

Letters That Passes Between President Gompers and Secretary Wilson

Democratic National Committee
710 Bond Building
Washington, Aug. 2, 1924.

Hon. Samuel Gompers, President,
American Federation of Labor,
Ambassador Hotel,
Atlantic City, N. J.

My Dear Mr. Gompers:
I have accepted an invitation from the Democratic National Committee to assist in the campaign for the election of John W. Davis as President of the United States.

My close personal friendship with you and my life long association with the labor movement, prompts me to write you stating the reasons that have led me to this conclusion.

As you know, I was for a number of years a member of the committee on President's report in the convention of the American Federation of Labor. As the president's report always dealt with the problems confronting labor, it became the duty of the committee to deal with the policies that should be pursued in solving the various problems present. Consequently it was my duty, as well as pleasure, to assist in the development of the policies expressed by the phrases, "The labor of a human being is not a commodity or article of commerce." "Labor is not partisan to a party, but is partisan to a principle." "Labor will support its friends and oppose its enemies," and so on. These policies I thoroughly believe in, and for that reason have given my support in this campaign to John W. Davis.

I first came in contact with him when I was international secretary of the United Mine Workers of America, and he was a young practicing attorney at Clarksburg, W. Va. Innumerable injunctions were being issued against us by Judge Jackson at the instance of the coal operators of the state; many of our organizers were cited to appear to show cause why they should not be held in contempt—among them Mother Jones and Thomas Hggerty, a member of the International Executive Board from Central, Pa. Our people were holding many meetings protesting against the action of the coal operators and the courts. Large numbers of them were arrested and haled before the local courts. John W. Davis volunteered his services to defend them. I did not see him again until he entered the Sixty-Second Congress as Representative from West Virginia.

For a generation the trades union movement of the country had been seeking relief from the abuse of the writ of injunction. No headway had been made in securing federal legislation until Mr. Davis came to Congress. He was assigned to the Committee on Judiciary, and took an immediate interest in anti-injunction legislation.

During the year 1912, in consultation with Senator Hughes from New Jersey and Congressman Kitchin of North Carolina, and myself, he wrote sections 6 and 20 of the Clayton Anti-Trust Law, approved October 15, 1914. They represent the most progressive and far reaching legislation enacted by any government in the history of the world. I am quoting the two sections in full, that you may have them before you for reference:

"Section 6. That the labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purpose of mutual help, and not having capital stock or conducted for dividend members of such organizations, or to forbid or restrain from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws."

This is not the language of Mr. Davis. It is the language of the American Labor Movement, but it was adopted by him and through his influence, written into the law of the land. The first sentence of the section lays the foundation for abolishing the writ of injunction in labor disputes. The balance removes the taint of conspiracy from labor, agricultural and horticultural organizations, and has made possible the wonderful development of the farmers co-operative selling agencies. Without it they would have been conspiracies in restraint of trade.

Section 20 writes into the law what labor organizations had long been contending for. It is as follows:

"That no restraining order or injunction shall be granted by any court of the United States, or a judge of the judges thereof, in any case between an employer and employe, or between employers and employes, or between employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

"And no such restraining order or injunction shall prohibit any person or persons, whether singly or concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means to do so; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or by peaceful means to do so; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes, or from doing any act or thing which might lawfully be done in the absence of any such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States."

This work undertaken personally by Mr. Davis, without solicitation, clearly indicates his attitude of mind toward problems affecting the wage worker and farmer.

When the eighthour law for railroad men was passed in 1916, the officials of the railway organizations feared that it would not stand the test of the Supreme Court, that was made evident by the fact they had declared a strike on the members of the brotherhood to take effect in the early part of 1917. The manner in which John W. Davis prepared and presented the case to the Supreme Court in behalf of the government, resulted in a favorable decision that came just in time to prevent the threatened strike. This attitude of mind has been backed up by the action of the Democratic party in federal legislation during the last 30 years. It has not enacted everything that the wage workers and farmers have demanded, but it has placed upon the statute books more well thought out constructive legislation that opened the doors of opportunity to wage workers and farmers, than all other parties, blocs, or groups combined. I shall not at this time, attempt to enumerate them, which would only be

refreshing your memory on what your official records show.

I have no antagonism toward Senator La Follette. He has done good service for the country in the way that he is best qualified to do it. He has ably called attention to existing wrongs; he has been "The voice crying in the wilderness." He has attracted wide attention, but he does not seem to have the faculty of consolidating his contentions into concrete legislation for the relief of the people. In addition to that, he has allowed himself to be placed in the position in this campaign, where he is being used as the auger to bore the labor organizations of the country from within.

The records of all the candidates will not be complete until their letters of acceptance have been given to the public, and I take the liberty of suggesting that the Executive Council, or some person or persons representing the council, attend the ceremonies for the notification of Mr. Davis, at Clarksburg, West Virginia, August 11, 1924, and listen to his letter of acceptance before taking definite political action.

Cordially yours,
W. B. WILSON.

Ambassador Hotel, Atlantic City,
August 6, 1924.

Mr. W. B. Wilson,
323 Investment Building,
Washington, D. C.

My Dear Mr. Wilson:

Your letter of August 2nd, requesting that the Executive Council of the American Federation of Labor should not consider and take definite action regarding the pending political situation until the Executive Council or some person or persons representing the Executive Council should attend the ceremonies for the notification of Mr. John W. Davis at Clarksburg, West Virginia, August 11, 1924, was referred to the Executive Council of the American Federation of Labor following the receipt of your telegram of August 1st.

By and with the approval of the Executive Council I am submitting to you the following statement:

Three months ago the Executive Council of the American Federation of Labor directed that the E. C. next meet in Atlantic City, New Jersey, August 1st, to transact such business as required the attention of the Executive Council, including the defining of the attitude of the A. F. of L. in the furtherance of its Non-partisan Political Campaign. On Friday, August 1st, and before the receipt of your telegram, the question of determining our political course was made a special order of business for Saturday. The suggestion of a letter coming from you was mentioned during the discussion on Saturday, but the Executive Council deemed itself fully competent to deal with the problems entrusted into its keeping for consideration and action.

You know of course, that the officers of the American Federation of Labor are fully informed of all that transpired in connection with the enactment of the Clayton Law, especially Sections 6 and 20. We are likewise fully informed as to all who rendered valuable services in that legislation. We must dissent from the conclusions related by you. This dissent is borne out by records and facts readily available. At an opportune time these records and facts will be fully set forth, in none of which does Mr. John W. Davis appear.

Regarding your statement that it was the Supreme Court decision upholding the Adamson law which prevented a strike on the railroads of the country, and giving Mr. Davis credit for having won that decision and thus preventing the strike, let me recount facts with which you are familiar and which are in direct conflict with the statement in your letter.

President Wilson appointed a Commission of four, President Daniel Willard, of the Baltimore

and Ohio; Secretary of the Interior Franklin K. Lane, you and myself, for the purpose of mediating and preventing a strike.

This commission brought about an agreement between the railroad brotherhoods and the representatives of the railroads and that agreement was signed in the presence of the commission, of which you and I were members, before the Supreme Court decision was handed down, and consequently before anyone had knowledge of what that decision would be. It was this agreement, and not the Supreme Court decision, which prevented the strike. You may recall, as I do, the statement made by the late W. S. Carter, then president of the Brotherhood of Locomotive Firemen and Enginemen. Mr. Carter said, as the agreement was signed by us all: "Gentlemen, this is the dawn of a new day," and those present generally felt that he voiced the conviction of all.

It was the machinery of the labor movement, and not the Supreme Court and Mr. Davis, which prevented the threatened strike.

The executive Council appreciates your advice regarding the early struggle and career of Mr. Davis. It likewise has weighed in the balance his later utterances and courses, associations and training. We are confident that our judgment and action are well founded.

But quite apart from all this, your request that our Executive Council should adjourn to go to Clarksburg and there reconvene after considering his acceptance address, is utterly impossible and inconceivable. The suggestion could be made with equal propriety that we attend the acceptance ceremonies of President Coolidge so as to prevent being charged with party partisanship.

You know, of course, the practice of our organization in such matters as this, but a brief word may clarify the situation to you. The American Federation of Labor National Non-Partisan Political Campaign Committee, appointed by authority of the A. F. of L. convention and with the approval of the Executive Council, is charged with the duty of presenting labor's demands to the political conventions. It is then charged with the duty of considering the records of candidates and platforms adopted by the conventions. All of this proceeding has been carried out this year precisely as in every other campaign since 1906. Our committee held many meetings and considered all facts, records and platforms seriously and at length. The document adopted here was the report of that committee—the A. F. of L. National Non-Partisan Political Campaign Committee. Not only the matters to which you draw attention but all available information were considered and weighed and our judgment then was expressed in the report submitted to and adopted by the Executive Council.

You may not know that John W. Davis, for whom you now speak, wrote me under date of July 17th, asking a conference at a time convenient to me at Brighton Beach where I was for a time recuperating from my illness. Mr. Davis asked me to fix a time when it would be convenient to see him, specifying only that I should not fix a time when he was on his vacation in Maine.

I replied by letter on July 22, saying that I would be glad to see Mr. Davis at Brighton Beach, where I was then, in New York City prior to my coming here, or in this city after my arrival here for the Executive Council meeting.

To this letter Mr. Davis telegraphed a reply on July 24, saying that it was impossible to finish the work he then had on hand and return to New York by July 29, the date which I suggested to conform to his wishes, that he was planning to leave Dark Harbor on August 1st and then suggested that I file with him "a state-

ment of questions in which labor is chiefly interested at the moment."

On July 25, I replied to that telegram expressing my willingness that an interview take place "at the time designated by you." I further suggested that the several dates and places first proposed by me were still agreeable to me but that "I cannot submit questions to you which would not be equally submitted to other candidates for the presidency."

I have heard nothing further from Mr. Davis.

We have not overlooked your reference to Senator La Follette and we are glad, you may be sure, that you have "no antagonism toward" him. You will not fail to remember that among the many constructive legislative achievements of Senator La Follette the Seaman's Act stands out as a beacon light. It was this great piece of legislation which, in the language of our mutual friend, Andrew Furuseth, "made the last of the bondmen free." We recall no instance in which Senator La Follette has hesitated to give faithful service in furtherance of legislation supported by our movement.

We are sure that you did not fully comprehend the nature of your request or the impossibility of our compliance. You are aware, of course, that authorized representatives of the American Federation of Labor, including myself as chairman of the American Federation of Labor National Non-Partisan Political Campaign Committee, were in New York City during the entire period of the Democratic Convention while the platform was being drafted and while candidates were being nominated and that there were laid before that convention, as well as before the Republican convention, the planks which the Executive Council formulated and which we believe should be incorporated in both platforms. It would have been better if those proposals had been considered when the time was opportune.

Inasmuch as you addressed us as an assistant to the Democratic National Committee and not as a trade unionist, will you kindly inform that committee of these conclusions?

For your full information there is enclosed herewith copy of the full and complete report as made by the American Federation of Labor National Non-Partisan Political Campaign Committee and adopted and approved by the Executive Council on Saturday, August 2nd, 1924.

Very truly yours,
SAMUEL GOMPERS,
President, American Federation of Labor.

U. S. NOW HAS 1,390 HYDRO-ELECTRIC UTILITY PLANTS

Washington, Aug. 14.—Hydro-electric public utility plants producing light and power throughout the United States now has 1,390, according to a census by the United States Geological Survey.

The capacity of those plants totals 7,348,197 horsepower, the survey reported. This represents 81 per cent of the total capacity of all water power plants in the United States.

The development of water power by utilities companies has progressed further in California and New York than in any other states, the government census discloses. California plants number 118 with a total capacity of 1,432,748 horsepower. New York has 117 plants which develop 1,234,460 horsepower, slightly less than California.

Washington state ranks third with 63 utility plants and a capacity of 469,139 horsepower, while Georgia is fourth with 24 plants, developing 350,320 horsepower. Among other states where development has been pushed are Michigan, Wisconsin, Idaho, Oregon, Alabama, North Carolina, South Carolina, Virginia, Pennsylvania and Maine.