great American railroad, thus securing to the people of this country the most extensive, the cheapest, the speediest, the most efficient, and in a word the grandest system of transportation ever seen on this planet. To-day we have connected railroad tracks, through traffic, and freight cars employed in all parts of this vast country as though they were common property.

But many of us still in the prime of life can remember when even a union railroad depot was a phenomenon. For years railroad managers regarded joint traffic as an entangling alliance. The courts also treated such traffic as in the nature of a partnership between corporations and as such *ultra vires* as between the parties to it. In the year 1855 a journey from New York City to a certain town on the Mississippi River in Iowa involved seven transfers from one vehicle of transportation to another, and the payment of seven railroad, ferryboat and transfer coach fares. That journey can now be made on one through ticket and with but one change of cars. The State of New York then repelled the idea of allowing a railroad bridge to be constructed across the Hudson River at Albany, and a railroad bridge across the Mississippi River was held to be an obstruction to the commerce of the country, and as such, a public nuisance. Besides the great railroad corporations of the country strenuously opposed joint traffic as being against sound railroad policy. This opposition expressed itself in various devices, such as break of guage, refusal to make through rates and refusal to allow the cars of one com-

pany to be operated on the lines of another company. But the economic, commercial and social demands for a United Railroad Service, year by year grew stronger. To this was added during the late war, a pressing military demand for railroad unity. At last, out of the interaction of forces, the American Railway System emerged with all its potentialities for good. It was the product of an evolution, beyond all human prescience or devisement.

The Act of June 15, 1866 which legalized railroad unity in this country was simply a legislative recognition of the results reached through this mighty evolution. That Act read as follows :

An Act to facilitate commercial, postal and military communication among the states.

Whereas, the constitution of the United States confers upon Congress, in express terms, the power to regulate commerce among the several states, to establish post-roads and to raise and support armies ; therefore,

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That every railroad company in the United States whose road is operated by steam, its successors and assigns, be, and is hereby, authorized to carry upon and over its road, boats, bridges and ferries all passengers, troops, government supplies, mails, freight and property on their way from any state to another state, and to receive compensation therefor, and to connect with roads of other states, so as to form continuous lines for the transportation of the same to the place of its destination.

* * * *

Section 2. *And be it further enacted,* That Congress may at any time alter, amend or repeal this Act.

This act of Congress fully and explicitly authorizes all the railroad combinations and co-operative arrangements which are necessary to the unity of our railroad system.

Therefore it may be properly regarded as *The Charter of The American Railroad System.* But the American Railroad System has even a higher charter than this statuory enactment, and that is the very charter of government itself—the will of the people, for the Act referred to formulates at once the public needs and the public sense of what is necessary and proper concerning railroad transportation, and there is to-day no purpose more firmly fixed in the minds of the American people than that the railroads of this country shall be operated as one great national system of transportation over which the internal commerce of this country shall have free and unobstructed passage. The irresponsible American Railway Union, defiantly set itself up against this clearly expressed verdict.

The law of Feb. 4, 1887, known as the Interstate Commerce Act is supplemental to the Act of June 15th, 1866, and provides the means for making it effective. The Interstate Commerce Commission created by the Act of Feb. 4, 1887, has disclosed the grand fact, that the American Railroad System now exhibits within itself the most splendid results of self-government. With its doors wide open to the reception of complaints from all parts of this vast country the commission stated in its last annual report that during the year then closed, only sixteen cases involving unjust discrimination had come to a hearing and determination, of which only about two-thirds were decided against railroad companies. It also reported that not a single case of exorbitant charges had been proved on the 170,000 miles of railroad in the United States.

The Acts of June 15, 1866, and of Feb. 4, 1887, quoted by Judges Ross, Woods and Grosscup in condemnation of the insurrection, are based upon the teachings of the commercial and industrial experiences of the people of this country regarding railroad transportation. In the

language of Lord Bacon, the dictates of such experiences constitute the *leges legum* of a nation, the only substantial foundation of statutory enactment. All reform in the railroad transportation affairs of this country must come through compliance with that law of laws, the evolved law of the American Railway System, which is as mandatory upon our national legislators as is the Constitution of the United States. The offense committed by Mr. Debs and his associates, was that they, not only in a flagicious manner violated the laws of their country, but also the law of its laws touching the inviolability of commercial intercommunication.

In this connection it is of interest to advert to the fact that the Act of June 15, 1866, enacted only fourteen months after the termination of the war of the rebellion provided for *the facilitating of military communication among the States.* And to-day the purpose that the union of States "must and shall be preserved" by the power of the national government is no more firmly fixed in the minds of the American people, than that the unity of the transportation interests of the country authorized by that Act must and shall be preserved by the same power. It was this firm resolve which caused the patriotic people of this country to rejoice when President Cleveland true to the great trust confided to him ordered the military forces of the nation to put down all opposition to the re-establishment of the commerce of this country even in the face of the protest of the Governor of the State of Illinois.

CHARACTERISTICS OF THE SYMPATHETIC RAILROAD STRIKE.

The right of the employes of railroad companies to organize for their mutual advancement as a class, and for their mutual protection against themselves and against external evils, is generally conceded. It is a right en-

joyed by laborers of every class, and a legitimate manifestation of human liberty.

Laborers may also individually, or collectively, leave their employment when they please, but in so doing they must not violate any contract as to the duration of their employment, nor can their leaving be in such manner as to excite riot or public disorder, or imperil human life or property. It is also a clearly established principle of human government that no man or association of men can be allowed to adopt any expedient or method which to him or them may appear to be most effectual for the purpose of securing personal rights irrespective of the rights of others. The enlightened judgment of mankind condems all such disorderly, and destructive methods of redress. Besides the idea of allowing any man or association of men to force others, under any form of duress, to become parties to their struggles is intolerable. Such procedure is not only vengeful, immoral, and unjust, but disorderly, and as such to be suppressed by the police power and if necessary by the military power of government. Conduct of this sort, if permitted would throw organized society into confusion, for human society exists through conformity to restraints, which the experiences of mankind have proved to be necessary for the maintenance of justice and order, and necessary also in order to secure to all the blessings of liberty regulated by law. Civilization has advanced along these lines, and refusal to abide by such restraints as are formulated and prescribed by governmental authority is revolutionary.

These are, of course, elementary propositions in the science of human government, and it would not be in order to bring them to the notice of the well informed members of this association, but for the fact that a flagrant and dangerous disregard of them seems to have involved the necessity of providing additional securities for the maintenance of public order.

In the case at issue the railroad boycott constituted an attempt to force innocent third parties to interfere in the settlement of a dispute which did not concern them, at the town of Pullman, under penalty of an overwhelming injury to such third parties. The third parties in this case were the railroad companies, and the general public engaged in commerce and travel. The injury to such third parties, was incomparably greater in magnitude than the injury to the parties directly concerned in the controversy at Pullman, for, as I have shown, such injury to third parties involved the suspension of the commerce of about two-thirds the area of the United States exclusive of Alaska, and caused an insurrection, requiring for its subjugation the services of more than half the available military forces of the government of the United States.

The whole proceeding was as ridiculous as it was outrageous. A general acceptance of the doctrine proclaimed by the American Railway Union would mean a plunge from the highest civilization into the most degraded barbarism, for even semi-barbarians impose limitations upon the individual right of reprisal. In a word the expedient to which the leaders of the American Railway Union had recourse, set at defiance the fundamental principles of civilization and went in the face of all law, and all right, and all justice, and all decency.

The merits of the political aspect of the case are also clearly apparent. The Constitution of the United States declares that "Congress shall have power to regulate commerce among the States." In pursuance of this provision the laws of Congress already mentioned have been enacted for the purpose of sustaining and defending the commerce of the United States against violent assault. But the asserted power of the American Railway Union evidently implied a control of the commerce of the country vastly more potential and coercive than all the laws

was fixed by law. General Schofield also calls attention to the fact that during a large part of the past year, the Army has been employed in the suppression of domestic violence. This occurred, first, in the preservation of order in the Indian Territory; second in maintaining the peace and protecting public property at Denver, Colorado, in consequence of a conflict at that point between the State and city authorities; third, in protecting transcontinental railroads against the depredations of the so-called "Industrial Army;" fourth, in subduing an outbreak at the Coeur d'Alene mines of Northern Idaho; and fifth, in suppressing the great insurrection of 1894 which I have described. General Schofield also declares that if this insurrection had extended, the resources of the government would have proved inadequate.

But I beg leave to suggest that there is a more cogent reason even than those urged by Generals Schofield and Howard why the Army should be increased in size, viz. the fact already stated that through the processes of a mighty evolution the railroads of this country to-day form one highly organized and delicately articulated national system of transportation, which is vulnerable at every bridge, and trestle, and tunnel and switch and rail, its entire apparatus of repair being at all times subject to speedy demolition. The very equipment of the American Railroad System can readily be converted into instruments for its own destruction. Like the human system the hurt of one part of this wonderful system of transportation may cause a constitutional disturbance which will be felt throughout the whole. The intense mechanical character of this grand transportation system exposes the commerce and industry of the United States to assault along 170,000 miles of road. It is easy therefore to understand how a few thousand railroad employes, fully acquainted with the infirmities of the railroad were able to suspend the commerce of two-thirds of

the territory of the United States within twenty-four hours after the first attack was made, and to create the necessity for calling more than half the Army of the United States into service, in order to subdue the insurrection which ensued. The proven possibility of such a catastrophe constitutes the most important lesson of the insurrection. In view of these facts, therefore, I am led to regard the increase of the Army as a matter incidental to a great question of public policy regarding the preservation of the commercial life of this nation.

Such moderate increase of the Army as is recommended by Generals Schofield and Howard would undoubtedly be adequate for every emergency. This appears to be evident from what was accomplished by our splendid little Army at Chicago, in California and along the lines of the various trans-continental railroads. Within twenty days and almost without bloodshed the insurrectionary forces were baffled at every point.

It is an idle, and I think I may say an insincere objection which attempts to see danger to liberty in such increase of the Army. The liberties of this country were won and have been defended by military power, and there need be no fear that the exercise of that power will not always be held in loyal subjection to the enlightened and patriotic judgment of the people of the United States. The complete subordination of the military to the civil power is a fundamental feature of our national policy, and this fact is carefully inculcated in the minds of our military men. Strict observance of this rule has characterized the action of the Army during the five months of almost continual military operations of the year ending August 31st, 1894.

Certain anarchistic defenders of the recent insurrection have seen fit to characterize the action taken by the government as an assault upon the interests of labor. This is absurd. It is the plaint of baffled lawlessness.

In this whole matter the government has proved itself to be both the friend and the protector of labor. It protected the laborers at Pullman, and on all the railroads interrupted by the insurrection against themselves. For what could have been more suicidal than the attempts of those employes to destroy the very industrial establishments which were affording to them and their families the means of living. Besides the interruption of railroad transportation, if long continued wonld have prevented an hundred times as many laborers engaged in agriculture, in manufactures, in mining and in other employments from pursuing their gainful occupations, for transportation is to-day the life of all trade and of all industry. The Army can be used for no other purpose than to protect the people of this country in the pursuit of their businesses in life and to prevent their government from becoming the foot-ball of domestic violence.

CONCLUSION.

The progress of civilization has been coincident with the observance of the rights of property and the right of all men to enter into contractural relations which are not immoral or prejudicial to the public interests. There can be no civil order or beneficent administration of justice where such rights are not respected. So the Constitution of the United States rests as firmly upon the maintenance of property rights, and the maintenance of the obligation of contracts as upon the maintenance of liberty. These eternal principles of right and justice have escorted our civilization from the beginning and they must be the guide of our footsteps even unto the end.

The recent insurrection was a violent assault upon the rights of property, and upon the inviolability of contracts. It was also to a great extent incited by a senseless and anarchistic outcry against aggregated capital. Sir,—aggregated capital has done a thousand times as much for the support, the comfort and the advancement

of the laboring classes of this country as it has done for their injury. That is clear to every reflecting mind, and I firmly believe that aggregated capital under our political institutions, is to-day as full of potentiality for the good of mankind as ever. Nor can I doubt that it will continue to accomplish its beneficent mission under just laws, at once protective of the rights of capital and of labor.

I have no word other than of approbation towards the proper organization of labor for its own protection and advancement on the lines of right and justice. It is a sign of progress and of hope, that during the last two months the courts of the United States have uniformly expressed such sentiments in dealing with the wicked, and destructive insurrection which I have attempted to describe. That insurrection did much more to injury the cause of labor than to advance it, and much more to inflict frightful suffering upon laboring men and their families than to injury railroad companies. If the laboring men of this country and especially the employes of railroad companies will consider the results achieved in their interest during the last thirty years they will find much more to rejoice over than to complaim of. The average wages of railroad employes is now fully 60 per cent higher than they were thirty years ago, and at the same time the cost of living has decreased. On the other hand the average rates charged by the railroads for the transportation of freight were two and a half times as high twenty years ago as they are to-day. The railroad companies are unable to defend themselves against that stress of competition in transportation and in trade which has led to this result, and in consequence many companies have been driven into bankruptcy, while all have suffered.

In conclusion, let me express the hope, unclouded by a serious doubt, that in dealing with the vitally import-

ant subjects to which I have thus invited your attention, the Congress of the United States will be guided to a conclusion which will at once bespeak the best dictates of the patriotism and the enlightened judgment of the American people.

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Nimmo, Joseph
The insurrection of June and July 1894

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