

THE SENATE INVESTIGATION OF THE RELATIONS
BETWEEN LABOR AND CAPITAL: 1883

An Abstract of a Thesis
Presented to
the Faculty of the Department of History
Michigan State College
In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
John Sweeney
June 1954

THESIS

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ABSTRACT

The two decades after the Civil War found the United States faced with problems which had not been present before the War. One of the more serious of these was the tension existing between labor and capital. The rapid expansion of industry, accelerated concentration of the people in urban areas, and new technological developments resulting in severe periods of unemployment, were mainly responsible for the growing discontent of labor. But given the perspective of that period, it was not so easily recognizable that these were the causes.

In 1883, a Congressional investigation was opened to determine what factors were involved in this problem. The investigation was conducted by the Senate Committee on Education and Labor. Although the problem had come before Congress while considering other matters, this marked the first official investigation by a Congressional body.

The resolution proposing the investigation was introduced by Senator John Morgan, Democrat of Alabama. He set the course of the survey by suggesting that deep-rooted socio-economic causes were behind the problem, causes which Congress was ignorant of and should do something about. He asked that a select Committee be set up to determine these causes, but declared that he was too busy to serve on such

a Committee. Because of this refusal by Morgan, the Senate decided that the standing Committee on Education and Labor should conduct the investigation.

The final resolution directed the Committee to take such testimony as might be necessary to determine the causes of the labor-capital strife and report to the Senate what legislation was necessary to provide a solution to the problem. It was empowered to subpoena persons and documents, although it apparently never used this prerogative.

The Committee was composed of four Republicans, four Democrats and one maverick "Readjuster" from Virginia. The Republicans were Chairman Henry W. Blair, New Hampshire; Nelson Aldrich, Rhode Island; Warner Miller, New York; and Thomas Bowen, Colorado. The Democrats were James Z. George, Mississippi; James Groome, Maryland; James Pugh, Alabama, and Wilkinson Call, Florida. William Mahone, "Readjuster" from Virginia, completed the roll. All nine were freshmen, an indication of Senate apathy towards the labor problem. When the testimony is reviewed, it is evident that of the nine, only Blair, George, Call, and Pugh took an active part in the hearings. However, since the testimony does not indicate what Senators were present at the meetings, the absence of a Senator's name in the testimony does not necessarily mean he was not present.

The Committee hearings opened in Washington, D. C., on February 5, 1883. After a week of testimony, the Committee adjourned until August 6, when it re-opened the sessions in New York. After a seven week stay there, it moved to Manchester, New Hampshire, for three days and from there moved to Boston for a week. After the Boston hearings the Senators began a rapid swing through the South, comprised of stops at Birmingham, Alabama, Opelika, Alabama, and three cities in Georgia--Columbus, Atlanta, and Augusta. The investigation concluded with a one-day session back in Washington on November 28, 1883. During this trip the Committee traveled an estimated 3,300 miles.

The Committee heard from 319 witnesses. Approximately one-half were individuals representing labor, the other half representing capital. All but a few of the labor spokesmen were either union representatives or unorganized working men, while capital was represented, in the main, by owners and managers. Intellectuals played a relatively small role in the hearings, as did professional men.

In the course of taking over 4,000 pages of testimony, the Committee touched on every conceivable phase of the labor problem. It heard witnesses who had intelligent offerings, and sat politely while utopians, anarchists, and reactionaries offered impossible solutions. It heard from such prominent

individuals as Samuel Gompers, Henry George and Jay Gould. It heard from Joseph Medill and John Swinton, journalists with widely divergent views. It also heard from the Women's Christian Temperance Union and a "Mrs. Ward," an unreconstructed Southern dowager. At times, the investigation seemed to be a model of clarity and purpose. On other occasions, one feels when reading the testimony that he has been transported into the world of Lewis Carroll. Despite this apparent aimlessness at times, the Committee managed to take some significant testimony; certainly enough to make some basic judgments about what steps were to be taken.

Some of these issues which were looked into rather thoroughly were: the eight-hour question; the distribution of profits; the land problem; and government intervention. In all of these questions, the Committee received extensive testimony from all factions; testimony which included the existing conditions and possible solutions. Invariably the testimony on these issues revealed that a wide gap existed between labor and capital which could only be closed by a radical revision of the philosophy of each or by government leadership.

The effects of the Committee's work are difficult to determine. No report was issued. A substantial body of evidence, both factual and inferential, is present which

indicates the report was suppressed when it was almost at the printers. Be that as it may, without a report the work of any Congressional Committee is difficult to evaluate.

However, other evidence is available which indicates that the investigation did have a significant impact on future legislative policy. The actions of Senators Blair and George subsequent to the investigation, were definitely pro-labor. Neither had been noted for such partisanship prior to his service on the Committee survey. Yet both played significant roles in the enactment of laws dealing with foreign contract labor, convict labor, the tightening of the eight-hour law for government employees, and the establishment of the Bureau of Labor Statistics. When the debates in the Congressional Record are reviewed, it is safe to assume that without the sponsorship of Blair and George these measures would not have passed the Senate.

It is the writer's conclusion that the investigation deserves a better place in labor history than it has previously been accorded. John R. Commons had nothing but contempt for what he considered to be the aimless efforts of the Committee. Few other historians even bother to mention it, and if they do it is only a brief citation from the testimony. But the writer feels that a more charitable evaluation is needed. This conclusion is based on three facts. The investigation

was the first survey of the labor problem undertaken by Congress. Secondly, an invaluable transcript of testimony was presented containing an articulate summary of the arguments of both labor and capital. Third, the investigation's impact on Senators Blair and George proved to have a significant effect on future legislative policy.

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PREFACE

One of the most controversial issues of the period 1865-98 was the relation between labor and capital. The tremendous growth of industry, coupled with an acceleration of the concentration of people in urban areas with its consequent dehumanization, meant the emergence of a labor problem. Labor had been relatively unorganized before the Civil War, but the end of hostilities saw the growth of national unions. Labor now had an effective agent for protest.

This protest soon became apparent. The years 1873-83 produced a series of strikes in many of the major American industries. Although these strikes received a significant amount of attention in the press and in state governments, the federal government was apparently unconcerned about the new developments. It was not until 1883 that Congress exhibited an awareness of the situation.

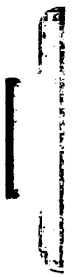
This awareness was evidenced by the investigation of the relations between labor and capital conducted by the Senate Committee on Education and Labor of 1883. Anyone who had read the quotations from the testimony of the investigation in the People Shall Judge may have already had his curiosity aroused. It was these quotations, placed in perspective by Dr. Harry Brown, which prompted the writer to undertake a more thorough investigation of the Committee's work.

The Committee has been given scant attention in labor history. John R. Commons devoted a brief passage to criticizing its methods. Other historians have ignored the investigation except for brief citations from the testimony.

This paper offers a re-evaluation of the Committee's work. A three-fold approach has been used. First an attempt has been made to describe the milieu in which the investigation took place. Next, significant portions of the testimony are discussed. Finally, the effects of the investigation are analyzed. The result, it is hoped, will be a greater appreciation of the work of the Committee and a greater recognition of the usefulness of the documents growing out of it for the historians of the period.

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I

BACKGROUND

"The chief cause of the impecunious conditions of millions of the wage classes of this country is due to their own improvidence and misdirected efforts."¹

This startling indiotment of the majority of the American people was delivered by Joseph Medill, publisher of the Chicago Tribune, in September, 1883. It was made before the Senate Committee on Education and Labor in New York City where the committee was hearing testimony pertaining to the relations between labor and capital.

The remarkable ease with which this statement was delivered is equalled only by the reception it received. No member of the committee challenged it, the nation's press can be assumed acquiescent by its silence, and no labor-oriented witness took Medill to task in the ensuing testimony in a direct attack. One can easily imagine the reception of a similar statement in a contemporary Senate hearing on revision of the Taft-Hartley Act. The difference would be an indication

¹Senate Committee on Education and Labor, Testimony on Relations between Labor and Capital, 48th Congress, 2nd Session, Senate Report No. 1262 (1885), I, 970. Hereafter cited as Testimony.

of the strides made by the working class since the first Congressional investigation of labor problems.

Medill's remarks also furnish an insight into the origins of this investigation. The testimony before the committee of men either capitalists themselves or sympathetic to the prevailing theories of capitalism, suggests that they shared, to some degree, the journalist's sentiments. While none were quite as outspoken as Medill, to a man they agreed that the worker had only himself or his more improvident brother to blame for his troubles. On the other hand, the majority opinion of those who identified themselves with the workingman, ranging from the idealistic Henry George to Floyd Thorhill, ex-slave and railroad porter, seemed to constitute a torrid denunciation of the American businessman.

While the testimony itself confirms the fact that a wide gulf existed between the desires of labor and capital, it is by no means the only confirmation. One need only to view the other evidences of discontent which were apparent in the decade preceding 1883. The panic of 1873 ushered in an era of strikes, boycotts and labor disputes, all almost always accompanied by violence. "Unemployment became so widespread that strikes to maintain wages were perilous; where they were attempted, lockouts usually followed.

Blacklists and prosecution intimidated labor leaders."²
Union lists of active members dwindled to the point of total ineffectiveness. It was estimated "that the trade union membership in New York City fell from 44,000 to 5,000."³

Before detailing the remaining history of the labor controversy as it existed in the period immediately prior to 1883, a summary of the factors which gave rise to the problem is in order.

The emergence of a serious labor problem was delayed in the United States by a delay in the industrial revolution. The very scarcity of labor and lack of capital until 1840 meant that a laboring class as such was still relatively unstructured. Until that approximate date transportation was wholly inadequate, there being only 10,000 miles of railroad in use in the country, as compared to almost 100,000 in 1880. Manufacturing establishments during the forty year period increased from 123,000 to 254,000. This lack of industrial facilities was accompanied by an abundance of fertile, unoccupied farming land.

²Mary Beard, A Short History of the American Labor Movement (New York, 1939), 82.

³Ibid.

However, as foreign capital was invested in American industry, and as the population increased, a class of wage-earners was taking shape in the urban areas. Where in 1840 only 1,800,000 persons lived in cities of over 8,000 people, by 1880 there were over 11,000,000 residing in such areas.⁴ It was this rapid expansion of urban population, with a corresponding facility of communication, which was the largest single cause of the labor problem.

The size of the manufacturing establishments in which the urban population worked also had a significant impact on labor relations. Between 1869 and 1879 the number of such establishments increased only 0.7 percent, from 252,000 to 254,000. Yet the average number of wage-earners increased 33 percent during that same period, from 2,054,000 to 2,733,000.⁵ Those figures indicate that a rapid consolidation of industry was taking place and that the size of the average individual concern was increasing. This meant that the old relationship patterns of labor and capital were being destroyed; that instead of the close contact existing between an employer and a few employees, a new pattern was emerging

⁴Fifteenth Census of the United States: 1930, Population (Washington, D. C., 1931-33), I, 9.

⁵U. S. Bureau of the Census, Census of Manufactures: 1937 (Washington, 1940), Part I, 18 ff.

similar to the corporate structure that we know today. This development inevitably meant a lesser degree of understanding than before between labor and capital, with a consequent attempt by labor to gain redress by other means.

Along with these sociological factors were the economic innovations wrought by the new system. Chief among these were the new technological developments. As more and more labor-saving machinery was introduced, there necessarily resulted a lag in employment. In the First Annual Report of the Commissioner of Labor, Carroll D. Wright cited this trend as one of the major causes of the unrest which existed in 1886. He related figures which showed that in the agricultural implement industry, inventions were introduced between 1860 and 1880 which eliminated 70 percent of the labor needed prior to 1860. He further reported that while this displacement of labor might only be temporary, the displacement, "so far as the labor displaced is concerned, assists in crippling the consuming power of the community."⁶

David A. Wells was also concerned with this rapid technological advancement and its consequent disruption of labor-capital relations. He listed what he considered to be the three major causes of labor discontent:

⁶Commissioner of Labor, First Annual Report (Washington, D. C. 1886), 79.

1. The displacement or supplanting of labor through more economic means of production and distribution.
2. Changes in the character of or nature of employment consequent upon the introduction of new methods--machinery or processes--which in turn have tended to lower the grade of labor, and impair the independence and restrict the mental development of the laborer.
3. The increase of intelligence, or general information on the part of the masses, in all civilized countries.⁷

The first two of Wells' points have already been discussed. The third bears some looking into. Raising of popular intelligence of necessity implies an improved system of communication. It has already been noted that urban concentration served to facilitate communication among the laboring classes; increased proximity will serve the same function in any situation. The concentration of workers in large enterprises also aided the dissemination of ideas. But it was the establishment of a large number of labor newspapers in the period after the Civil War that gave real impetus to labor's organization. It has been estimated that between 1863 and 1873, 130 such journals were started.⁸ While it is true that many of them soon ceased operation, others became

⁷David A. Wells, Recent Economic Changes (New York: 1891), 364-65.

⁸Philip Foner, History of the Labor Movement in the U.S. (New York: 1947), 349.

devices for the formation of labor opinion. Among these were the Workingmen's Advocate, Iron Moulder's Journal, Labor Standard, and John Swinton's Paper.

The final development to be noted in summarizing the underlying causes of the labor problem is the de-humanization of the workingman which followed the growth of large industry. This is implied in Wells' second point concerning the restriction of the "mental development of the laborer." But of just as serious consequence was the physical abuse which labor was subjected to. Poor ventilation and sanitation, long hours, and crowded living quarters are just a few to be mentioned. Those who have read the angry journalism of Jacob Riis, Upton Sinclair, and Jack London are well aware of the abominal conditions which surrounded the workingman. Goaded by the above conditions with organization made relatively easy, the laborer began his protest. A long and bitter conflict was inevitable.

The entire period from 1873 to 1878 was marked by a series of violent strikes. The depredations of the secret "Molly McGuires" helped to alienate any labor sympathy held by the general public. John R. Commons, in commenting on the methods of retaliation of the Order, states that "in some cases the punishment meted out was severe handling, or destruction of property, but, believing that 'dead men tell

no tales' the murder of the offender became the common form of punishment."⁹ Their murderous activities in the "long strike" of 1875 resulted in a crushing defeat for the Pennsylvania miners, and heightened the intent of business to obliterate unionism in the United States.

This five year period saw strikes by the textile workers of New England, the cigar makers in New York, machinists in Pennsylvania, and finally culminated in the "great railroad strikes of 1877."¹⁰ These strikes were probably the most extensive and violent labor upheavals in the history of American labor. Starting with the walkout of a few firemen in protest against a ten percent wage cut, the strike soon spread over the entire country. This series of outbreaks was quelled, sometimes ineffectively, by state and federal militia; it marked the first time that federal troops had been used to suppress an industrial dispute.

The strikes were in the main wholly unsuccessful in achieving any of their material objectives. The men were forced back to work at the reduced wage rate. But the

⁹John R. Commons, et al, History of Labor in the U.S. (New York: 1918), II, 183.

¹⁰G. E. McNeill, "Progress of the Movement from 1861 to 1886," in G. E. McNeill, ed., The Labor Movement (New York: 1887), 153-54.

intangible effects of the strike were enormous. "Now the labor problem became a matter of nation-wide and serious interest to the general public. Fundamental changes followed."¹¹ Large armories were built to increase the efficiency of the militia. The aftermath saw a revival of the old doctrine of malicious conspiracy as applied against labor combinations in litigation. But, as John Commons points out, the largest effect was in strengthening the solidarity of labor and nationalizing its efforts.

The feeling of resentment engendered thereby began to assume a political aspect, and during the next two years the territory covered by the strike wave became a most promising field for labor parties of all kinds and description.¹²

The period from 1877-1883, while studded with strikes, is significant mainly for the increased political activities of labor. Labor segments in every section of the country sought alliance with the agrarian interests, with their prevailing philosophy of "Greenbackism." The mid-term elections of 1878 saw the labor-farmer coalition, in the form of the Greenback-Labor Party, poll over a million votes

¹¹John R. Commons, et al, History of Labor, II, 190.

¹²Ibid., 191.

and send fourteen representatives to Congress.¹³ However, this union of two interests, each with its own divergent objectives, was doomed to failure. This soon became apparent with the passage of the Resumption Act of 1878. Greenbackers, somewhat mollified, lost their former zeal for action. Labor now recognized, probably as vaguely as they recognized the efficacy of the original union, that their aims were not synonymous with those of the money theorists.

They the workingmen could hardly be expected to understand its Greenbackism implication, and so far as they supported it, they did so largely as an expression of their discontent with existing conditions and willingness to accept any program which promised them relief.¹⁴

During the rise and fall of political activism in labor, organizational activity was almost at a standstill. The demoralizing results of 1877 still weighed heavily on labor leaders, but it became gradually apparent that any activity without organized and vocal support would be futile. The period from 1880 to 1883 saw the revival of trade unionism coupled with a tremendous rise in the rolls of the Knights of Labor.

¹³Foster R. Dulles, Labor in America (New York: 1949), 111.

¹⁴Ibid.

The Order had been founded in 1869 by Uriah Stephens, an imaginative garment worker. Stephens, a notorious joiner of such fraternal orders as the Masons, Oddfellows and the Knights of Pythias, was apparently convinced that only by secrecy and clandestine ritual could the Knights be effective. Believing this, Stephens set up a coded method of communication among members and devised a ritualistic initiation program. This elaborate program eventually caused internal dissension between the Protestants, who desired to maintain this program, and the Catholics, whose priests were opposed to secret societies. Secrecy also gave rise to unfavorable publicity which employers were quick to exploit. By 1882 the Order had dropped this practice and come out in the open.

During its growth the Order attracted a widely diversified following, both activists and "fellow-travelers." Quite naturally, the opposite views presented by such groups as pure trade-unionists and utopian socialists were a serious obstacle to formulating any integrated program.

They advocated public ownership of utilities such as waterworks, gas plants; they were interested in the idea of the Rochdale plan cooperatives. They embraced the monetary panaceas of Greenbackism. They gave lip service to the ideal of the cooperative commonwealth. In fact, at one time or another there was hardly a fad or doctrine of political economy which failed to win the endorsement of at least part of the Knights of Labor.¹⁵

¹⁵Herbert Harris, American Labor (Yale University Press, New Haven, 1948), 77.

Yet despite the heterogeneity of its supporters, the Order maintained a rigid policy of what today is called "one big union." It repeatedly argued that craft and trade unions were too narrow in scope and insisted that a universal organization of all workers was needed. Its major rallying slogan was "injury to one is the concern of all." It was this philosophy which eventually resulted in the formation of the American Federation of Labor by disgruntled skilled trade unionists.

This rather chaotic approach to labor's problem was one reason for the retarded acquisition of any real power by the Knights. Unanimity was difficult to achieve, and without it the Knights floundered until stumbling into the ready-made opportunity for gaining mass support which the great railroad strikes of 1884-86 presented.

Another reason for the Order's ineffectiveness was the vacillations of its leader, Terrence V. Powderly. Powderly entered the labor movement at an early age, and drifted into the Order soon after its founding. He was by no means a fully active member of the Order. He served as the mayor of Scranton from 1878 to 1884, even though he was the Grand Master Workman of the Knights from 1879 on. The Order's most meticulous historian cited his instability:

He blew hot and cold. In one sentence it was time to do something. In the next nothing could yet be done. In the last analysis the "something," when the time came, would be politics, but the time did not come until after the order had ceased to be of importance.¹⁶

As has been said, the Order's greatest prestige came as a result of its leadership in the railroad strikes of 1884-1886. Prior to this the Knights claimed continuous growth, but their documentation did not disclose the full story. For example, their figures showed an increase from 28,136 members in 1880 to 51,914 in 1883, but did not reveal that about one-half of these dropped out in 1883.¹⁷ However, membership did rise to about 730,000 in 1886, because of the Knights' participation in the railroad strikes. Yet Powderly succinctly phrased his own strike philosophy to the 1880 General Assembly:

We are the willing victims of an outraged system that envelopes us in the midst of the ills of which we complain. We should not war with man for being what we make him, but strike powerful, telling blows at the base of the system which makes the laborer slave of his master. So long as the present order of things exists, just so long will the attempt to make peace between the man who sells and the man who buys labor be fruitless.¹⁸

¹⁶Norman Ware, Labor Movement in the United States, 1860-95 (D. Appleton and Company, New York, 1929), 90.

¹⁷John R. Commons, et al, History of Labor, II, 344.

¹⁸Quoted in G. E. McNeill, ed., Labor Movement, 410.

Powderly gave many indications of this conviction throughout his career as leader of the Knights. Indeed, he called off the Chicago stockyards strike when it was "perhaps nearly won, and kept out of the Reading strike entirely for fear of the criticism that his action had injured the prospects of the men."¹⁹ Thus the Knights continued their sporadic efforts to unify labor until driven from the scene by the dynamic American Federation of Labor.

Since many of the witnesses who appeared before the Committee were members of the Federation of Organized Trades and Labor Unions, it will be discussed briefly. Although, in 1883, it was by no means an equal of the Knights, if enrollment and funds are the criteria, the Federation had infinitely more political weight.

It had been formed in 1881 by skilled trade unionists who were resentful of the Knights' insistence on a universal labor organization.²⁰ Led by Samuel Gompers, these men drew up a platform which was entirely political in nature. All their goals were expressed in terms of what legislation would be needed to accomplish their ends. Throughout the hearings these ideas are repeated by members of the Federation.

¹⁹Norman Ware, Labor Movement in the United States, 89.

²⁰The following information concerning the A.F. of L. is taken from Lewis L. Forwin, The American Federation of Labor (Washington, D. C., 1933).

Success did not come immediately to the new group. Many trade unions preferred the relative security of membership in the Knights to joining a seemingly ineffective upstart union. Yet as can be seen in the affiliation of witnesses who appeared before the Committee, the Federation was extremely active in seeking its goals. Senator Blair, chairman of the Committee, wrote to Gompers requesting him to send members to the hearings. No evidence has been found to suggest that a similar request was made of Powderly.

It was this activism, coupled with the aimlessness and obstinacy of the Knights, which resulted in the eventual triumph of the Federation. Recognizing that the volatile eight-hour day issue was tailor-made for their purposes, the Federation began an all-out campaign for its establishment. When the Knights withdrew their support of a general eight-hour strike in 1886, the Federation called a convention in hopes of drawing off the disillusioned trade-unionists still in the Order. The convention met in Philadelphia in May, 1886, and was attended by nineteen unions representing 140,000 skilled tradesmen. In addition to a widespread resentment against the Knights' defection on the eight-hour issue, another grievance was presented by the delegates. They claimed that the Knights had been capturing whole locals from their jurisdiction, and had enrolled expelled members

of these locals. Consequently the convention demanded that the Knights give up their jurisdiction over the trade unions and stop any union-wide activity not approved by the local unions. The Knights rejected this since it would have prevented any action not acceptable to the trade unionists. This rejection resulted in another conference in November. At this meeting the American Federation of Labor was formed. It included those unions which left the Order and the entire Federation of Organized Trades and Labor Unions.

The final major strike of this period was the telegraph strike of the summer of 1883. Although the strike was unsuccessful, it seemed to focus the attention of the public and the press on the growing labor question and on the activities of the Senate Committee on Education and Labor.

This strike was called by the Telegraphers National District Assembly No. 45. Its purpose was increased wages and better working conditions and was to be enforced by all commercial telegraphers in the United States and Canada. At the out-set, two telegraph companies, the American Rapid and the Bankers and Merchants, agreed to a fifteen percent pay raise, the abolition of Sunday work without extra pay, and other conditions. However, the Jay Gould-controlled Western Union, the giant of the industry, refused and set out

to break the strike. With such opposition, and lacking any real support from the Knights, the rebellion was to be of short duration and totally unsuccessful.

The strike began without adequate preparation and with the telegraphers beguiled by unofficial encouragement from the Order. As the strike went on, the Telegraphers' funds were exhausted. After several fruitless requests to the Knights for financial assistance, the men went back to their keys, in a worse state than before the strike, since before being rehired each had to sign an oath. He swore to give up "any and all membership, connection or affiliation with any organization or society whether secret or open which in any wise attempts to regulate the conditions of my service or the payment thereof while in the employment now undertaken."²¹

Such an ignominious result had a damaging effect on labor's morale and on the prestige of the Knights. "The Telegraphers were disgusted with the Knights of Labor and swore never to have anything more to do with them."²² In any event, it was now clear that labor was in no position to wage a nation-wide strike. Frustrated acquiescence seemed to be the only pattern of action left open to labor for the immediate future.

²¹Quoted in G. E. McNeill, ed., Labor Movement, 392.

²²Norman Ware, Labor Movement in the United States, 130.

It was in this sullen atmosphere that the Senate Committee opened its investigation. The government's tardy concern with this volatile situation is best seen in a statement by Senator John Morgan of Alabama, made in defense of his resolution to investigate the problem:

There is another factor that deserves great attention. More recently the strikers have confined themselves to what might be called legal operations; that is to say, they have not been so riotous as they were in former years, as they were in 1876 or 1877, as I remember. But the very steadiness of the movement, the very fact that the organization is in such control as that it can more steadily to its purpose control the great manufacturing and industrial interests of this country without resorting to a riot, proves that there is some deep-rooted politico-economical question involved in this, which I do not understand, which I am afraid that the Congress of the United States does not understand and which I think it is our duty to look into.²³

²³Congressional Record, 47 Cong., 1 sess., 5162

II

ORIGINS OF THE INVESTIGATION

Senator Morgan's proposal to investigate the labor problem was not made in a sympathetic environment. The Senate of the first session of the 47th Congress was decidedly conservative in its political philosophy. And the more vocal spokesmen were not noted for their concern for any class other than the newly-risen moneyed aristocracy. The "Gilded Age" was in full bloom and proposed government intervention in any area other than that which promoted the interests of business carried the stigma of iconoclasm with it.

It was only in this area that the doctrine of laissez-faire possessed any elastic qualities. The Senate had seen fit to stretch it far enough to enclose protective tariffs and hard money legislation, but it immediately regained its rigidity when confronted with such proposals as the abolition of child labor and the eight-hour day. On only one occasion had the Congress made a major concession to the demands of labor, that being the Chinese Exclusion Act of 1882, a concession which the more liberal labor leaders of the present era have spent considerable effort renouncing.

Congress had no fear of standing alone on this philosophy in the face of public opinion. On the contrary, they received vehement support from the conservative press. During the more

hectic days of the investigation, the New York Weekly Tribune indicated its own philosophy regarding the whole subject of governmental intervention by saying:

The Committee has heretofore appeared to be under the impression that Congress had jurisdiction of all things in the heavens above and the earth beneath. It is investigating subjects of all kinds with which it has no possible concern, and upon which Congress is no more likely to legislate than it is to pass an act prescribing that there shall be no more earthquakes in Java without thirty days notice.¹

When Senator Morgan rose to make his speech on June 21, 1882, it had been fifteen days since he first introduced a resolution to investigate the problem of the relations between labor and capital. The resolution, as originally proposed, read as follows:

Resolved. First. That a select committee of seven Senators be appointed by the chair to take into consideration the subject of labor strikes in the United States, and to inquire into the causes thereof and what measures can be properly provided to modify or remove such causes of disturbance, and to provide against their continuance or recurrence. Second. The said committee shall have leave to sit in vacation and to visit such places in the United States as they may deem proper to obtain necessary information under these resolutions and to send for persons and papers, to administer oaths, examine persons under oath, and to cause depositions to be taken and certified under such regulations they may adopt.

¹New York Weekly Tribune, Sept. 12, 1883.

Third. That said committee shall have power to appoint a clerk at a salary of \$6.00 a day and a stenographer, and a sergeant-at-arms from the messengers of the Senate; and the actual and necessary expenses of said committee properly incurred in the execution of these resolutions shall be paid out of the contingent fund of the Senate.²

After the clerk had read the resolution, Senator Morgan began his statement. Citing the duty of Congress to protect workers as well as capitalists, he read off a list of strikes that had occurred since March, 1882. On this list was a strike at Danbury, and strikes involving the miners at Pittsburg, Pennsylvania, and Georges Creek, Maryland. He stated that, in net results, 100,000 men had been involved in this short period of three months and that the inclusion of their families meant that at least 500,000 persons were directly affected by the disturbance. The effects of these strikes, when coupled with the impact on industry in general, "must have been enormous."³

He then pointed out that this was not being accepted docilely by the capitalists, and that their solidarity seemed to increase the tension.

²Congressional Record, 47 Cong., 1 sess., 5161.

³Ibid., 5162.

The mill men in various parts of the United States are now in combination with each other to try to hold in check and to overpower by the mastering force of capital this revolt of the laborers against the prices which they are receiving and against other conditions under which they are placed.⁴

At this stage of the debate, Morgan yielded the floor to Senator James George, Democrat from Mississippi. George first gave his support to the resolution and to the general objective of Senator Morgan. To back up his fear and distaste of the ideological barriers that existed between labor and capital, he cited Daniel Webster:

The freest government cannot long endure where the tendency of the law is to create a rapid accumulation of property in the hands of a few and to render the masses of the people poor and dependent.⁵

He then cited the tendency of the United States government to foster this accumulation. The voice of agrarianism immediately discernible when George commented:

The improvident, not to say criminal, grants of hundreds of millions of acres of the best farming lands in the Union to railroad companies for sale at speculative and enormous prices, instead of reserving them as homesteads for the people, have greatly stimulated and fostered this tendency.⁶

⁴Ibid.

⁵Ibid.

⁶Ibid.

George concluded by declaring that the United States owed its advancement not only to entrepreneurs but also "to the toiling millions who contributed."⁷

At this point the voice of parliamentary procedure was heard in the person of Justin S. Morrill of Vermont. It was his opinion that "such a grave and significant resolution should have the perusal of a Committee" and said committee would properly be the Committee on Education and Labor. Senator Morgan rose to object on the grounds that the resolution was very simple and did not need the sanction of any committee.

Here Senator Hoar of Massachusetts said that since he understood Senator Morgan could not serve on his proposed committee, the Senate would have difficulty in appointing a committee. Since this was so, Hoar suggested that the matter should go to the Committee on Education and Labor, with the understanding that if they did not report on it within two or three days, he would vote with Senator Morgan to discharge them. He prefaced these statements by reminding the Senate that, during his terms in the House of Representatives, he had repeatedly tried to induce that group to undertake just such an investigation. He declared that when the House did

⁷This citation and all of the following paraphrase from the Senate debate on Senator Morgan's resolution can be found in the Congressional Record, 47 Cong., 1 sess., 5163-64.

adopt his proposal, it was attacked in the Senate "with great bitterness, attacked, I believe with a great deal of ignorance of the true purpose and object and scope of the measure, and it failed by a small majority." Senator Morgan acknowledged the sentiments of Senator Hoar and accepted his proposal.

Further complications arose at this stage when Senator Davis of West Virginia, who strongly supported Senator Morgan, objected to the motion's referral to the Committee on Education and Labor. He argued that some members would find it inconvenient to perform the duties required by the resolution. Senator George agreed with Senator Davis, claiming that the Committee on Education and Labor always had difficulty in assembling a quorum.

Senator Henry Blair, chairman of the Committee on Education and Labor, rose to defend the efficiency of the Committee. He announced that any resolution as important as Senator Morgan's would be acted on with expediency. The motion for referral of the resolution to the Committee then passed by a voice vote.

One week later, Senator Blair, conforming to his guarantee of promptness, produced the report of the Committee on Education and Labor. It consisted of a new resolution and the Committee's approval thereof.

The new motion read:

Resolved, That the Committee on Education and Labor is hereby authorized and directed to take into consideration the subject of the relations between labor and capital, the wages and hours of labor, the condition of the laboring classes in the United States, and their relative condition and wages as compared with similar classes abroad, also, the subject of labor strikes, and to inquire into the cause thereof, and the agencies producing the same; and to report what legislation should be adopted to modify or remove such causes and provide against their continuance or recurrence, as well as any other legislation calculated to promote harmonious relations between capitalists and laborers, and the interests of both, by the improvement of the conditions of the industrial classes of the United States.

Second. Said Committee shall have leave to sit in vacation, and by sub-committees to visit such places in the United States as they may deem proper to obtain necessary information under these resolutions; and said committee or a sub-committee shall have power to send for persons and papers, to administer oaths, and to examine persons under oath or otherwise, and to cause depositions to be taken and certified under such regulations as they may adopt.

Third. Said Committee shall have power to appoint a clerk, at a salary of six dollars a day, and to employ such stenographic aid as may be necessary, and to appoint a sergeant-at-arms from the officers or employees of the Senate; and the actual and necessary expenses of said Committee, properly incurred in the execution of these resolutions, shall be paid out of the contingent fund of the Senate.⁸

It is evident that the scope of the proposed investigation was greatly enlarged by the new resolution.

⁸Congressional Record, 47 Cong., 1 sess., 5430.

The Committee on Education and Labor seemed to have taken Senator Morgan's statement about "deep rooted politico-economic causes" of strikes to heart and resolved to determine them exactly. Instead of just investigating the subject of labor strikes in the United States the committee proposed to take up the whole gamut of problems involving the relations between labor and capital, with strikes only one issue. The latter part of section one suggests that a particularly enlightened group of men sat on the Committee. For a group of United States Senators, at this stage of the nation's history, to set out to determine what legislation could be passed to "promote harmonious relations between capitalists and laborers" was undoubtedly a pioneer step in the field of governmental concern with economic factions.

The second major innovation in the new resolution was the transfer of operation from a "select committee of seven Senators appointed by the chair" to the Committee on Education and Labor. There was no debate on the subject and it is impossible to tell whether many Senators over the number required for a quorum were present. It is probably safe to assume that Senators George and Morgan were not present, for there is no recorded dissent on their part. Since the issue of who was to handle the investigation was of major importance in the debate that followed the

introduction of the initial resolution, it probably follows that not too many interested legislators were present for Senator Blair's report.

It was then moved by Senator Blair that the resolution be printed and placed to go over by the Chair. The motion carried again by a voice vote.

Six weeks later, on August 7, the day prior to adjournment, the Resolution was called up and passed by the Senate with one amendment. Part 1 was amended to read:

. . .and their relative condition and wages as compared with similar classes abroad, and to inquire into the division of labor and capital of their joint productions in the United States; also, the subject of labor strikes. . .⁹

Little recognition was given to the proposed investigation by the press. The papers available to the writer, including the New York Times and Detroit Free Press, did not even carry a straight news item in their Washington columns. However, prior to Blair's report and introduction of the new resolution, a petition from the National Federation of Labor was inserted in the Congressional Record at his request.

This petition was designed to encourage the undertaking of the investigation. Rather untactfully the petition opened by stating that in most cases the government had been

⁹Congressional Record, 47 Cong., 1 sess., 6258.

corrupted by capital. It then outlined the minimum objectives of the laboring class:

All that workingmen desire to accomplish by their trade unions is an opportunity to pursue their avocations under the eight hour law and contribute to the general welfare of the nation by their labor and skill and that they may be permitted to reap their legitimate reward for such labor, thus enabling them to improve their own conditions, educate their children; feed, clothe and comfortably shelter their families and enjoy the blessings of liberty on a perfect equality with their fellow citizens engaged in other useful pursuits.¹⁰

That such a petition, with its basic objectives accepted today as absolute minimums, needed to be written is borne out by the subsequent testimony. However, it received no response in the Senate, other than an observation by the Chair that such an entry in the Congressional Record was irregular.

From this point on, the Congressional Record revealed almost no official Senate concern over the investigation until June, 1884, when the issue of printing the testimony arose. Only on February 26, 1883, does any entry concerning the investigation appear, and this only a request by Senator Blair to continue it.¹¹

¹⁰Ibid., 5429.

¹¹Congressional Record, 47 Cong., 2 sess., 3266.



On February 5, 1883, the Committee began its hearings in Washington, D. C. There was little attention paid to the initial hearings except brief news in some of the papers. Before examining the actual work of the Committee, brief biographical sketches of the nine Senators on it are in order. They will aid in evaluating its efforts.

The chairman, Henry W. Blair, Republican of New Hampshire, was a lawyer by profession. He served two terms in the House before being elected Senator in a special election in June, 1879. He was re-elected in 1885 and served until 1891, when he was defeated in his bid for re-election. He was undoubtedly the most pro-labor man on the Committee, as the subsequent testimony reveals. This appraisal is substantiated by Samuel Gompers, who wrote that Blair "was very strongly sympathetic to labor and became the supporter of organized labor as evidenced later by his amendment introduced in the making of the Sherman Anti-Trust law."¹² Blair was the only Republican on the Committee who had not been elected after a business career.¹³

¹²Samuel Gompers, Seventy Years of Life and Labor, (New York, 1943), II, 81. (The amendment referred to by Gompers was the exemption of wage-earners and farmers from the Sherman Act. It was not included in the final draft of the bill.)

¹³The chronology and basic facts for these sketches can be found in Dumas Malone, ed., Dictionary of American Biography (New York, 1928-1944) and the Biographical Directory of the American Congress (Government Printing Office, 1928).

Thomas M. Bowen, Republican from California, had been a mine operator prior to his service in the Civil War, and returned to that calling after his political career. He had been an Arkansas Supreme Court justice, governor of the Idaho territory, and a federal judge in Colorado before being elected to the Senate in 1883. Since Bowen's name almost never appears in the testimony, it is difficult to determine whether he was following tradition in regard to freshmen participation or was not even present.

Nelson Aldrich, Republican of Rhode Island, is probably the most famous member of the Committee, although at this time he had been in the Senate only two years, having been elected to fill the unexpired term of Senator Burnside. Prior to Aldrich's political career, he had been a highly successful wholesale grocer in Providence, Rhode Island. In Aldrich's case again, it is impossible to account for his lack of inquisitiveness in the Committee sessions, for his name appears infrequently.

Warner Miller, Republican from New York, was another non-vocal freshman member of the Committee. He had served a term in the House prior to his election to the Senate, in 1881, to fill the unexpired term of Senator Platt. He was unsuccessful in his bid for return in 1887. Miller had been a teacher of Latin and Greek before serving in the Union forces.

After his discharge, he founded a wood pulp business. Before his election to the Senate, he had also been president of the American Paper and Pulp Association and vice-president of the Union Leage Club, organizations not noted for radical policies.

Heading the Democratic faction in the Committee was James Z George of Mississippi. Prior to his service as a colonel in the Confederate forces, George had always practiced law in his home state. In 1879 he was appointed to the Mississippi Supreme Court. 1880 saw his election to the Senate, where he remained until his death in 1897. He was undoubtedly a man sympathetic to labor's aims, for he was associated with Senator Blair in the fight for the labor amendment to the Sherman Act, and his line of interrogation in the Committee hearings indicates a strong bias towards the workingman. His southern admirers labelled him the "Great Commoner," probably because of his tendency to defend the relatively helpless in the Mississippi courts. George appears to have been one of the more vocal members of the Committee.

Senator James L. Pugh of Alabama had served as a Confederate Congressman from 1861-65. He was elected to the Senate in 1880, serving until his retirement in 1897. His pre-legislative career included farming and law in Alabama.

Pugh was another who took an active part in the investigation. His questions reveal little beyond desire for information.

Wilkinson Call of Florida was also a lawyer. He had been a member of the Confederate General Staff in the Civil War before his election to the Senate in 1865. His election was nullified by that body, and he was not permitted to take his seat. He retired to private practice until 1879, when he was again successful in a bid for the Senate where he served until 1897. His frequent questions during the testimony reveal only the same objective quest which distinguished Senator Pugh's efforts.

James B. Groome of Maryland was regarded by his contemporaries as a distinguished civil servant. His party affiliation did not prevent his appointment by Harrison to the post of Collector of Customs for the Baltimore Port after his one term in the Senate. However, since he appears only twice in the testimony, his sympathies cannot be determined.

The ninth Senator was General William Mahone of Virginia, probably the most bizarre personality in the Forty-Seventh Congress. Mahone had kept the political affairs of Virginia in a turmoil for the decade prior to his nomination. He was an opportunist who sided with whatever party happened to be in power, and his position as publisher of the Richmond Whig and as one of the wealthiest

men in the state gave him considerable influence. He finally sided with the Readjuster party and was elected to the Senate in 1881. Arriving, he found the two major parties equally divided with thirty-seven Republicans and thirty-seven Democrats. One Independent also sat and voted with the Democrats on organizational matters. The Vice-President, Chester A. Arthur, would naturally vote with the Republicans on such matters in case of a tie. Therefore, Mahone held the "swing" vote on organizational decisions. By casting his vote with the Republicans he could force a tie, with the consequence that Arthur's vote would mean a Republican controlled Senate. Mahone did vote Republican thereby assuring himself control of federal patronage in Virginia.¹⁴ It was his vote that gave Senator Blair the Chairmanship of the Committee.

The reader has probably noted that the entire Committee was composed of freshmen members. From this fact it would appear that membership on the Committee was not eagerly sought, since the rights of seniority were, at this time, firmly entrenched in Senate practices. This disdain for the Committee offers additional evidence of the growing

¹⁴C. Vann Woodward, Origins of the New South, 1877-1913 (Louisiana State University Press, 1951), 98.

recognition accorded the labor question in the past seventy-five years. One need only recall that Robert Taft, the most prominent Republican senator of our era, held forth on this Committee until his recent death. In fact, if queried, Taft would have probably listed his post on the Committee as one of his most important assignments in the Senate.

The formal aspects of the Committee's procedure are difficult to determine. How the Committee actually recruited witnesses is not detailed anywhere in the testimony. It is known that the resolution directing the Committee to undertake the investigation gave them the power to subpoena. But neither the members nor any witness indicated at any point in the questioning that he was there as a result of any legal action. Where any mention was made of the reason for a witness' appearance, it was that he was there because of his own personal request or at the request of some committee member.

Evidently the Committee hearings seemed an attractive forum to far more people than the Committee could possibly spare time for. At the close of the New York sessions, Senator Blair read the following into the record:

This will close the taking of testimony orally in this city, for the present at least. We have received a large number of communications from persons anxious to testify, but the absolute

necessity of going elsewhere and taking testimony in other parts of the country will prevent our hearing them.¹⁵

Since it appears that the members had a large surplus of available witnesses, it would seem that they had no need for the subpoena power. At no point did any member of the Committee state, for the record, that any individual had refused to appear when asked.

Besides the large group of voluntary witnesses, there were many who were asked to appear by some committee member. Generally these were prominent persons such as Sam Gompers, Jay Gould, and Henry George. All three of these, in the course of their testimony, revealed that they were there at the request of the Committee. It is safe to assume that, since the first ten witnesses heard in New York were directly involved in the telegraphers' strike which was in progress at the time, Senator Blair had requested their presence and had scheduled them accordingly.

The procedure followed for selecting and scheduling witnesses is nowhere revealed. One of the major points in the press criticism of the Committee's efforts was the apparent aimlessness of much of the proceedings. While much of this criticism was of a partisan nature, there did appear to be a lack of continuity in many of the hearings. Tailors were followed to the stand by suffragettes, who, in turn, gave way

¹⁵Testimony, II, 1306.

to corporation executives. This scheduling of witnesses seemed to indicate that a rather haphazard method was being used and that possibly the Committee was operating on a first come-first serve basis except when someone of prominence desired to testify.

The Committee had no hired counsel. It was not provided for in the directing resolution; the only assistance provided for was a clerk and stenographic help and a sergeant-at-arms. Senator Blair, with rare exception, initiated the interrogation, and conducted the major portion of it, with the rest of the members joining in sporadically. The possibility of the Committee involving itself in some legal difficulty was not anticipated. Since there was admittedly no real knowledge of the issues involved, the investigation was to be an exploratory one. No documents were introduced which contained records of the transactions of either business or labor organizations. There was never any indication that a witness's testimony was not accepted as fact. Indeed, there was no need for counsel.

The informal procedure of the Committee was as close an approximation of impartiality and courtesy as the writer has ever seen. Witnesses were allowed to read whatever statements they had prepared. They were then questioned by the members. No categoric answers were required; in fact,

it was the verbosity exhibited by many of the witnesses which caused much of the criticism of the hearings. Criticism of the government, including the Senate, was allowed to pass with nothing more than attempted justification by the Senators. Where there was an exposition of views which irritated the members of the Committee, the arguments and debates which followed could not be characterized as other than courteous. This may be best observed in exchanges between the Senators and Henry George.¹⁶ At present, when the question of methods is raised so often in connection with congressional investigations, the fairness of the Committee on Labor and Education could well serve as a model.

Only four Senators participated in the hearings with any degree of regularity. They were Senators Blair, George, Pugh, and Call. Aldrich appeared briefly in the trip through New England but never in the New York hearings or in the trip South. Bowen did not appear at all after the first Washington sessions. Senators Groome, Mahone, and Miller appeared only briefly in the Washington and New York hearings. Hence it must be recognized that most of the questioning was done by one Republican and three Democrats, and that the proposed report would have been their work.

¹⁶Testimony, I, 466-524.

III

THE COMMITTEE AT WORK

The Committee's hearings in Washington, D. C. began on February 5, 1883, and ran through February 12, 1883. They were resumed on August 6, in New York. After a stay of seven weeks there, the Committee moved to Manchester, New Hampshire for three days. Next on the itinerary was a week of hearings in Boston. Then came a rapid swing through the South. This trip was comprised of one week in Birmingham, Alabama, one day successive stops at Opelika, Alabama, Columbus, Georgia, and Atlanta, and a two day stop in Augusta, Georgia. The trip concluded with a one day hearing back in Washington, November 28, 1883. The Committee and its sub-committees traveled an estimated 3,300 miles.

It will be noted that the geography of the trip favored the South out of proportion to the extent of its manufacture. By 1883, while New York was by far the industrial capital of the nation, with the New England area occupying a secondary position, industry in the Middle West far exceeded that in the South. Yet no investigation was made in the West. While it can be argued that the Committee heard testimony from many Westerners while it sat in New York, it still must be recognized that politics played an important

part in the Committee's selection of areas to be investigated. Undoubtedly the five Southern representatives on the Committee were intent upon reminding their constituents of the important duties they were attending to in the Senate. The same can probably be said of Senator Blair in the light of the trip into New Hampshire, a trip which undoubtedly could not equal in importance an excursion into the Pennsylvania coal mines, the Pittsburg steel mills, or the Chicago packing houses. This geographical favoritism must be remembered when evaluating the overall effectiveness of the undertaking.

The Senators officially interviewed 319 persons while taking 4,133 pages of testimony. The table below contains the classification of male witnesses who appeared before the Committee. So that the reader may judge whether or not each side was equitably represented, the testimony of each witness has been evaluated by the writer. Upon this evaluation, the witnesses were classified as either pro-labor or pro-capital or relatively impartial.

CLASSIFICATION	PRO- LABOR	PRO- CAPITAL	IMPARTIAL	TOTAL
Elected officials of labor unions	34			34
Union laboring persons	26			26
Non-union workers	23	3	3	29
Management and Capital	8	98	4	110
Intellectuals (other than the press)	9	4	2	15
Press representatives	9	5	2	16
Clergy				
Protestant	5	3	1	9
Catholic	2			2
Professional men (i.e. teachers, lawyers, doctors, etc.)	10	6	4	20
Politicians	10	7	2	19
Farmers	4	5	3	12
Convicts	3			3
Totals	143	131	21	295

In addition, twenty-four women testified. Thirteen of these were members of the Women's Christian Temperance Union; as such they could be classified as impartial were it not for their consistent indictment of the workingman for his thirst. Three other women were from the South. They appeared before Senator Blair and harangued him about the

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evils of Republican Reconstruction days. Four others represented various women's groups, three of them sympathetic to labor. The remaining three were feminists whose testimony was completely irrelevant to the issue.

The Committee opened its hearings in Washington with little or no fanfare. The Washington National Republican failed to report the event, while the Evening Star ventured an optimistic prediction by stating:

The Senate Committee on Education and Labor have begun an inquiry into the relations between labor and capital, the causes of strikes, etc., with the view of preparing and reporting legislation, if any should be found necessary for the prevention of such labor disturbances as have frequently excited the country for the past ten years. . .The testimony taken and the conclusions arrived at will throw light upon the subject in the next session, where it will, no doubt, be taken up.¹

In these four days of testimony, the Committee heard only two witnesses, Robert D. Layton and Frank K. Foster, both prominent in the Knights of Labor. Foster was soon to become labor's foremost spokesman for abolition of the protective tariff and a leading figure in the future American Federation of Labor.

The Committee, true to its resolution, sought to query Layton and Foster on almost every tangible phase of

¹Washington Evening Star, February 6, 1883.

labor-capital relations. Both of these men represented the cream of the laboring movement. Foster, the more objective of the two, possessed a breadth of knowledge equalled by few members of the Committee. A printer by trade, he was the model of a self-advanced workingman who chose the career of working with the laboring class for its improvement rather than the more lucrative business career in which he undoubtedly would have excelled. His remarks on religion furnish an insight into both Foster's perception and the rise of the "Social Gospel" movement, in its infancy in 1883. When asked by Senator George why the mechanic refrained, almost "en masse", from church-going, Foster replied:

I think it is because the mechanic finds a substitute for the religious ideal that his forefathers had, and gratifies the craving which every intelligent being has for some ideal of thought and action, if he is a thinking man, by turning his attention to the remedying of social evils, to the uplifting of his own class, and of those beneath him, perhaps, and to the righting of the injustice which is sustained by the working people, and which is the result of many social conditions and influences.²

The Committee sought information concerning the eight-hour question, arbitration, wages and the cost of living, and other subjects germane to the causes of labor discontent. The replies and opinions represented the pure trade unionist

²Testimony, I, 49-50.

thinking of the time. However, it will be more convenient to discuss them in connection with the Committee hearings in New York. The problems were dealt with much more extensively at those hearings, both in regard to the opposite point of view and the variety of opinion on the part of labor.

At the conclusion of Foster's testimony, the members of the Committee and the witnesses conferred on the advisability of continuing the investigation during the current session of Congress. They concluded that since the long sessions and important business before the Congress made it almost impossible to take testimony effectively, the hearings should be adjourned until the end of the session.

Upon convening in New York on August 6, the Committee delayed its hearings for a week in order to make an inspection of the physical conditions in which the urban laboring class existed. With a detective from the police department as a guide the Committee set out on a tour of the tenement district. Before they started on this round, the detective made a brief statement in which he outlined his proposed itinerary. He explained the various sections of the lower income neighborhoods and mentioned particularly Baxter Street. He said that the stree was inhabited mostly by Jews and others in the

second-hand business, mostly dealers in second-hand clothing." Furthermore he stated that it was crowded and that "they live there huddled up together like sheep."³

The tour included the Ghetto, the Italian district, Chinatown, the Second Avenue district, and a "cursory glance at the quarter inhabited by the colored people in South Fifth Avenue thereabout."⁴ The Senators talked to landlords, tenants and merchants in these sections. However, there is only a bare account of this tour in the testimony. No indication is given of the reaction of the Senators.

One interesting statement about this tour was made by a witness before the Committee. William G. Moody, a pro-labor journalist, in the course of his testimony condemning government land policies, made reference to the Committee's visitations. After citing the millions of people who were crowded into tenements such as the Committee had seen he recalled that "the sight. . .I understand, was so exceedingly offensive to their olfactory nerves that they abandoned that method of investigation--at least so the papers reported."⁵

While some criticism may be made of Moody's knowledge of what stimulates the olfactory nerve, his comment is

³Ibid., 94.

⁴Ibid., 101.

⁵Ibid., 721.

interesting. The papers available to the writer did not include any item which would substantiate Moody's description of how the tour was concluded. However, the following excerpt from the testimony does reveal conditions which would probably have been extremely offensive to anyone:

On the second story of the tenement, the Committee found a family consisting of a husband, a wife and three children living in three small rooms. The only light admitted to these apartments came through the window of the front room, facing the street. The partition between this room and the one immediately behind it (which was used as a kitchen, dining room, etc.) extended only about halfway to the ceiling, so as to admit the light, but the woman said it was necessary to keep a lamp burning in the daytime in order to have sufficient light to do her work. . . The woman stated that they paid \$12.50 per month for the three rooms. She had a baby fourteen months old, a delicate looking child, and in reply to a member of Committee she said that it was 'all the time sick.' Senator George suggested that what the baby needed was fresh air, and that the mother ought to take it to Coney Island, but she seemed amazed at the suggestion and exclaimed, 'Oh, we could not do that.'⁶

The New York Tribune praised the Committee for being realistic in looking into these conditions and sympathized with the unfortunate situation of the laboring classes. But it also admonished the Committee, with traditional laizzez-faire righteousness, to beware the evils of government intervention.

⁶Ibid., 100.

The members of the sub-Committee on Education and Labor have begun their investigation of the conditions of the working classes in the right way. The tour through the tenement house districts in this city yesterday must have brought to their attention better than anything else could have done, many evils which it is desirable to remove from the lot of the poor. But it is such facts as the Committee found in Mott and Chatam Streets that will prove the most valuable to them. The workings of some of our laws affecting labor and capital can best be studied there. The condition of the laboring classes occupying the houses erected by the Improvement Dwelling Association in the upper part of town is the result of the enterprise and the active benevolence of good people. It is not statutory, and what is more, it can never be brought about by the operation of law alone.⁷

As has been mentioned before, the Committee's hearings opened August 13, during the great Telegrapher's Strike. The New York Tribune headlined its announcement of the opening as "Senate Committee Investigation of Telegraphers Strike."⁸ Since the strike was in progress, it was obvious that the Committee should pay it some attention. As its first witness, the Committee called John Campbell, a Pittsburgh telegraph operator, and a member of the executive board of the Brotherhood of Telegraphers. He stated that the objectives of the strike were an increase in pay and reduction in working hours, certainly not unusual demands.

⁷New York Tribune, August 8, 1883.

⁸Ibid., August 13, 1883.



These demands were a direct result of a consistent policy among the employers of lowering wages slightly every year. Further questioning determined the various factors of the strike--wages, hours, number of strikers, employers' attitudes, and the attitudes of the workers.

Following the establishment of these facts, the Committee inquired about the activities of the Brotherhood. In the course of the questioning, Campbell stated that those men who joined the Brotherhood, even before the strike, were discharged and blacklisted by the companies. There followed this series of questions and answers:

Q. Did they (the Western Union Telegraph Company) give that reason?

A. Yes, sir; they gave that reason. The local manager, Mr. Brown, told the operators that they were dismissed for joining the organization.

Q. Had your organization at that time ever presented any list of grievances or complaints?

A. None whatever.

Q. Do you mean that the Western Union Telegraph Company or these other employers opened an aggressive warfare upon your organization before you had made any complaints as an organization to them?

A. Yes, sir; they did, with the view of breaking up the organization at St. Louis, in the belief that if they could succeed there they would be equally successful at other points. We demanded that those five operators should be reinstated and they were reinstated. What the reasons for reinstating them were I do not know.⁹

⁹Testimony, I, 185.

The writer is dealing with this topic more extensively than its significance warrants, with an eye to setting a stage for the understanding of committee procedure. It is hard to agree with the New York Times estimate that the "Committee ranks in usefulness somewhere between the Agriculture Bureau and the Arctic exploring expedition. The scope of its achievement is as contracted as the former and their net result about as valuable as the latter."¹⁰ The above was a conservative opinion shared by many, because of the seemingly aimless efforts of the Committee. There is no doubt, when one considers the political milieu of 1883, that a hostile response was in order when a conservative editor viewed a group of educated men attempting to gain insight from another group who had not raised themselves above the level of common labor. Yet the Committee was faithful to its initial resolution. They followed lines of questioning which must have provided great embarrassment to business. Outspokenly harsh criticism of the government was allowed as were reactionary views like those of Joseph Medill. In short the Committee was far more eclectic than many we see in operation today.

John R. Commons seemed to doubt the wisdom of such an outlook. In commenting on the effectiveness of the Committee he states:

¹⁰New York Times, September 7, 1883.

The testimony elicited throws little light on the situation. Evidently the Senators were unfamiliar with the subject, as is shown by the nature of their questions.¹¹

The New York Times showed Commons' disdain for the Committee. In commenting on the efficacy of the Committee's methods, the Times editorialized:

Unquestionably a thorough investigation of such facts as can be got at touching 'the relations of labor and capital and the conditions of the laboring classes' would be useful if it were made by men who knew how to make it and who brought to the task the necessary equipment acquired by careful study and trained faculties of observation and inquiry. But for this very difficult work there is needed something more than the gifts which enabled Messrs. Call and Blair to attain the position which they hold, positions which undoubtedly seem important to their constituents at the thinly settled ends of the continent, but which have not as yet conferred on either of these gentlemen more influence in the Senate than is due to the possession of a vote in that body.¹²

Both of these criticisms seem to be unduly harsh, Commons' more so than that of the Times. It is evident to the writer, after his investigation of the Times' editorials, that that journal would have objected to the investigation on general principles. In the first place, it was unalterably opposed to the idea of government intervention. The Times

¹¹John R. Commons, et al, History of Labor, II, 331, n.

¹²New York Times, September 8, 1883.

made clear its view when, in discussing the Committee's efforts to determine how the unfortunate workingman's lot could be improved, it said:

It is plain that in seeking to do this through political agencies there is grave danger that much worse ends than now exist would be created . . . It is a truth as well as a truism that the world is too much governed, and the more government there is, as a rule, the worse it is.¹³

In addition to this opposition to government intervention, the Times also displayed a marked preference for capital's side of the argument. As the hearing progressed the paper tended to side with business--the exception being its disdain for Jay Gould. Consequently, when we recognize that objectivity is not often found in newspaper editorials, the credence to be given to the Times' comments will diminish.

The statement of Commons, however, cannot be disposed of so easily. A man of his stature in the field of labor history must be heeded. But it would seem that he has ignored the major factor in the question and has, therefore, deprived himself of a useful source for ascertaining at least, the ideological milieu of the period. What is this factor?

¹³Ibid., September 11, 1883.

It would seem that Commons ignored the almost pioneer aspects of the investigation. It was the first serious attempt on the part of Congress to provide an answer to a problem which, it is to be assumed, Commons certainly recognized as being of prime importance. This in itself makes it a useful source. It is very true that a high degree of aimless interrogation was engaged in. Yet, no system of investigation was available. The Committee had no real knowledge to start with. The Bureau of Labor Statistics was not yet established. No significant concern with the question had been evidenced by the Congress as a whole, as is evidenced by Senator Morgan's unchallenged remarks about Congressional ignorance and apathy, and by the unconscious designation, on the part of the Senate, of membership on the Committee as political "limbo." Consequently, the questioning was, at times, aimless. The remarkable fact was that the Committee managed to ask as many pertinent questions as it did.

The point is, that there was an investigation. It will be the purpose of the remainder of this paper to show that the investigation did "throw light on the situation," and, even more important, had considerable effect on future labor legislation.

The remainder of this study of the testimony will revolve around the specific issues raised by the hearings.

Many significant questions were raised during the Committee hearings. On most of these issues, labor's aims were antithetical to those of capital. There was also a divergence inside each group, although not as pronounced. These arguments pro and con on the significant issues will be outlined. No attempt will be made to reach a conclusion about the relative validity of either side, except to point out the present consensus, whenever possible. Rather than present this examination of the testimony by breaking down the testimony of the witnesses, the study will proceed from issue to issue.

This method was selected because it lends itself to continuity. While it might prove more interesting from a journalistic standpoint to follow the testimony of Jay Gould or Sam Gompers through, little could be learned about the general opinion of the groups they represented. This is not to say, however, that men of their stature will not be discussed as they testify on these issues.

Divergent Views of the Entire Labor-Capital Problem

Before going into the specific issues raised by the hearings, a brief analysis of some of the basic ideological differences between labor and capital will be made. The writer thinks that future testimony citation will prove this

statement: pro-labor spokesmen agreed with Senator Morgan that there were complex socio-economic factors at the base of the problem, while capital invariably tended to cite quasi-moral factors as the basic causes.

Joseph Medill's testimony is one evidence of this. In denouncing the improvident workingman, he further stated that "too many are trying to live without labor--that is, industrial or productive labor, and too many squander their earnings on intoxicating drinks, cigars, and amusements, who cannot afford it."¹⁴ Contrast this with the statement of Dr. Timothy Stow, a physician of Fall River, Massachusetts, in which he lists poor operating conditions, poor housing, low wages, lack of cultural or recreational facilities, monopoly, and fraudulent land policies as the cause of the workingmen's poverty.¹⁵ Jay Gould agreed with the Medill thesis when he stated:

It is a very difficult thing to say exactly how you are to ameliorate everybody's condition. I have noticed, though, that generally, if men are temperate and industrious they are pretty sure of success. In cases such as you describe that of a man who swore he could not obtain steady employment I could almost always go back behind the scenes and find a cause for such a person's 'misfortunes.'¹⁶
(italics mine)

¹⁴Testimony, II, 959.

¹⁵Ibid., III, 407ff.

¹⁶Ibid., I, 1088.

The implication to be drawn from Gould's remark is, that, since statistics show that few men were even remotely successful from a financial standpoint, only those few were temperate and industrious. It was at this point that the New York Times, which had exhibited a decidedly hostile attitude towards Gould at all stages of his career, exploded with:

If Gould would tell all he knew, he might perhaps shed some light upon the problems which the sub-committee is engaged in investigating. He could explain the steps by which a man who starts with nothing in this country can attain great wealth by a succession of frauds and public robberies.¹⁷

On the question of opportunity for success among the workingmen, Henry George held out a contradictory view. He stated that the technological improvement in industry had increased the division of labor and the need for capital. This in time made it "more and more difficult for a man who has nothing but his labor to become his own employer, or to rise to a position of independence in his craft or occupation."¹⁸

Sam Gompers also believed there was a serious misunderstanding about the cause and effect relationship in the labor controversy. "Strikes are the result of a condition,"

¹⁷New York Times, September 6, 1883.

¹⁸Testimony, I, 467.



he said, "and are not, as is generally or frequently understood, the cause."¹⁹ He then told the Committee of the appalling conditions of the cigar workers to illustrate his point. Citing the poor sanitation facilities and insufficient light of their dwellings, he said: "I have found, I believe, the most miserable conditions prevailing in those houses that I have ever seen at any time in my life."²⁰

These quotations will suffice to illustrate the general cleavage. The obvious point is that while Medill and Gould may have been right about the widespread existence of intemperance and apathy among the laboring man, it was the labor spokesman who recognized that this was only a result, like poverty, of other deep-rooted causes.

The Eight-Hour Movement

The pre-Civil War demands for a shorter working day were focused on an ever-diminishing goal. The average working hours had been reduced from twelve and one-half a day in 1830 to eleven by 1860. These reductions were the result of individual company concessions prompted by whatever sanctions the employees could muster, since no real national movements were undertaken. The first approximation of a concerted

¹⁹Ibid., I, 271.

²⁰Ibid., 272.

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effort to reduce hours was the Mechanics Union of Trade Associations formed in 1827. The Union never reached outside of Philadelphia, its birthplace. Although it was short-lived, the Union's agitation for a ten-hour day at least brought a good deal of public attention to the problem.

When the Union disbanded in 1831, its leadership in the ten-hour movement was taken over by the New England Workingmen's Association. Throughout the forties and fifties it initiated and supported strikes for the ten-hour day. Yet its efforts were hampered by a split in opinion among its members, one faction favoring political action while the other group advocated militant strike action.

By 1855, most of the agitation for shorter hours was carried on by middle-class reform movements, not by labor itself.²¹ This was primarily the result of labor's incohesiveness. It was impossible to make any demands without the sanctions to back them up, and the day of the national union and its strike fund were still far in the future. Hence political reformers had to carry the attack.

By 1864, the unfulfilled quest for a ten-hour day was by-passed and labor spokesmen, led by Ira Steward, began demanding an eight-hour day. In that year, Steward organized the Labor Reform Association. This organization in turn gave

²¹Philip Foner, History of the Labor Movement, 213.

way to the National Labor Union, founded in 1866. Both were outspoken in their demands for an eight-hour day. As a result of their efforts, Congress, in 1868, passed an eight-hour law for all workingmen in government employ. Some states followed suit, but these laws proved unenforceable.²²

In 1881 and 1882 the Knights of Labor rejected a resolution calling for a one day strike for eight hours. That resolution reached its bitter fruition in 1886 with the infamous Haymarket Bomb, without the support of the Knights.

By 1883, the demand for an eight-hour working day had undergone a complete transformation as regards motives. Labor had persistently fought for shorter hours before the Civil War, but had sought the reduction on moral grounds. Labor argued that it was inhuman to work women and children and even able-bodied men for any long duration. These appeals to the employers' humanitarianism had succeeded in reducing the average working day from twelve and one-half hours in 1830 to eleven hours in 1860.²³

Following the Civil War, however, the argument was based on economic factors, and generally assumed the following form: if the worker was given more leisure time at the same wage scale his potential for consumption would rise. Since

²²Norman Ware, Labor Movement in the United States, 299.

²³Philip Foner, History of the Labor Movement, 218.

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the workers were the masses, national consumption would immediately rise, with the inevitable need for increased production hard on its heels. Increased production, of course, meant better wages for the worker, thereby providing another boost for this ever climbing prosperity.

Labor's faith in this scheme can be illustrated by citing parts of a resolution adopted by the 1882 Convention of the Federation of Trades and Labor Unions, soon to become the American Federation of Labor:

. . . We declare that it (the eight-hour day) will permit the possession and enjoyment of more wealth by those who create it. . . It will stimulate production and increase the consumption of wealth among the masses. . . And it will after a few years gradually merge the wage system of labor into a system of industrial co-operation in which wages will represent the earnings and not (as now) the necessities of the wage-laborer.²⁴

This view was not a tongue-in-cheek proposition. The testimony indicates, to the contrary, that it was regarded as the ultimate panacea by labor. Frank K. Foster, in discussion of the question, said that the only way to prevent the "most disastrous results from the overcrowding of the labor market and the corresponding decrease in the opportunities of obtaining a living would be by the reduction of the hours of labor."²⁵

²⁴American Federation of Labor, "1882," in Report of Proceedings, 1881-88 (Bloomington, Illinois, 1888), 13-14.

²⁵Testimony, I, 88.

Essentially the same position was taken by Gompers, Adolph Strasser and John Jarrett.

Gompers replied to Senator Blair's question about his views on reducing hours as follows:

The general reduction of the hours of labor to eight per day would reach further than any other reformatory measure (emphasis mine); it would be of more lasting benefit; it would create a greater spirit in the working man; it would make him a better citizen, a better father, a better husband, a better man in general.²⁶

Robert Howard, a mule-spinner from Fall River, Massachusetts, a former member of the Massachusetts legislature, and secretary of the Mule-Spinners Association presented his views:

I may say on this labor question that I believe the larger production is owing to a very great to the increased vigor of the operative where the hours of labor are decreased. . . When a man can go out on the streets and talk about things with his fellow men he becomes more of a man and a better workman.²⁷

On the other side of the argument was the opinion expressed by John Roach, prominent ship-builder and soliciter of government subsidy for the maritime industry. In explaining

²⁶Ibid., I, 295.

²⁷Ibid., 651.

his views to the Committee, Roach recounted a recent conversation with one of his workmen:

If the carpenter, the mason, the laborer, the painter, the plumber, and the gas-filler who do the work upon your house only work eight hours and demand ten hours pay, will not your rent increase?" "Yes." "Will not the cost of clothing on your back increase?" "Yes." ". . . Then suppose you demand that the man who cultivates and works on a farm shall be reduced to the eight-hour system, simply because the mowing machine, the thrashing machine, and the reaping machine have done the work of lots of men, will not that increase the price of food?" "Yes."²⁸

Roach then indicated that after this exchange, he had "no more trouble of that kind." In fact, his better men, presumably the monosyllabic ones who engaged in the debate, went eagerly back to work on a twelve hour schedule.²⁹

This anecdote by Roach inspired the New York Times to reprimand the workingman for not heeding men like Roach. Remarking how Roach had come up from the ranks, the Times thought that laborers should recognize men like him as "their best friends, far better than the men who try to make them unite to keep the levels of work down to that which the laziest and the least skillful can reach."³⁰

²⁸Ibid., II, 101.

²⁹Ibid.

³⁰New York Times, September 5, 1883.

Roach followed this story with some statistics to prove that the demands of industrial laborers were only those of the minority:

Taking the labor classes of the United States in 1880, there were on the farm, engaged in cultivation, 7,670,493 laborers, while in every manufacturing interest from the mine up to the cotton factory there were 3,837,112. Here was less than one-half of the whole laboring population engaged in manufacturing industries, and more than one-half of that minority today does not believe in this great outcry about making laws to suit labor.³¹

It must be mentioned that Roach does not disclose his sources of these figures, so one must speculate on how accurately he has gauged the opinion of the industrial laborers.

Joseph Medill, publisher of the Chicago Tribune, agreed with Roach's analysis and added an argument of his own, undoubtedly aimed at labor's ideological weakness--its protests against foreign labor.

Increased labor for short work would instantly attract to this country countless multitudes of foreign workmen. They would rush hither as fast as fleets of steamers could bring them, and quickly swamp the demand for extra labor caused by short work.³²

John W. Britton, a carriage manufacturer and bank president, thought that only in some trades should hours be reduced.

³¹Testimony, II, 102.

³²Ibid., I, 962.

I do not think that there is any need of shortening the hours of labor in any of the ordinary occupations of the mechanical classes. There are trades and callings that are very hard work. . . If ten hours is a fair day's work for ordinary occupations, these men ought not to work over seven or eight. But I think that the general idea that work too long is fallacious and has no foundation in fact.³³

An evaluation must be made of Britton's remarks. Since carriage-making was not regarded as a particularly tiring occupation, Britton had a safe position to defend in the event that someone asked him to lead the way.

A few of the businessmen appearing did agree in part with labor's views. Thomas W. Miller, a Pittsburgh machinery executive, thought that perhaps ten hours was too long a day in the winter.³⁴ George Blair, a box manufacturer risen from the ranks, agreed with labor entirely.

I hold that by a reduction of hours of labor a large percentage of those out of employment would obtain employment. . . If the reduction of the hours of labor to eight would not contribute to giving all employment that are out of employment you would have to go still lower.³⁵

Men like Miller and Blair were in the minority, however, and did not equal the stature of Roach or Medill. Labor had to find support outside its own organizations in the professions. Journalists and teachers were its most vocal supporters.

³³Ibid., 1120.

³⁴Ibid., II, 24.

³⁵Ibid., 60.

Richard J. Hinton, a journalist, presented an indictment of what he called the "bondage of the press to the great capitalists." He cited the biased accounts of the telegraphers' strike dispatched by the Associated Press as an example of how the public was misinformed about the labor problem in general and the eight hour question in particular.³⁶ He was very explicit about reducing hours, declaring "that it was absolutely essential also to shorten the hours of labor by legislation."³⁷

James Fairman, professor of fine arts at Olivet College, believed that as labor-saving machinery manufacturing increased, "there should be legal limitations to the working hours, enforced in such a way as to make them practically universal."³⁸

Charles Lenz, editor of the newspaper Capital and Labor, declared that the hours of labor were too long and would have to be reduced. It was his opinion that such a reduction was vital not only to the "interests of the laborers, but also in the interest of the employers."³⁹

³⁶Ibid., 436.

³⁷Ibid., 411, 412.

³⁸Ibid., 942.

³⁹Ibid., I, 250.

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Many other arguments favoring or opposing the eight-hour day were offered to the Committee. It is evident that none of those men favoring it had any influence on the United States Congress, since it was not until 1916 that any legislation was passed on that subject. The Adamson Act of that year made the eight-hour day mandatory for railroad employers, and it was a generation later before the Wagner Act effected any semblance of nation wide observance of the eight-hour day.

Wages--Fairer Distribution of Profits

One of the highlights of the hearings was the testimony of Henry George. By 1883, George had become one of the most controversial figures on the American scene. His personal popularity was already enormous, while his theory of the "single tax," made public in 1879, had become one of the focal points in the labor-capital dispute. Quite naturally, an undercurrent of skepticism was evident in the Committee's attitude towards George. The questions framed by the Committee, especially those aimed at the "single-tax," were "loaded." They invariably carried with them an implication of disbelief. Witness this exchange between Senators Pugh, Blair, George, and Henry George, intended to clarify George's theory to the Committee:

Mr. Pugh: The basis of the estimate single tax estimate would be the use that could be made of the land?

George: Yes, certainly; its market value would be the basis of taxation.

Pugh: Then you would allow the right of occupancy, and that is what you would tax?

George: Virtually it would be that. There is no need, however, of changing the form, and it could be nominally the ownership that was taxed.

Mr. Blair: And the man who owned a corner lot, unoccupied, would pay the same tax as a man who owned a like lot with a ten story building on it?

George: Yes, and the building filled with diamonds, if you please.

Mr. Blair: No matter what income he received from it?

George: No matter.⁴⁰

As was to be expected, the press comment on George's testimony was extensive. The New York Herald confined itself to a refutation of George's thesis. After summarizing George's faith in the land as a solution to the labor problem, it cited the farm acreage lying fallow in New York alone. This was the sole fault, said the Herald, of the masses, for "either the average workingman does not know what to do with land or--more the pity--he will not go to it."⁴¹ The New York Times was not so interested in pure debate. It circumspectly praised the Committee for allowing men like George to present their views:

⁴⁰Ibid., 495-96.

⁴¹New York Herald, August 24, 1883.

The chief advantage the formulations of their notions has is that it gives the sober, sensible workingman who are by far the most numerous, a chance to see what would be likely to happen if these dreamers and mountebanks had an opportunity to put their views into practice.⁴²

The George theory was one of many offered to the Committee as a solution to the problem of fairer distribution. They ranged on labor's side from the doctrinaire Socialist view of Dr. A. Douai, who recommended complete abolition of the profit system,⁴³ to the militant trade-union concept of fighting oppression with force advanced by Sam Gompers. In developing his theory, Douai let the business man know what position he might occupy in the collective state:

Profits may be done entirely away with, or entirely abolished in different ways. For instance, the present capitalists might be willing (I am supposing this to be the case, though it is improbable) to enter into combination with the trade society of each kind, and serve them as bookkeepers or directing persons, foremen, etc.⁴⁴ (*italics mine*)

Douai's supposition about the improbability of the capitalists willingness to enter into such a combination was the testimony's high point in understatement. It was this type

⁴²New York Times, September 7, 1883.

⁴³Testimony, II, 730.

⁴⁴Ibid.

of testimony that gave force to the angry clamor directed at the Committee by capital via the conservative press.

As an aside, it is interesting to note the press relations of the Committee at this point. On the day following Douai's appearance, Blair charged that the press had been deliberately misrepresenting the testimony, either by distortion or omission (Blair's entire career is startlingly paralleled by that of Wayne Morse). The Times, exhibiting remarkable spryness for such a sober journal, retorted:

The newspapers do not print the wisdom of these prophets, except in an extremely condensed form. The condensation will be attributed by Senator Blair, and the prophets, to the rooted antipathy of the newspapers to the cause of labor, but that will not be the true explanation. The true explanation will be the rooted antipathy of the newspapers to being regarded by their readers as bores. . . At any rate, it ought to be evident to him Blair that his show has ceased to draw in New York, and it behooves him to 'move on'.⁴⁵

Even the Detroit Free Press broke a long period of silence about the Committee's activities at this point by complaining, "This is an exceedingly grave charge to be made by a public servant against the entire press of the country."⁴⁶ Examination of subsequent press coverage reveals that Blair had effectively destroyed whatever remaining sympathy he might have possessed among the conservative journalists.

⁴⁵New York Times, September 7, 1883.

⁴⁶Detroit Free Press, September 28, 1883.

Businessmen were also concerned with the problem of fairer distribution of the wealth. But, as may have been anticipated, their view was that capital was taking the short end of the division. The following exchange between Call and Jay Gould reveals this view:

Q. Of the strikes which you have observed in this country, many you say have originated with dissatisfied and complaining workmen; dealing with the question in the mass, as you have observed it, do you think that the working element of the country gets as much of the accumulated wealth that it and capital together produce as it ought to get?

A. Yes, sir.

Q. Labor, you think, gets its fair share?

A. Yes, sir. The returns of capital are not high; they are going lower.⁴⁷

This answer was viewed with some skepticism by the press which had ample opportunity to note the absence of encroaching poverty in Gould's case. Later Gould pointed out that if the masses would only try to improve their moral climate, prosperity would soon follow. The Times, aware that his prosperity may have flourished in somewhat amoral surroundings, bitterly protested:

There is nothing more depressing that we know of to the moral standing of the masses than the spectacle of Gould rich, and looking as if he imagined himself to be respected, and in any event at large. A man

⁴⁷Testimony, I, 1085.

whose good fortune is most surprisingly manifest in the fact that he is out of jail should not set up for a professor of ethics.⁴⁸

The rest of capital's testimony agreed almost unanimously with Gould's appraisal. Capitalists generally backed up his contention by citing the percentage distribution of profits, which favored labor.⁴⁹ This was undoubtedly not too persuasive an argument to the workingman when he viewed his individual share of labor's overall percentage.

Rufus S. Fost, president of the National Association of Wool Manufacturers, was convinced of the far-sighted benevolence of American capitalists. He gave a lengthy analysis of wages in the United States and concluded:

Now it seems to me, gentlemen of the Committee, that the reason we have had so few labor strikes in this country is because the wages paid for labor are adequate. . . We do not want to reduce the prices of labor; we want to keep them up to a point at which the present generation of laborers can properly educate their children, so that they, in turn, can open the factories which their fathers are now working.⁵⁰

Carroll Wright, then Chief of the Massachusetts Bureau of Labor Statistics, came to the hearings armed with facts to

⁴⁸New York Times, September 7, 1883.

⁴⁹See, for example, testimony of: Arthur L. Lyman, III, 442; Gelbert Whitman, III, 32; Thomas L. Livermore, III, 24-25.

⁵⁰Testimony, III, 321.

clarify the question of distribution. He established the average yearly wage in Massachusetts at \$364 per worker and his average production at \$1,792. On this production, the owner realized a profit of \$98, after deducting all expenses including depreciation. At this point Blair set the problem out in bold relief by inaugurating the following line of thought:

Q. Suppose there were but one employer in Massachusetts, and the present number of employees, how much would that employer get?

A. He would get a net profit of \$34,505,367.

Q. What would the laborers receive?

A. They would receive \$128,315,362, divided among 352,255 of them, or \$364 each.⁵¹

No great financial acumen was necessary to determine that the citation of percentage figures, showing labor's overall share of the earnings as generally 18 per cent more than capital's, was little more than adroit camouflage.

Wright's objective analysis also presented an effective means of investigating the legitimacy of labor's demands. Whether or not labor's demand for a fairer share was justified at least the facts presented by Wright denied there was anything approaching equality of distribution.

⁵¹Ibid., 428.

Labor in the South

The Committee's excursion into the South was of short duration. Hearings were held in five cities in a short period of eleven days. Due to this haste, no definitive picture emerges of conditions in the South. Instead, what does emerge is an assortment of opinions which lead to no definite conclusion. However, some speculative summaries may be presented on several topics.

The major issue before the Committee was the condition of the Negro in the post-Reconstruction South. One hundred and two witnesses were heard, thirty-two of them Negroes. This numerical ratio was obviously not proportionate to the population in general. Nor was the representation of the Negroes by occupation at all indicative of conditions. The thirty-two questioned were in the following occupations: eight private businessmen; eight professional journalists or teachers; six clergymen; five skilled laborers; two farmers; two common laborers; and one convict leased to the mines.

With such a representation the testimony cannot be considered indicative. Indeed, some of the transcript seems to suggest that, on the whole, the Negro was well satisfied with the general progress being made in the South. Most of them had various complaints which generally focused on education and social discrimination, but in economic matters their statements indicated a fair degree of complacency.

Before recounting some of this testimony, it is necessary to point out that it is almost impossible to perceive the atmosphere of the hearings. It is difficult to recognize whether the negro witnesses were uneasy or worried while in the witness chair. Perhaps they were sufficiently fearful of possible reprisal to evince only mild disapproval of their conditions. It is also necessary to point out the tenor of the questions asked. The Committee's interrogation of negro witnesses seemed biased in many respects. Many leading questions were asked to which a candid answer would have seemed impudent or hostile. The following exchange between Senator Blair and John Shepherd, a Negro painting contractor of Columbus, Georgia, will illustrate this point.

- Q. How does their (Negroes) pay compare with that of white painters of equal skill?
 A. It was just the same. There is no discrimination on account of color.
 Q. Is there in any of the trades?
 A. I think not; not so far as I know.
 Q. So that as far as wages are concerned the color line is obsolete; it has been rubbed out, has it?
 A. Yes, sir. . . .
 Q. The color line is rubbed out in this city, is it not?
 A. Yes, sir.
 Q. You have your churches and perfect freedom in all religious matters?
 A. Yes, sir; perfect freedom.
 Q. There is no colored line as regards religion?
 A. No, sir.⁵²

⁵²Ibid., IV, 622.

The implications of this last seem to be that as long as the Negro was allowed to have churches the color line was gone. The answer to a question about the Negro being allowed to worship in a church in the white district would have undoubtedly indicated quite the contrary. Such a question was never asked.

Another statement by the Reverend Arthur Green, a Negro Baptist missionary, went even farther in praising the conditions in the South.

So far as our homes are concerned some few colored people have homes of their own; but our white people, so far as I have been able to know them in this place, are a very generous people, take them upon the whole as a people. There is good feeling existing between the two races, and I am proud to be able to say it. . . No white man has insulted me, and if I have insulted anyone it is more than I know at present.⁵³

A good part of the testimony ran along similar lines. However there was criticism, although none of it was too severe. Most of the witnesses agreed that the one thing which the Negro needed most was adequate educational facilities. An almost unanimous demand was made for more federal money to aid in establishing Negro schools. The Baptist missionary, Reverend Arthur Green, made as effective a summation as was given.

⁵³Ibid., 633.

If you will send down that money that you speak of Uncle Sam having we will go right along without any trouble and I hope that you will not forget the text (for it seems to have been the text all the way through), more money! more money!! because by getting the money we'll get education. I do not know that you could spend your money in any better way than in that direction.⁵⁴

James Houle, a Negro carpenter, believed that "if the colored people were educated, they would become a better people, a more reliable people."⁵⁵ He declared that this could be best accomplished by government aid. The Reverend Isaiah Welsh, a Negro clergyman, thought the federal government should "appropriate sufficient money to continue the schools eight or nine months a year thereby giving the Negroes a chance to learn."⁵⁶

These sentiments were echoed, in most cases, by Southern whites who believed that Negroes and whites alike would benefit from such aid. W. W. Wilson, a white school teacher, thought the federal government should educate its citizens simply as a matter of practicality, "in view of the increased wealth that would result to the Government from their education and improvement."⁵⁷ G. R. Glenn, president

⁵⁴Ibid.

⁵⁵Ibid., 119.

⁵⁶Ibid., 377.

⁵⁷Ibid., 468.

of the Female College of Columbus, Georgia, regarded the previous efforts to educate the Negro as an experiment which had as yet yielded no concrete answers. Consequently, he thought the government should finance the rest of the venture since to stop then would be a grave injustice to the Negroes.⁵⁸

The general conditions of labor in the South seemed a side issue. The testimony of the labor representatives did not indicate any grievances peculiar to the South. Nor did business spokesmen sound different from their northern counterparts. The Negro was the key to the relations between labor and capital, and was the focal point in most of the testimony.

Before passing to another topic, the writer must mention the testimony given by a Mrs. Ward in Birmingham, Alabama. It was given at an evening session. Evidently Senator Blair and the stenographer were the only representatives of the Committee present. Mrs. Ward, however, was accompanied by a host of friends, who somehow participated in the testimony without ever being formally sworn in as witnesses. Mrs. Ward, aided by her friends, spent the entire evening reminiscing about the Old South, and scolding Senator Blair for being one of the Republicans who had ruined it for her. Blair, however, was the picture of Yankee chivalry, and accepted the diatribe with profound graciousness. The testimony closed on the following note:

⁵⁸Ibid., 565.

Mrs. Ward. You 'reconstructed' us as though we had never known anything at all and as though we were indebted to the Northern people for the very first ideas of civilization.

Senator Blair. You will get over that feeling after a while.

Mrs. Ward. Oh, yes. You have no idea how soothing it is to be able to say what you please to somebody on the other side, and this is the first opportunity I have ever had to air my sentiments to a Republican Senator.⁵⁹

The writer notes this testimony because he feels it would be invaluable to anyone interested in the passing of the Southern aristocracy.

Public Land Problem

Historians have generally concluded that the effects of the nation's land policy during the last half of the nineteenth century were not entirely in the public interest. It has been estimated that not more than one million people actually profited from the Homestead Act between 1860 to 1890.⁶⁰ Government grants to the railroads, the lumbering and mining interests, and other businesses, removed much of the good land from the public domain. The land which remained was often obtained by these interests through fraudulent devices. Hence, "only about ten per cent of the new farms

⁵⁹Ibid., 346.

⁶⁰William Faulkner, American Economic History (New York, 1949), 367.

were acquired under the five-year-residence provision of the Homestead law."⁶¹

This paper is not the place to engage in a refutation of the Turner thesis. But the Committee's investigation did reveal one significant fact concerning the question of public lands. The testimony leads to this conclusion: those whom the land was intended for under the Homestead Act, the surplus laboring people, almost to a man recognized the near impossibility of getting any property which could sustain them. Yet the capitalists appearing before the Committee were of an entirely opposite view as were most of the senators on the Committee.

The most poignant illustration of this is seen in testimony of Thomas O'Donnell, mulespinner of Fall River, Massachusetts. O'Donnell had related to the Committee the severe hardships which laboring people in the textile industry worked under. As his pathetic account unfolded, Blair, almost as if he could stand no more, asked:

Q. Why do you not go West on a farm?

A. How could I go, walk it?

Q. Well, I want to know why you do not go out West on a \$2,000 farm, or take up a homestead and break it and work it up, and then have it for yourself and family?

A. I can't see how I could go out West. I have nothing to go with.

⁶¹Ibid.

Q. It would not cost you over \$1,500.

A. Well, I never once saw a \$20 bill, and that is when I have been getting a month's pay at once. If someone would give me \$1,500 I will go.⁶²

Thus one of the arguments set forth by the labor representatives revolved around the fact that most of the working class was hard pressed to stay alive, let alone able to finance a trip West. But the major argument set forth was the prohibitive price of western land capable of providing for a man and his family. It was in this controversy that the wide divergence of opinion between labor on one side and capital and the Committee on the other came into focus.

The two major complaints of labor were against the government grants to industry and the governments sanction of "bonanza" farms. It was not, however, the laborer himself who spoke on these matters. The pro-labor intellectuals or labor leaders were the men who advocated sweeping land reforms. This is entirely understandable when one considers that only men trained in at least rudimentary economic theory would be able to criticize the land policies intelligently.

Richard Hinton, an author and newspaper writer, was one of the most articulate and travelled men to appear before the Committee. He had travelled extensively in Europe and

⁶²Testimony, III, 453.

had made an intensive study of the land and labor policies of European nations. It was his testimony, accepted without attempted refutation by the Committee, which succinctly cut away the argument that the government still held sovereignty over the railroad lands. When Hinton pointed out that Belgium and other European countries had maintained effective control of the railroads, Blair tried to intimate that the United States was just as enlightened.

Q. You are aware that our Government, where it delegates these powers to private corporation, claims the rights of supervision that you say we ought to have, and the Supreme Court of the United States has affirmed the existence of that power in the Federal Government, so far as the railroads chartered by the Federal Government are concerned, and the States undoubtedly claim and exercise that power. . .

A. I am perfectly aware as a legal proposition that that is true, but I am perfectly well aware that we never exercise it; and that the statement is of the vaguest and shadowy character when it comes to be put up as a practical factor, and that all the legislation of the land has been in the other direction.⁶³

Hinton gave the Committee an account of the methods used by large corporations in the Southwest to gain control of large arable holdings. He outlined how the corporations would loan \$500 to a man to pre-empt the land. The man would claim the land, build a make-shift cabin and put up some

⁶³Ibid., II, 407-08.

fencing. He then sat on the land the required six months, financed by the company. At the end of the six months, the land was his. The next step was then outlined:

As soon as the pre-emption is completed, of course the agent (of the corporation) appears upon the ground to know what the man will take for his place. In the case I am thinking of a thousand dollars was asked. . . The spring or body of water, quite a valuable body of water, passes into the hands of a firm of California landowners, who in that way are holding to-day, as far as I have been able to ascertain, not less than 8,000,000 acres of public lands in Southwestern New Mexico and Southeastern Arizona.⁶⁴

William G. Moody was another pro-labor writer and economist who appeared before the Committee. Moody had written a book entitled Land and Labor in the United States, and another entitled Our Labor Difficulties. He viewed the major problem as the scarcity of land and condemned the government grants to the railroads. When asked by Blair what harm the railroad grants worked on the public, Moody replied:

Under the grants to the railroads no limitations have been made, and no conditions have been imposed as to the disposal of the lands. The railroads take them purely as speculators, and they enter upon the disposal of them as a gigantic speculation. They are filling our country with these great estates; estates that sink to insignificance the "latifundia" of old Rome, which

⁶⁴Ibid., 451.

were the cause of her destruction. . . Hundreds of thousands, ay, millions of our people are driven off the land into the towns and cities, where they are hived up hovels and tenements such as the gentlemen of this Committee have seen. . .⁶⁵

A. D. Brock, vice-president of the Federation of Labor of Washington, was of a similar opinion. Claiming to speak for the workingmen, Brock declared that since the railroads had not built on the lands given them, they had forfeited their right to them. He then demanded: "We as workingmen demand that they shall be declared forfeited and returned to the public domain."⁶⁶

The statement of the Reverend R. Hever Newton, Episcopal clergyman, is typical of pro-labor spokesmen's complaint against "bonanza" farms. He spoke of the large acreage of these farms and the small number of men needed to cultivate them. Labeling them as "food factories" he charged that the "bonanza" farms were "worked exhaustively, being mere speculations from which capital soon hopes to retire; and in which, therefore, it has no regard for the future fertility of the land."⁶⁷

⁶⁵Ibid., I, 721.

⁶⁶Ibid., 629.

⁶⁷Ibid., II, 573.

Capital, on the contrary, was convinced that the western lands provided the answer to the labor question. Moreover, the idea that an able-bodied man who desired to go West might not be able to was completely incomprehensible to businessmen. As an example, the following colloquy is cited between Blair and Jay Gould.

Q. Is there any difficulty either by reason of the fact that they cannot get there or that they cannot maintain themselves when they are there, in finding an outlet at the West for the laborers who are a surplus in these Eastern States?

A. No, sir; there is a great field there for that surplus labor.

Q. How can a laboring man here in New York City, with a family and nothing else but his hands and his health, get out west on a piece of land?

A. Well, he can get out easily enough if he makes up his mind to go. Most of the parties won't go; they say they would "rather live in New York and be a beggar, than live out West and be a nabob." I have had lots of them tell me that.⁶⁸

John Roach also believed that land was easily obtained, and attributed it to the beneficence of the railroad. He first set forth that his experience indicated that "any man who is ordinarily intelligent and industrious can own his own house, his own farm, or his own workshop, if he chooses to take the right course."⁶⁹ He then cited some correspondence he had received from his former employees who had done well out West. These men wrote Roach that:

⁶⁸Ibid., I, 1087.

⁶⁹Ibid., 999.



The railroad companies are more than kind and more than generous; that they are disposed to sell land, according to location, at from \$3 to \$10 an acre, some of it close to towns; that they will sell it for a small payment down, and give a credit for the balance, at five or six per cent; that they seldom or never sell a man out, and that they are more disposed to sell to small settlers than to men who buy large tracts.⁷⁰

Roach, at a later point in his testimony, denounced those who were protesting the "monopoly of land." His skepticism about the sincerity of these "agitators" is clearly seen in this passage:

I would use all the influence I have got in urging the Senators and Representatives from this state New York to secure the passage of a law to appropriate and give 160 acres to men who would settle and work on the land; but my honest opinion is that the fewest of the men who would be found to take that land for nothing and work it would be from that class who cry out "land monopoly."⁷¹

Recent historical research seems to substantiate the arguments of the critics of government policy

Government Intervention and Remedial Legislation

The issue of government intervention quite naturally presents a complex pattern of belief on the part of both labor

⁷⁰Ibid.

⁷¹Ibid., II, 102. It is not apparent from this whether Roach was aware that the Homestead Act of 1862 made just such provision.

and capital. Not only was there a dichotomy of ideas between the two groups, but both groups divided among themselves on specific issues concerning government action. In respect to federal arbitration of disputes the labor spokesmen seemed to divide almost equally for and against. Divergent views were expressed by capital regarding the benefits of the tariff to their respective industries. While a fair share of this disagreement was only a matter of degree, there were several completely polar views expressed by members of the same group. Specific examples of this disparity may serve to point up a significant factor in the relationship between labor and capital; i.e., that it was the incohesiveness within both groups which prevented the total organization needed if one were to attempt the extermination of the other by methods political or otherwise.

Thus Frank K. Foster's demand for a federal board of arbitration which would "have jurisdiction when called upon to act in settling the disputes between the two classes,"⁷² was vehemently opposed by John Jarrett, president of the Amalgamated Association of Iron and Steel Workers. Jarrett recognized the value of arbitration but declared that "to be successful it must be purely voluntary."⁷³

⁷²Ibid., I, 85.

⁷³Ibid., 1150.

The classic example of "enlightened self-interest" in respect to tariff was given by Walter E. Barnett, a New York cigar manufacturer. Barnett began his eulogy of the high tariff by claiming that, if properly maintained, it would enable the United States to become what the "Supreme Architect" had intended it to be, "a prosperous and happy land, where peace and plenty would reign."⁷⁴ Blair then asked:

Q. You would exclude all foreign production as I understand you?

A. No, sir: I would admit free of duty everything in the shape of raw materials, the like of which cannot be raised here. . .⁷⁵

This brand of tariff philosophy was representative of the general run of businessmen. Many of the Southern iron miners favored a free market in manufactured goods but demanded protection on raw materials, especially those with malleable properties.⁷⁶ And rounding out the picture is the free-trade view of the president of the Georgia Railroad and Banking Company, Charles H. Phinizy. While admitting that the tariff was tolerable as long as it helped finance the government, he declared that "we can live without protection."⁷⁷

⁷⁴Ibid., II, 841

⁷⁵Ibid., 842.

⁷⁶Ibid., IV, 252, 255ff.

⁷⁷Ibid., 706.

There was also a wide spread in tariff philosophy among labor spokesmen. Henry George set forth his anti-protection theories in dogmatic fashion: "I do not think it protects American industry; I think it injures industry; I think it creates monopolies."⁷⁸ The Central Labor Union declared complete neutrality on the issue,⁷⁹ while Robert Brissert, a New York tailor, maintained that both capital and labor would be ruined by the abolition of the tariff.⁸⁰

These two issues of arbitration and tariff are representative of the intra-factional differences that existed. In labor, disagreement was seen over government ownership of public utilities and regulation of interstate commerce. Business, except on the tariff and subsidy issues, had a high degree of solidarity in respect to other forms of government intervention. In most cases they appear as vigorous proponents of *laissez-faire*.

The demands for remedial legislation by labor were almost numberless. They ranged from the socialists' call for a levelling income tax to the practical trade union demands of men like Gompers and Foster. Since the latter representatives far outnumbered the former, and since their

⁷⁸Ibid., I, 518.

⁷⁹Ibid., 810.

⁸⁰Ibid., 857.

views were the ones most likely to be acted on by the Committee, a general classification of these demands will be made. The testimony of P. J. McGuire, Secretary of the Brotherhood of Carpenters and Joiners, is a concise statement of these demands:

The Witness: I have suggested--

1. The legalization, by incorporation, of the trade and labor unions.
 2. The creation of a national bureau of labor statistics.
 3. The enforcement of the national eight-hour law.
 4. The passage of a law to prevent the importation of foreign laborers under contract.
- I have no other measures to urge than these.⁸¹

These were the measures that most of the trade union men seemed to agree on. They were well advised in setting forth only these practical demands, as the discussion of the eventual fate of these measures in the following chapter will reveal.

These were some of the major issues raised in the hearings. The final chapter will attempt to determine whether the knowledge gained by the Committee had any effect on future legislative policy.

⁸¹Ibid., 340.

IV

THE AFTERMATH

The examination of a committee's report is the usual starting point for determining what effect the committee's investigation had on future legislative policy. Most reports contain some recommendations as to what future policy should be. It is common knowledge that many reports have deliberately recommended legislation that was wholly inadequate to remedy the particular situation. With similar futility many reports have recommended legislation that was politically incapable of ever being enacted by Congress.¹ Nevertheless, these reports are a vital source of information to the historian.

The Senate Committee on Education and Labor, 1883, issued no report. Four volumes of testimony were published in 1885. The frontespiece of each volume stated that the set contained five volumes, the fifth to include testimony and the report. The printing, however, was definitely limited to four.

The writer asked the Government Printing Office and the National Archives if they had any information concerning the proposed report. They wrote that they had no information

¹See Bailey, Stephen A., Congress Makes A Law (New York, 1950).

about it beyond that on the title page. Thad Page, Chief Archivist of the Legislative and Fiscal Records Branch, cited the "voluminous original transcript of testimony from which Volumes 1 - 4 of the so-called report were printed verbatim, but no material for what may have been intended for a possible Volume 5 has been discovered."²

Evidently, if suppression was involved, it took place while the proposed volume was still in manuscript form. The Congressional Record reveals nothing on the investigation after the Committee's adjournment in Washington, until June 20, 1884. On that date a debate took place in the Senate over the printing of testimony. That debate may indicate some reasons for the suppression.

The subject of the discussion was the number of copies to be printed. The number originally had been set at 100,000 by the Committee.³ There was violent opposition to this on grounds of cost. Senator John Sherman of Ohio made one of the most bitter denunciations of the proposed printing, although his complaint was not precisely about the proposed quantity:

I wish not to belittle the subject, but I have looked through these volumes as they came into my hands and there is a vast amount of utterly worthless matter,

²Letter to the writer, June 23, 1953.

³Congressional Record, 48 Cong., 1 sess., 4314.

entirely crude, that ought not to be published in any form, much less in a public document of the Senate of the United States.⁴

Sherman concluded by declaring that he might sanction publication if the entire set, which he refers to as consisting of five volumes, were condensed into one.

Senator Joseph Hawley of Connecticut, Chairman of the Senate Printing Committee, indicated his own displeasure at the proposed number, and then announced why he was willing to accept some publication:

There are many things in these five volumes that the Senator thinks, and other Senators also think are trash. . . But remember that one of the things that give value to this book is that we know now just precisely what sort of wild speculations are going on, and what a certain class of people do desire to say.⁵ (*italics mine*)

Here, besides an interesting indication of Senate reception of the testimony, we have another confirmation of the existence of five volumes.

Both statements would serve to indicate that the testimony was not looked on with favor by certain Senators. Another interesting aspect of this debate was that no one ventured to defend the testimony or demand that it be printed

⁴Ibid., 5382.

⁵Ibid.

in sufficient quantities for wide distribution. This may have been the result of the absence of those on the Committee, or it may have been an acquiescence, on the part of those most interested, to invisible pressures. At any rate, the debate closed with a vote referring the printing resolution to the Committee on Printing.

Two weeks later, July 4, 1884, the Printing Committee reported out the resolution, amended to 25,000 copies. The resolution passed by voice vote and was sent to the House.⁶ It remained in the House through the recess. On February 19, 1885, it was returned from the House with 25,000 copies approved. Senator Blair asked prompt action on its final passage and surprisingly enough, got approval the same day.⁷

On March 16, 1885, one month later, Blair submitted a resolution to continue the investigation, explaining why such a continuation was necessary:

Four volumes of testimony have been taken and are published--as I stated, a very small amount of the testimony remains to be taken, which was to have been taken during the last vacation, but, for reasons which I have given, failed to be taken. The remaining volume, comprising some evidence and the report of the Committee, remains to be put in shape for the use of the printer.⁸

⁶Ibid., 5037.

⁷Congressional Record, 48 Cong., 2 sess., 1393.

⁸Congressional Record, 49 Cong., 1 sess., 51.

Blair's resolution was passed. But once again the final sessions were postponed. Eighteen months later, August 31, 1886, Blair again proposed that the Committee be allowed to finish its work. During the debate that followed his resolution, he explained his reasons for not finishing it the previous year. He claimed that after the session had closed, "someone" had raised the parliamentary question as to whether he had the right to expend government money after the close of a session, since his chairmanship had expired. The legal point at issue is not too clear since he only vaguely refers to it, and since there is no way to check it, the issue arising off the Senate floor and after the close of the session. The point was evidently important enough in Blair's estimation to cause him to wait until it could be clarified in the next session. This was done to his satisfaction, so he sought a continuance of the hearings.⁹

Senate opposition to the hearings and their results can be seen further in the argument of Senator Francis Cockrell, Republican of Missouri. Cockrell, concerned about the expense, asked:

Are you going to commence the work over again and go over the same field that you did in the beginning, and get up another investigation, going all over the country, taking testimony and bringing in four or five volumes more?¹⁰

⁹Ibid., 7909.

¹⁰Ibid.

To this implied distrust, Blair, probably at this stage weary and disgusted with the drawn out ordeal, rather plaintively replied:

I assure the Senator that the Committee, so far as I know anything about it, has only one desire, and that is to get through with what it has undertaken. It is not likely to attempt anything further than is absolutely necessary to the completion of the work that has been placed upon it.¹¹

The important fact that can be ascertained from all these resolutions by Blair is that a report was still intended. Indeed, if Blair's words are credible, it was practically on the presses. But it is at this point that all reference to the report disappears from the Congressional Record. Although Blair, on February 10, 1887, in what at this stage appears to be a comic-opera gesture, had another resolution passed to continue the hearings,¹² the proposed report is never officially referred to again. The investigation also disappeared from the record on the last mentioned date. One possible explanation of why the report never appeared is that it was suppressed. Such an explanation is not implausible in light of the above information. Such a suppression is also made credible when two facts are considered which indicate that the report's content would have been unpalatable to certain Senators.

¹¹Ibid.

¹²Congressional Record, 49 Cong., 2 sess., 1571

One of these facts is a statement by Samuel Gompers in his autobiography. It is the only reference to the report found in the writings of labor men of that period. Gompers says:

Labor's contribution to the investigation conducted by the Senate Committee on Education and Labor began in 1883 and was so effective in convincing that group of Senators of the validity of labor's contentions that the recommendations of that Committee were never published. I have understood that the fifth volume containing the recommendations was withheld through the influence of Senator Aldrich.¹³

The other fact is a corollary of this. Both Blair and George, as will be discussed later, became advocates of the working class. One need only read Blair's speeches in behalf of labor to envision the content of the report. It is assumed that since he led the fight for the establishment of a Bureau of Labor Statistics, for the exemption of labor from the Sherman Act's injunction procedure, and for enforcement of the government eight-hour law, and that since he would have had a major hand in writing the report, the report would have been weighted on labor's side.

A consideration of the several alternative reasons for the non-materialization of the report is in order. The most practical reasons for not printing it would be either a lack

¹³Samuel Gompers, Seventy Years of Life and Labor, V. I, 446.

of sufficient appropriation or the fact that the proposed document was too inconsequential to bother with. Both of these would, it seems, have led to debate on the floor, and the ultimate fate of the report would be evident in the recorded debate.

The other alternative reason would be that Blair never did get around to "putting it in shape for the printer," and the volume died the common death of general apathy. But this appears highly implausible, when one views Blair's future actions relating to the labor-capital dispute, or when, from Blair's own words, one knows that such little work was needed to finish it.

It is hoped that future research on the part of the writer will unravel the mystery of the lost report.

II

In the absence of a report, the only other effective means of determining the results of the committee investigation is to analyze the subsequent activity of its members. It is the writer's conclusion that this investigation of relations between labor and capital had a significant impact on some members of the Committee, and consequently on the whole course of governmental action in that area. The activities of two members stand out in later Senate proceedings

in the area of socio-economic legislation. They are Senators Blair and George.

An analysis of their pro-labor efforts in the Senate might run to a full-size volume, if the analysis were based on all the Congressional Record reveals. A general survey of their activity should point up the conclusion that both were profoundly influenced by their Committee experiences.

Blair was certainly not elected to the Senate as a labor candidate. All indications lead to the conclusion that he was a decidedly uncontroversial figure, "safe" in all respects. His appointment to the chairmanship of the Committee was probably the result of his avowed interest in mass education, and not the result of any previous activity on labor's behalf. Furthermore, it appears at the outset of the hearings that he was a bit skeptical regarding labor's desires. No real knowledge can be obtained about his prejudices prior to the hearings, since this was his first term in the Senate and since he has not been the subject of biography. The Dictionary of American Biography lists as his primary interest the field of education legislation and pays little attention to his labor activities.

The best indication of how a senator stands on a certain issue is the opinion those involved in the issue express regarding him. The previously cited opinions of Gompers indicate labor's respect for Blair. Another quotation

from Gompers further corroborates the theory that Blair had been influenced by the investigation, and that labor regarded him as an ally after the hearings:

The first Congressional campaign in which I actively participated was that of Henry W. Blair, Senator from New Hampshire. The investigation of the Senate Committee on Education and Labor resulted in Senators Blair and George of Mississippi being converted to the cause of labor and strongly impressed with the necessity for the thorough organization of the working people into trade unions. . . Gabriel Edmonston, Frank K. Foster, and I went to New Hampshire and helped in the re-election of Senator Blair. He unreservedly gave the credit of his re-election to the help of the organized labor movement.¹⁴

Gompers also relates that, on issues affecting labor in the late eighties and early ninties, he always sought to have Blair or George present labor's side of the question before the Senate.

George's position as a freshman also makes it hard to determine his views prior to the investigation. It will be recalled that he was known as the "Great Commoner" in his home state. And, as has been noted, he was also regarded by labor as a proponent of its aims. It remains to determine whether labor's faith in these men is borne out by their action in Congress, and whether their words indicate any effects of their Committee experience.

¹⁴Ibid., V. 2, 81.

On many of the major questions concerning labor, Blair and George expressed opinions favorable to the workingman. A few specific examples will be cited as being representative of their views.

In the particularly bitter debate that arose over Blair's resolution to establish a Bureau of Labor Statistics, a good deal of the discussion was on the question whether or not labor really wanted such a unit in the federal government. Opposition to the bureau was displayed by Senators Justin S. Morrill and Charles Van Wyck. Blair, in answer to a question by Van Wyck along these lines, replied:

I would say to the Senator that every extensive labor organization of the country appeared before the Committee on Education and Labor, and they universally, by their leaders, said that a Bureau of Statistics of Labor was the thing they wanted.¹⁵

George, in another violent debate over the Sherman Anti-Trust Act, gave evidence of his sympathy for the laborer and small farmer in proposing exemption of these groups from the injunction clause of the bill:

So if this bill passes as it now stands, the farmers and laborers of this country who are sending up their voices to the Congress of the United States, asking, pleading, imploring us to take action to put down trusts; these farmers and these laborers will find

¹⁵Congressional Record, 48 Cong., 1 sess., 1748.

that they themselves, in their most innocent and necessary arrangements, made solely for defensive purposes against the operation of these trusts, will be brought within the punitive provisions of this bill.¹⁶

On other major issues, Blair and George acted and spoke in a similar vein.¹⁷ Almost invariably they referred to information gained during the hearings to support their arguments. The conclusion that Blair and George were influenced by their work on the Committee, in the light of the above evidence, seems correct.

One final question, by far the most important, must be answered. In order to state that the Committee's investigation had an effect on governmental policy, the success of Blair's and George's efforts must be determined. On some issues there is a definite answer available. On others the answer must be implicit rather than one based on easily identifiable results. Where there is a definite answer, it can be determined by several means. This involves singling out those bills in which some aspect of the labor question was involved, noting its sponsor, following its course through the Senate, and determining its passage or defeat. If it

¹⁶Ibid., 50 Cong., 2 sess., 1638.

¹⁷See Congressional Record, 50 Cong., 1 sess., 6360ff., for debate on eight-hour law for government employees; Ibid., 4887ff., for debate on use of alien labor on government projects; Ibid., 49 Cong., 2 sess., 2375ff., debate on arbitration; and Ibid., 793ff., for debate on convict labor.

emerges as a law advancing labor's objectives and either Senator sponsored the bill, it is safe to conclude he had some effect on policy. Or if, at a crucial stage, the arguments advanced by either man influenced the bill's passage, it likewise follows that there was an effect on policymaking by these men.¹⁸

There were several laws passed by Congress in which Blair and George played a significant part. Blair introduced the bill to establish a Bureau of Labor Statistics. It died in the Senate, was re-introduced in the House, and was finally passed. It was Blair's efforts, as chairman of the Committee on Education and Labor, that kept the bill from being emasculated by amendments. It was also his steerage of the bill that resulted in its comparatively swift approval by the Senate.¹⁹

Another important labor measure was the prohibition of the use of convict labor on government work. This bill was introduced by George, but it too was not acted on immediately. He was forced to re-introduce it in the two following sessions, but without success. However, a similar bill was approved by the House and, through Blair's stewardship, gained Senate approval.²⁰

¹⁸No attempt has been made to evaluate the importance of each measure or to decide whether any successful measure marked a departure from previous policy. The magnitude of such an evaluation is immediately evident.

¹⁹Congressional Record, 48 Cong., 1 sess., 4427ff.

²⁰Congressional Record, 49 Cong., 2 sess., 2377ff.

Blair and George played key roles in the passage of the law banning the use of foreign contract labor by industry. The bill originated in the House, passed there with little difficulty and went to the Senate. There it was originally assigned to the Committee on Foreign Relations. After three weeks, it was recharged to Blair's committee.²¹ It was reported out in a week without amendment,²² a definite indication of Blair's pro-labor sentiments, since the bill was endorsed by all the major unions.²³ On the floor, the debate for its passage was led by Blair. Indeed, his defense against amendment was more vigorous than any of his previous efforts.²⁴ George also delivered several speeches in defense of the measure, and was joined by Senator Call.²⁵ Oddly enough, Call was the man in this debate who continually referred to the Committee investigation of 1883. With these men defending the bill, it passed in the form in which it had come from the House.²⁶

²¹Congressional Record, 48 Cong., 1 sess., 5430.

²²Ibid., 5729.

²³Congressional Record, 48 Cong., 2 sess., 1621ff.

²⁴Ibid.

²⁵Ibid.

²⁶Ibid., 1832ff.

Two other measures favoring labor were passed by the Senate in which Blair and George played decisive roles. They were the law which established government arbitration between labor and management of common carriers in interstate commerce,²⁷ and the measure tightening the government eight-hour law.²⁸

Summary

All of the above evidence leads to several conclusions. These have been stated in various sections but remain to be gathered in a single, concise statement.

The primary purpose of this study has been to determine the place in labor history that should be assigned to the investigation conducted by the Senate Committee on Education and Labor in 1883. It is the writer's conclusion that it should be given a more significant position than the lowly spot it has previously occupied. Only a few labor historians have even referred to it in their writings. The master work in the field, that of John R. Commons, views its results and effectiveness with decided skepticism. When other scholars do mention its work, it is only to quote from it.

²⁷Ibid., 49 Cong., 2 sess., 2375ff.

²⁸Ibid., 48 Cong., 1 sess., 16.

The Committee's work merits greater respect for three major reasons. First, it was the initial attempt by a Congressional body to obtain a solution for the complex problem of labor-capital antagonism. Regardless of its success in this venture, it marked a significant step in a direction other than the traditional hands-off philosophy concerning the governments role in the situation.

Secondly, contrary to the Common's view, it did "throw light on the situation." That this light was not fully utilized by a rather large body of myopic legislators does not detract from its efficacy in the slightest. Such a charge can be levelled at almost any Congressional investigation.

And the final and most significant reason is the fact that the investigation had a direct effect in altering the labor legislation policies of the Congress. Labor gained its most emphatic support in the Senate of the 1880's as a result of the investigation.

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Civil War America is the discussion of the causes of depression in the First Annual Report of the Commissioner of Labor, 1886 (Washington, 1886).

Newspapers:

The best guide to the newspapers of this period and their location is Winifred Gregory (ed.), American Newspapers, 1821-1936: A Union List of Files Available in the United States and Canada (New York, 1937).

The most complete news coverage of the investigation is found in the New York Times; in addition, the journal also contributed the bulk of editorial comment on the Committee's work. Close behind in amount of coverage were the daily and weekly editions of the New York Tribune, in turn followed by the New York Herald. Possibly because Congressional investigations were no novelty in Washington, that city's paper devoted little space to the investigation. Some notice can be found, however, in the Evening Star and the National Republican. The Detroit Free Press and the Boston Daily Advertiser were generally content to carry only brief items in their Washington columns. The Chicago Tribune performed in like manner.

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The autobiography of Samuel Gompers, Seventy Years of Life and Labor (New York, 1943), is an excellent source for general background and for comments on Senator Blair. Also of

value for determining the labor milieu of this period is the autobiography of Terrence V. Powderly, The Path I Trod (New York, 1940). In addition, the accounts of conventions in the American Federation of Labor, Report of the Proceedings, 1881-88 (Bloomington, Illinois, 1888), provides data on what goals militant labor groups were working for.

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General History:

The most extensive survey of the period is James Ford Rhodes, History of the United States from the Compromise of 1850, 7 vol. (New York, 1893-95), although little attention is given to labor. Of greater value are the two volumes contained in the "History of American Life" series: Allan Nevins, Emergence of Modern America, 1865-78 (New York, 1927), and Arthur M. Schlesinger, The Rise of the City, 1878-98 (New York, 1933).

No study of this period is complete unless the work of David A. Wells, Recent Economic Changes (New York, 1891), is read, since Wells gives a contemporary's view of that era.

An understanding of the beliefs and goals of business is essential to an understanding of post-Civil War America. An excellent study of this theme is found in T. C. Cochran and William Miller, The Age of Enterprise (New York, 1942). Although unsympathetic to businessmen, I. M. Tarbell, The Nationalizing of Business, 1878-98 (New York, 1936), and Matthew Josephson, The Robber Barons (New York, 1934), are nevertheless of great value in filling in the picture of the new leaders. Offsetting this hostility is the sympathetic treatment presented by Louis M. Hacher, The Triumph of American Capitalism (New York, 1940).

In the field of labor, many excellent books are available. Still the best in this area is the study of John R. Commons, et al, History of Labor in the United States, 4 vol. (New York, 1918). The first two volumes of this study are of particular value for their analysis of early developments. The best one-volume work covering the history of labor up to 1881 is Philip Foner, History of the Labor Movement in the United States (New York, 1947). This book contains the best documentation of all the labor histories, and at no point does his avowed Marxism prejudice his interpretation.

Also useful for reference are Mary Beard, A Short History of the Labor Movement (New York, 1939); Samuel Yellen, American Labor Struggles (New York, 1936); and Foster R. Dulles, Labor in America (New York, 1949).

For books dealing with specific unions, Norman Ware's Labor Movement in the United States, 1860-95 (New York, 1929), essentially a study of the Knights of Labor, is the key work. A treatment of the major rival of the Knights is found in Lewis L. Lorwin, The American Federation of Labor (Washington, D. C., 1933). An excellent study of some of the major craft and industrial unions is Herbert Harris, American Labor (New Haven, 1948).

For an understanding of what men sympathetic to labor were thinking during this period, two books are essential. They are Richard T. Ely, The Labor Movement in America (New York, 1886), and the collection of essays contained in G. E. McNeill (ed.), The Labor Movement (New York, 1887). The latter is a product of the work of about twenty intellectuals and labor leaders associated with the Knights of Labor.

Miscellaneous Sources:

An excellent portrayal of Southern labor conditions is C. Vann Woodward, Origins of the New South, 1877-1913 (Louisiana State University Press, 1951). The position of

the Negro during this period can be better understood by reading Charles Wesley, Negro Labor in the United States, 1850-1925 (New York, 1927).

The problems created by the disposal of the public domain are seen in Fred A. Shannon, The Farmer's Last Frontier (New York, 1945), Walter P. Webb, The Great Plains (Boston, 1931), and Frederick L. Paxson, The Last American Frontier (New York, 1910).

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